Government of Karnataka

THE KARNATAKA

PRISONS AND CORRECTIONAL SERVICES MANUAL - 2021

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ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು

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ವಿಷಯ:- ಕರ್ನಾಟಕ ಕಾರಾಗೃಹ ಕೈಪಿಡಿ - 1978ನ್ನು ರದ್ದುಪಡಿಸಿ, ನೂತನ ಕರ್ನಾಟಕ ಕಾರಾಗೃಹ ಮತ್ತು ಸುಧಾರಣಾ ಸೇವೆ ಕೈಪಿಡಿ 2021ನ್ನು ಜಾರಿಗೊಳಿಸುವ ಕುರಿತು.

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ಪ್ರಸ್ತಾವನೆ:-

ಓದಲಾದ (1)ರ ಪತ್ರಗಳಲ್ಲಿ ಕೇಂದ್ರ ಗೃಹ ಮಂತ್ರಾಲಯವು ಎಲ್ಲಾ ರಾಜ್ಯಗಳಲ್ಲಿ ಒಂದೇ ರೀತಿಯ ಕಾರಾಗೃಹ ಕೈಪಿಡಿಯನ್ನು ಅಳವಡಿಸಲು ಮಾದರಿ ಕಾರಾಗೃಹ ಕೈಪಿಡಿ-2016ರನ್ವಯ ರಾಜ್ಯದಲ್ಲಿಯೂ ಸಹ ಪರಿಷ್ಕರಿಸುವಂತೆ ಸೂಚಿಸಿರುತ್ತದೆ.

ಓದಲಾದ(2)ರಲ್ಲಿ ಪೊಲೀಸ್ ಮಹಾನಿರ್ದೇಶಕರು, ಕಾರಾಗೃಹ ಮತ್ತು ಸುಧಾರಣಾ ಸೇವೆ, ಇವರ ಪತ್ರಗಳಲ್ಲಿ, ಕರಡು ಕರ್ನಾಟಕ ಕಾರಾಗೃಹ ಮತ್ತು ಸುಧಾರಣೆ ಸೇವೆ ಕೈಪಿಡಿ-2021ನ್ನು ಕೇಂದ್ರ ಗೃಹ ಮಂತ್ರಾಲಯ, ನವದೆಹಲಿ, ಮಾದರಿ ಕಾರಾಗೃಹ ಕೈಪಿಡಿ-2016ರನ್ವಯ ತಯಾರಿಸಲಾಗಿರುತ್ತದೆ. ನೂತನ ಕರಡು ಕರ್ನಾಟಕ ಕಾರಾಗೃಹ ಮತ್ತು ಸುಧಾರಣಾ ಸೇವೆ ಕೈಪಿಡಿ-2021 ಈ ಹಿಂದಿನ ಕರ್ನಾಟಕ ಕಾರಾಗೃಹ ಕೈಪಿಡಿ-1978ನ್ನು ಬದಲಾಯಿಸಿದ್ದು, ಸದರಿ ಹಿಂದಿನ ಕೈಪಿಡಿಯನ್ನು ರದ್ದುಪಡಿಸಿ, ನೂತನ ಕರಡು ಕರ್ನಾಟಕ ಕಾರಾಗೃಹ ಮತ್ತು ಸುಧಾರಣಾ ಸೇವೆ ಕೈಪಿಡಿ-2021ನ್ನು ಪರಿಗಣಿಸಿ, ಜಾರಿಗೆ ತರಲು ಅನುಮೋದನೆ ನೀಡುವಂತೆ ಕೋರಿ ಪ್ರಸ್ತಾವನೆಯನ್ನು ಸಲ್ಲಿಸಿರುತ್ತಾರೆ.

ಪ್ರಸ್ತಾವನೆಯನ್ನು ಕೂಲಂಕಷವಾಗಿ ಪರಿಶೀಲಿಸಿ, ಕೆಳಕಂಡಂತೆ ಆದೇಶಿಸಿದೆ.

<u>ಸರ್ಕಾರದ ಆದೇಶ ಸಂಖ್ಯೆ: ಹೆಚ್‌ಡಿ 58 ಪಿಆರ್ ಎ 2019,</u>
<u>ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 07-01-2022</u>

ಮೇಲಿನ ಪ್ರಸ್ತಾವನೆಯಲ್ಲಿ ವಿವರಿಸಿರುವ ಅಂಶಗಳ ಹಿನ್ನಲೆಯಲ್ಲಿ, ಕೇಂದ್ರ ಗೃಹ ಮಂತ್ರಾಲಯವು ಮಾದರಿ ಕಾರಾಗೃಹ ಕೈಪಿಡಿ -2016ರಂತೆ ಹಾಗೂ ಗೌ|| ಸರ್ವೋಚ್ಚ ನ್ಯಾಯಾಲಯದ ರಿಟ್ ಅರ್ಜಿ ಸಂಖ್ಯೆಃ 406/2013ರ ದಿನಾಂಕಃ 25/09/2018ರ ತೀರ್ಪಿನ ಅನ್ವಯ ಕರ್ನಾಟಕ ಕಾರಾಗೃಹ ಕೈಪಿಡಿ-1978ನ್ನು ಬದಲಾಯಿಸಿದ್ದು, ಸದರಿ ಹಿಂದಿನ ಕರ್ನಾಟಕ ಕಾರಾಗೃಹ ಕೈಪಿಡಿ-1978ನ್ನು ರದ್ದುಪಡಿಸಿ, **ಕರ್ನಾಟಕ ಕಾರಾಗೃಹ ಮತ್ತು ಸುಧಾರಣಾ ಸೇವೆ ಕೈಪಿಡಿ-2021ನ್ನು** ಕೂಡಲೇ ಜಾರಿಗೊಳಿಸಿ ಆದೇಶಿಸಲಾಗಿದೆ.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ
ಸಹಿ/-
(**ಎಸ್. ಸುರೇಶ್ ಬಾಬು**)
ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ,
ಒಳಾಡಳಿತ ಇಲಾಖೆ (ಸೆರೆಮನೆ & ಸಿನಿಮಾ)

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THE KARNATAKA
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CHAPTER - 1
INTRODUCTION

Preamble;

Whereas it is expedient to provide an updated Prisons and Correctional Services Manual for the Karnataka State Prisons and Correctional Services Department and therefore the present 'Prisons and Correctional Services Manual 2021' replaces the earlier Karnataka Prison Manual 1978.

The present 'Prisons and Correctional Services Manual 2021' not only updates the provisions in 'Karnataka Prison Manual 1978' but also incorporates provisions from the 'Model Prison Manual 2016' of the Ministry of Home Affairs, Government of India, wherever possible and wherever such provisions are in conformity with the 'Karnataka Prison Act 1963' and the 'Rules' made therein.

Provisions incorporated in the 'Prisons and Correctional Services Manual 2021', shall always be interpreted within the meaning of the provisions in 'The Karnataka Prison Act 1963' and the Rules made therein.

Interpretation Clause;

In this Manual, the following words and expressions are used in the following senses unless a contrary intension appears from the subject or context.

Definitions:

i. **"Act"** means The Karnataka Prisons Act of 1963 and any other Law Governing the Prisons;
ii. **"Adult Prisoner"** any Prisoner who is above 21 years of age;
iii. **"After - Care Service"** A service or activity aimed at rehabilitation of the released prisoner for enabling him to lead a life of a dutiful citizen.
iv. **"Alarm"** includes Electrical, Electronic or manual alarm;
v. **"Approved NGO"** as NGOs approved by the Central or State Government as the case may be;
vi. **"Bail Applications"** Bail applications include applications moved u/s

436A, 437 Cr.P.C. and 439 Cr.P.C. apart from other provisions pertaining to technical bail under the Cr.P.C., namely bail under provison to Sections 16 and 437 (6) Cr.P.C. and similar provisions in other special enactments.

vii. **"Casual Prisoner"** means a convicted criminal prisoner other than a habitual offender in the Court of Law;

viii. **"Civil Prisoner"** 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 detenue and includes a person detained in the prison under Section 125(3) of this Code of Criminal Procedure, 1973;

ix. **"Competent Authority"** any officer having jurisdiction and due legal authority to deal with a particular matter in question;

x. **"Condemned Prisoner"** means a prisoner under sentence of death, which has become final, conclusive and indefeasible, and which cannot be annulled or avoided by any judicial or constitutional procedure.

xi. **"Convict Prisoner"** means any prisoner under sentence of a Court or Court Martial;

xii. **"Correctional Services"** any services aimed at the reformation and rehabilitation of the inmate, and includes services related to the assessment, supervision, treatment, training, control, custody of an inmate;

xiii. **"Correctional Personnel"** means Personnel employed by the Correctional Administration;

xiv. **"Court"** means a statutory authority established by the state and which includes a coroner and any officer or body lawfully exercising civil, criminal or revenue jurisdiction;

xv. **"Code"** means the Code of Criminal Procedure, 1973 (Central Act No. 2 of 1974) and the Indian Penal Code, 1860;

xvi. **"Department"** means the Department of Prisons and Correctional Services in the Karnataka State.

xvii. **"Detenue"** means any person detained in Prison by warrant, writ, or order issued under any law providing for preventive detention;

xviii. **"Director General of Prisons and Correctional Services"** the Head of the Prisons and Correctional Services Department appointed by the State Government and who shall exercise the powers conferred under the Karnataka Prisons Act, 1963, as conferred to the Inspector General

in the Act.

xix. **"E-Prison Portal"** means E-Prison Portal developed by NIC under directives of Ministry of Home Affairs and includes stand alone Software developed by States for their Prisons.

xx. **"Family"** means Spouse, Children, siblings, parents, grand-parents, grand children, and in the context of transgender inmates, people related through socio-religious family system.

xxi. **"Foreign Prisoner"** means any prisoner who is not a citizen of India.

xxii. **"Government"** means the Central Government or the State Government as established under the Constitution of India;

xxiii. **"Geriatric Prisoner"** a prisoner who is 60 years of age or above and medically unable to manage his/her daily affairs independently without assistance;

xxiv. **"Habitual Offender"** as defined in The Karnataka Habitual Offenders Act 1961 and any amendments made thereunder.

xxv. **"High Risk Prisoner"** means any prisoner with high propensity towards violence, escape, self-harm , disorderly behaviour, create unrest in the Prisons and threat public order also includes persons intermittently suffering from suicidal tendencies, mental illness and drug addicts suffering from intermittent violent behaviour;

xxvi. **"History Ticket"** means the ticket, either in physical or electronic form, exhibiting such information as is required in respect of each prisoner, during his stay in Prison, by Act or the Rules framed thereunder;

xxvii. **"Imprisonment"** means sentence of incarceration as stipulated in the Indian Penal Code, 1860 and other relevant acts.–

1) **"Life Imprisonment"** means imprisonment for the rest of the life from the date of committal in principle, barring authorized leaves and temporary suspension of sentence by the Competent Authority;
2) **"Simple imprisonment"** means sentence without obligation to do hard work;
3) **"Rigorous imprisonment"** means obligation to do hard work during imprisonment;

xxviii. **"Inmate"** any person lawfully kept in an institution;

xxix. **"Institutions"** a place where prisoners are kept under the custody in the prison as mentioned under Section 417 of Criminal Procedure Code;

xxx. **"Judge"** means every person who is empowered by law to conduct any

legal proceedings, civil or criminal (Chapter II of Cr.P.C.);

xxxi. **"Juvenile"** means a person who has not attained the age of eighteen years;

xxxii. **"Long termers"** means prisoners having sentence of more than three months:

xxxiii. **"Magistrate"** means every person exercising all or any of the powers stipulated to be carried out under the provisions of the Code of Criminal Procedure, 1973;

xxxiv. **"Medical officer"** means a doctor designated as such in terms of provisions under the Karnataka Prisons Act, 1963, including visiting Medical Officer, who will take care of the health of prisoners and take care of the entire medical administration of the prison;

xxxv. **"Military prisoner"** a prisoner convicted by Court martial;

xxxvi. **"Offence"** means any act or omission that is defined and a punishment is prescribed under any law for the time being in force;

xxxvii. **"Correctional Institution"** means a place for confinement of eligible prisoners on such conditions as may be prescribed, for giving such prisoners more liberty and an opportunity of association with the social life outside a regular Prison for facilitating their rehabilitation after release.

xxxviii. **"Open Prison"** any place declared as such for the detention of prisoners trusted to serve their sentences with minimal supervision and perimeter security under any Act or rules for the time being in force;

xxxix. **"Parole"** means a temporary release of convict prisoner by appropriate Government authority for a short period of time, as prescribed under rules framed thereunder.

xl. **"Prison"** means any place used permanently or temporarily under the general or special orders of the State Government for detention of prisoners as per Section 2(j) of The Karnataka Prisons Act, 1963, and all land and buildings there to inclusive of all Prisons, but does not include, any place for the confinement of prisoners which are exclusively used by police;

xli. **"Prison Officer"** means an officer belonging to the Prisons and Correctional Services Department of the Karnataka State.

xlii. **"Prisoner"** means any person confined in a prison under the written orders or Writ or warrant of the Competent Authority having jurisdiction;

xliii. **"Prohibited Articles"** means any article, the introduction or removal of which into or out of a prison is prohibited by these rules or any

statute or any of the rules and instructions contained therein;

xliv. **"Prisoner with mental illness"** means a person with mental illness who is an under-trial or convicted of an offence and detained in a Prison.

xlv. **"Record"** all documents prepared in manual as well as electronic forms;

xlvi. **"Report"** an official or formal statement of facts or proceedings in practice (in writing/oral to any authority);

xlvii. **"Remission system"** means the rules in force for regulating and consequent shortening of sentence of eligible prisoners without changing the character of the sentence, as per the rules;

xlviii. **"Secretary DLSA"** means Secretary of the concerned District Legal Services Authority appointed u/s 9(3) of Legal Services Authorities Act, 1987 and any other officer officiating as Secretary.

xlix. **"Sick Prisoner"** means a prisoner suffering from diseases as opined by the Medical Officer;

l. **"Short termers"** means prisoners having sentence of less than three months;

li. **"Sentence"** means the period of imprisonment declared by Competent Authority;

lii. **"Superintendent"** an officer who is appointed by the Competent Authority to be in-charge of any prison in such a designation as it may specify;

liii. **"Transgender"** means as defined under the relevant Law;

liv. **"UTPs"** means Under Trail Prisoners who are in custody at the time of preparation of the list of UTPs by the Superintendent and includes inmates who are out on interim bail.

lv. **'UTRC"** means Under Trial Review Committee chaired by District & Sessions Judge consisting of District Magistrate, Superintendent of Police, Secretary, DLSA and Prison Superintendent, as members.

lvi. **"Under Trial Prisoner"** a person who has been committed to judicial custody pending investigation or trial by a Competent Authority.

lvii. **"Young Prisoner"** means any prisoner who has attained the age of eighteen years and is below twenty one years;

CHAPTER - 2

Organization and Classification of Prisons and Correctional Services

1. The Prisons and Correctional Services in Karnataka State are constituted under The Karnataka Prisons Act, 33 of 1963 and are governed by the Rules made under the Act by the Government from time to time.
2. The Director General of Prisons and Correctional Services and Correctional Services appointed by the Government under Section 3 of the said Act, shall exercise the general control and superintendence over all prisons, Prison Training Institutes, Karnataka State Prison Academy, Prison Development Board and any other institution or institutions declared by the State Government as part of Prisons and Correctional Services Department.
3. **All prisons situated in Karnataka State fall under the following classes;**

i. Central Prisons;
ii. District Prisons;
iii. Taluka Prisons;
iv. Special Sub-Jails;
v. Open Prisons;
vi. Prison Training Institute;
vii. Karnataka State Prison Academy;
viii. Prison Development Board;
ix. Any institution declared by the State Government from time to time as a part of Prisons and Correctional Services Department.

4. **Names of various prisons under the different classes of prisons;**

i. Central Prisons:-
   a) Central Prison, Ballari;
   b) Central Prison, Belagavi;
   c) Central Prison, Bengaluru;
   d) Central Prison, Dharwad;
   e) Central Prison, Kalaburgi;
   f) Central Prison, Mysuru;
   g) Central Prison, Shivamogga;
   h) Central Prison, Vijayapura;
   i) Central Prison for Women Shivamogga.

j) any other Central Prisons declared by the State Government from time to time as a part of Prisons and Correctional Services Department.

ii. All convicts and under trial Prisoners may ordinarily be confined in Central Prisons:

iii. Central prison may also serve as the district prison of the district in which it is situated.

iv. District prisons:-

a) District Prison, Bagalkot;
b) District Prison, Bidar;
c) District Prison, Chamarajanagar;
d) District Prison, Chikkaballapur;
e) District Prison, Chikkamagalur;
f) District Prison, Chitradurga;
g) District Prison, Dakshina Kannada, Mangaluru;
h) District Prison, Davanagere;
i) District Prison, Gadag;
j) District Prison, Hassan;
k) District Prison, Haveri;
l) District Prison, Kolar;
m) District Prison, Koppal;
n) District Prison, Madikeri;
o) District Prison, Mandya;
p) District Prison, Raichur;
q) District Prison, Ramanagara;
r) District Prison, Tumakuru;
s) District Prison, Udupi;
t) District Prison, Uttara Kannada, Karwar ;
u) District Prison, Yadgiri.
v) Any other District Prisons declared by the State Government from time to time as a part of Prisons and Correctional Services Department.

v. Under trial Prisoners may be ordinarily be confined at District Prison;

vi. Prisoners sentenced to a term of imprisonment up to six months may be confined in District Prisons;

vii. The Taluk Prisons and Special sub-Jails:-

a) Chintamani-Chikkaballapura District.
b) Devadurga-Raichur District.
c) Gokak-Belagavi District.

d) Hoovina Hadagali-Ballari District.
e) Hospet-Vijayanagara District.
f) Hubballi-Dharwad District.
g) Humnabad-Bidar District.
h) Jamakandi-Bagalakote District.
i) K.R. Nagar-Mysuru District.
j) KGF-Kolar District.
k) Lingasugur-Raichur District.
l) Madugiri-Tumakuru District.
m) Nanjangud-Mysuru District.
n) Sakaleshpura-Hassan District.
o) Sedam-Kalaburagi District.
p) Shorapura-Yadagiri District.
q) Sirsi-Uttara Kannada District.
r) Tiptur-Tumakuru District.
s) Any other Taluka Prisons / Special Sub Jails declared by the State Government from time to time as a part of Prisons and Correctional Services Department.

viii. The Under trial Prisoners may ordinarily be confined in Taluk Prisons / Special Sub Jails;

ix. Prisoners sentenced to a term of imprisonment up to three months, may be confined in Taluka Prisons / Special Sub-Jails.

5. **Open Prison ;**

i. Only well behaved long term Prisoners are kept in this Institution.

ii. This Institution has been established with two fold objective;

a) Imparting training to the inmates in Agriculture, Horticulture, Animal husbandry as a reformative measure with minimum guards;

b) To rehabilitate them in their original profession of Agriculture with training in modern methods.

iii. Any other Open Prisons declared by the State Government from time to time as a part of Prisons and Correctional Services Department.

6. **Prison Institutions ;**

i. **Karnataka State Prison Academy:** This institute provides training, refresher courses for prison officers. It also includes research in prison and related areas.

ii. **Prison Training Institute:** This institution imparts basic training and other all kinds of refresher courses to the staff and officers of the Department of Prisons and Correctional Services.

CHAPTER - 3

The Director General of Prisons and Correctional Services

7. Under Section 3 of The Karnataka Prisons Act 1963, the Director General of Prisons and Correctional Services is appointed by the State Government and he exercises general control and superintendence over all prisons, the Prison Training Institutes, Prison Academy, Prison Development Board and any institutions such declared by the State Government from time to time as a part of Prisons and Correctional Services Department.

i. The Director General of Prisons and Correctional Services will ensure the implementation of the provisions of The Karnataka Prisons Act 1963, through the officers assisting him at the Headquarters, Range, Prisons and at all other Institutions under the control of Prisons and Correctional Services Department;

ii. He will have such administrative authority as laid down in Karnataka Prisons Act 1963, Karnataka Prison Rules 1974, in this manual and as well as any other law, directions and orders issued by the Government from time to time.

iii. The expenditure of the Prisons and Correctional Services Department will be controlled by the Director General of Prisons and Correctional Services.

iv. As a head of the Department, The Director General of Prisons and Correctional Services will have all the necessary financial, Administrative and disciplinary powers.

v. The general functions of the Director General of Prisons and Correctional Services shall be;

a) To implement prison policies as laid down by the Government.
b) To plan, organize, direct, coordinate and control various prison and correctional services.
c) To define the functions and fix lines of authority and channels of command for the Prisons and Correctional Services officials and personnel of all the ranks at the Prison Headquarters and all other institutions under the Prisons and Correctional Services department.
d) Any other duties entrusted by the Government from time to time.

8. **Deputy Inspector General of Prisons;**

The State will be divided into convenient Ranges for supervision of

Prisons and Correctional Services institutions;

i. Each Range will be placed under the charge of a Deputy Inspector General of Prisons;
ii. Deputy Inspector General of Prisons shall be appointed by the State Government;
iii. He shall exercise the administrative and financial powers delegated to him from time to time by general or special order of Government and Director General of Prisons and Correctional Services;
iv. He shall supervise the Prison institutions within his jurisdiction;
v. He shall inspect all Central prisons, District Prisons and Taluka Prisons / Special Sub Jails in his range as follows, besides surprise visits as frequently as possible;
   a) All Central and Districts prison once in a year in his jurisdiction.
   b) 50% of Taluka Prisons in every year in his jurisdiction.
vi. He shall inspect all barracks, cells, work sheds and other enclosures of the Prison;
vii. He shall examine the Garden; check the arrangements for the water supply and waste disposal.
viii. He shall examine the Medical Administration, shall inspect the food to acertain that it is of proper quality and generally satisfy himself that the building and premises are in proper order;
ix. During each inspection he shall personally see the prisoners in confinement in the Prisons, shall give every prisoner a reasonable opportunity of making any application or complaint and shall investigate and dispose of such application or complaint as relates to prison Discipline;
x. He shall examine whether sufficient labour is available for prisoner sentenced to rigorous imprisonment. Whether adequate tasks have been exacted sufficiency of clothing and bedding progress under the remission Rules examine prisoners behind Iron bars and verify awards of punishment under the Rules;
xi. He shall inspect the warders establishment and satisfy himself as to its proficiency in drill and musketry inspect its arms;
xii. He shall examine whether the prison staff is adequate and whether discipline amongst the staff has been properly maintained;
xiii. After inspection he shall forward to the Chief Superintendent / Superintendent of the Prison, a copy of his inspection notes with suggestions or orders as he thinks fit for the guidance of the Chief

Superintendent / Superintendent of Prison.

xiv. He shall conduct personal enquiry into all cases of death of Prisoners including those of natural causes;

xv. He shall hold spot enquiry in case of accidental and unnatural death of Prisoners in Prisons or any serious injury to Prisoners endangering their life or any outbreak of violence of neglect of duty by the Prison staff and officers in performing his functions as Supervisory Officer of the Prison and furnish his findings to Government through the Director General of Prisons and Correctional Services.

xvi. He shall submit his visit and inspection reports to the Director General of Prisons and Correctional Services and Correctional Services. He shall also ensure compliance report on inspection by the Chief Superintendent / Superintendent of the Prison Institution.

xvii. He shall submit his advance tour program in the last week of every month for the succeeding month to the Director General of Prisons and Correctional Services for approval.

xviii. The Deputy Inspector General of Prisons shall mandatory to visit atleast 2 Central, 2 District and 4 of Taluka Prisons in his jurisdictional Prisons every month, in order to verify the administrations of Prisons.

xix. The Deputy Inspector General of Prisons shall conduct review meetings once in every three months and the meeting proceedings has to submit to Head Office before 10th of the respective month.

xx. The Deputy Inspector General of Prisons shall submit monthly diary report to Head Office in a prescribed format before 7th of the every month.

xxi. Any other duties as directed by the Government or Director General of Prisons and Correctional Services from time to time.

9. **Research Unit at Headquarters;**

There shall be a Research unit attached to the Director General of Prisons and Correctional Services at the Head Quarters with Research Officer and Research Assistants. They shall carry out the duties as assigned by Director General of Prisons and Correctional Services from time to time. Details of research unit as prescribed in this Manual.

CHAPTER - 4

Chief Superintendent or Superintendent of Prison

10. **Chief Superintendent or Superintendent of Prison;**

i. All the Central Prisons shall have Superintendent of Prison in such a designation in the cadre of Chief Superintendent / Superintendent of Prison as head of the Central Prisons.

ii. All the District Prisons shall have Superintendent of Prison in such a designation in the cadre of Assistant Superintendent of Prison as head of the District Prisons.

iii. All the Taluka prisons / Special Sub Jails shall have Superintendent of Prison in such a designation in the cadre of Jailor as head of the Taluka Prison / Special Sub Jails.

iv. All officers in-charge of the Prison shall be assisted by a required number of subordinate officers / staff in carrying out their duties.

v. The Chief Superintendent / Superintendent of Prison shall be the officer-in-charge of the Prison, within the meaning of the provisions of the Karnataka Prisons Act 1963, and other enactments.

vi. The Chief Superintendent / Superintendent of Prison subject to any order of the State Government or Director General of Prisons and Correctional Services shall be in-charge of the management of the prison in all matters relating to economy, discipline, labour, expenditure, punishment and control in general, and other things;

vii. The Chief Superintendent or Superintendent of Prison is responsible for developing an atmosphere that is conducive and correctional in nature and providing leadership in every aspect of prison management;

viii. He shall take care of the duties, suggestions, planning, organizing, directing, guiding, coordinating, supervising and controlling all prison activities;

ix. Chief Superintendent or Superintendent of Prison or in-charge of Institutions shall not leave the station or make over charge of his prison to any person or officer without having obtained the previous sanction of their superior officer.

x. Chief Superintendent or Superintendent of Prison of Central Prisons and Prison Training Institution / Academy shall not leave the station or make over charge of his prison / institution to any person or officer without having obtained the previous sanction of Director General of Prisons and Correctional Services.

11. **General Duties of the Chief Superintendent and Superintendent of prison;**

i. The Chief Superintendent or Superintendent of Prison shall make himself thoroughly acquainted with the rules, acts and regulations related to Prisons and shall strictly be responsible for the duty carrying out of all such rules and statutory provisions, execution of all sentence of prisoners committed to his charge;

ii. The Chief Superintendent or Superintendent of Prison shall visit the prison once in the forenoon and once in the afternoon on every working day, Sundays and prison holidays as well as whenever special circumstances warrant that he should to do so;

iii. He should put in not less than 8 hours attendance on every working day. If for any other cause he is prevented from visiting the prison on any day, he shall record the reasons and cause of his absence in his journal;

iv. At least once a week he shall visit all the sections and areas in the prison at night in odd hours and satisfy himself that the guarding is being properly done and that everything is in order as per the rules and provisions in the manual;

v. The Chief Superintendent or Superintendent of Prison shall be responsible to ensure that no illegal activities or any activity contrary to rules, provisions of this manual, directions of the Government or The Director General of Prisons and Correctional Services and other supervising officers are carried out in prison under charge.

vi. The Chief Superintendent or Superintendent of Prison shall hear the grievances of inmates of Prison on daily basis and it shall be addressed immediately. A separate register shall be opened to record all such grievances and action taken thereupon.

vii. The Chief Superintendent or Superintendent of Prison shall hear the grievances of Prison Staff on daily basis and it shall be addressed immediately. A separate register shall be opened to record all such grievances and action taken thereupon.

viii. The Chief Superintendent or Superintendent of Prisons shall make arrangements to display boards detailing the prohibited articles and penalties thereunder in Kannada language in important places inside the Prison as well as outside the Prison like Interview Room and near entrance of the Prison.

ix. He shall lodge FIR with Police against the concerned Prison personnel

and prisoners indulging in smuggling of illegal drugs, Mobile phones or any contraband articles inside the Prisons.

x. Whenever, any legal or administrative authority such as Karnataka Administrative Tribunal, State Human Rights Commission, Lokayuktha, Supreme Court, High Court or the Government directs the Chief Superintendent / Superintendent of Prisons to appear in person and submit information / documents, it is the duty of the Chief Superintendent / Superintendent of Prisons to comply the directions of concerned without fail.

xi. All correspondences / communications shall be made timely with the concerned competent authorities with regard to prisons detained in custody or detention under preventive detention laws like Goonda Act, COFEPOSA, PITNDPS and any other detention laws, by the Chief Superintendent / Superintendents of Prisons without fail.

xii. In District and Taluka Prisons only Superintendent of Prison and in case of Central Prisons, Assistant Superintendent and above rank officer shall be allowed to use of mobile phones in the Prison for day to day administration.

12. **Maintenance of Journal;**

i. The Chief Superintendent or Superintendent of Prison shall maintain a journal for his day to day activities like time at which he enters and leaves the Prison daily, and the result of his weekly inspection of the Prisoners, guards and premises, monthly stock verification, guards kit parade, etc.;

ii. Every occurrence of importance connected with the management of the Prison which is not otherwise disposed of in the registers or correspondence and which it is desirable to note for future reference;

iii. Copy of the journal shall be forwarded to the Deputy Inspector General of Prisons on or before 5th day of the month following that to which it relates and instructions or observations of the Director General of Prisons and Correctional Services, if any shall be carried out.

13. **Inspection of Prisons;**

i. The Chief Superintendent or Superintendent of Central Prisons shall inspect each jurisdictional prisons as follows.

a) At least one time for all District prisons in every year in his jurisdiction.

b) At least one time for all Taluka prisons in every year in his jurisdiction.

ii. In the case of Superintendent of District Prison at least twice for all Taluka prisons in every year in his jurisdiction.

iii. During the weekly inspection parade which shall usually be on Monday the Chief Superintendent / Superintendent of Prison shall satisfy himself.–

a) Every prisoner is properly classified as provided in the rules in that behalf and that every prisoner is provided with the properly written history ticket;

b) Every prisoner is provided with proper clothing and bedding;

c) The provisions of remission rules are understood by the prisoner and generally that the rules and orders applicable to the prisoners are being duly carried out;

d) The Chief Superintendent or Superintendent of Prison shall at every such parade hear and enquire into any complaints that the prisoners may wish to make. It shall be his duty to listen to complaints and petitions of prisoners in a patient and considerate manner and afford prisoners reasonable facilities for making such complaints;

e) Nothing in this rule shall bar a prisoner from making a complaint or application to the Chief Superintendent/ Superintendent of Prison at other times than the weekly parade and it shall be the duty of every Prison office to produce before the Chief Superintendent/ Superintendent of Prison without delay any prisoner desiring to see him;

f) Daily inspection round and weekly night inspection round General supervision over security and custody arrangement, custody of secret and confidential documents;

g) The Chief Superintendent / Superintendent of Prison shall inspect barracks, cells, Kitchen, rest rooms and every part of the prison daily at odd hours. He shall inspect the quarters of the subordinate staff once a month, and visit prison gardens and see that vegetables supplied to prisoners are fresh and wholesome;

h) He shall see every prisoner sentenced to death/till death at least once in a day and also on Sundays and holidays if necessary;

i) The Chief Superintendent or Superintendent of Prison shall inspect his own office once a year in the month of June with the help of the inspection points and see that those points which relate to his own office have been complied with, each point should be scrutinized and

answered by the Chief Superintendent or superintendent of Prison in his own hand and this work should not be entrusted to a subordinate officer;

j) Inspection of prison activities, prison hospital, kitchen, canteen, etc. and staff welfare and discipline, allocation of duties, protection of human rights, safety of prisoners and prison personnel;

k) The Chief Superintendent or Superintendent of Prison shall visit the Prison Hospital daily and see that proper arrangement are made for the safe custody and treatment of the sick prisoners and others and see that discipline is maintained as far as is consistent with medical treatment.

14. **Prison business to be transacted in Prison Premises;**
The Chief Superintendent or Superintendent of Prison shall transact all business connected with the Prison within its premises. He shall not except in case of necessity, require the attendance of the subordinates beyond the Prison premises.

15. **Control over Receipt and Expenditure;**

i. Chief Superintendent or Superintendent of Prison shall be responsible for all expenditure incurred for the working of the Prison. He shall carefully consider the necessity for all expenditure before incurring it and satisfy himself that all rates paid are the lowest compatible with efficiency. He shall be answerable for all Prison property, stores and moneys and shall be held responsible for any defalcation on the part of the Prison establishment;

ii. He shall annually submit to the Director General of Prisons, the details for the budget within the time limit prescribed thereof;

iii. He shall check and control of stock and stores and maintenance in the registers and report to the Director General of Prisons and Correctional Services and liaison with other Government agencies for this purpose.

16. **Maintenance of records;**

i. The Chief Superintendent or Superintendent of Prison shall be responsible for the correct maintenance of the records prescribed in Section 11 of The Karnataka Prisons Act, 1963, and of such other records as are prescribed by these rules, and at least once in a month shall examine every such record and shall satisfy himself that it is up-to-date maintained;

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

iii. Supervision over office Administration.

17. **Submission of Reports and Returns;**

i. The Chief Superintendent or Superintendent of Prison shall submit punctually to the Director General of Prisons and Correctional Services such yearly and other returns, statements, bills and vouchers, as may be prescribed from time to time.

ii. After close of each year he shall furnish to Director General of Prisons and Correctional Services a report on the administration of the Prison. This annual report shall be compiled in the Form prescribed by the Director General of Prisons;

iii. The Chief Superintendent or Superintendent of Prisons are required to send report to the District Legal Service Authority in regarding to the U.T. Prisoners as per under Section 436 (a) of Cr.P.C.;

iv. Personnel matters, staff welfare and staff discipline, allocation of duties to personnel under his control, safety of the prison personnel, protection of human dignity, rights and providing decent work conditions, acquainting institutional personnel with current policies of the role they have to play in a welfare state; organizing personnel training programs at the institutional level.

18. **Report of Important Occurrences;**

i. Any outbreak of epidemic disease or unusual sickness, serious breach of prison discipline, escapes, attempts to escape, recaptures, accidents, suicides, attempts of suicides of death from violent or unnatural causes shall be at once reported by the Chief Superintendent / Superintendent of Prison to the Director General of Prisons and Correctional Services and other supervising officers by Fax or phone or by e-mail whichever is quicker;

ii. During the prevalence of epidemic, he shall send daily report so long as disease prevails amongst the prisoners. A report on the occurrence of an outbreak shall also be sent to the Magistrate and the local District Health Officer;

iii. All Communications from a Member of Parliament or of a State

Legislature under arrest or detention under the Preventive Detention Act or imprisonment, addressed to the Presiding Officer of either House of Parliament or of a State Legislature, Chairman of a Parliamentary Committee or of a Joint Committee of both Houses of Parliament or Chairman of similar Committee of a State Legislature as the case may be, shall immediately be forwarded by the Chief Superintendent or Superintendent of Prison to the State Government through the Director General of Prisons and Correctional Services so as to be dealt with by them in accordance with the rights and privileges of the prisoner as a Member of the House of Legislature as the case may be to which he belongs.

19. **Present at the Inspections;**

The Chief Superintendent or Superintendent of Prison shall accompany the Director General of Prisons and Correctional Services or any senior officers during their inspection or visit of the Prison and shall also accompany official visitors if they request his presence during their visits.

20. **Prohibition of Smoking;**

The Chief Superintendent or Superintendent of Prison shall not himself smoke nor permit any other officer/staff or any visitor to smoke in the vicinity of prison and within Prison premises.

21. **Economy in Prison Expenditure;**

i. The Chief Superintendent or Superintendent of Prison shall promote economy in every department and carefully examine all demands or indents before passing them or submitting them for sanction;
ii. No articles indented for Prison use may be unless full details have been entered in the requisition book and entries signed by the Chief Superintendent or superintendent of Prison.

22. **Payment of Bills;**

i. He shall be personally responsible for the prompt payment of bills for articles supplied to the prisons;
ii. All detailed bills must contain every item of expenditure incurred during the months and no payment shall be adjusted or charged for in subsequent months;
iii. Supervision over office administration and financial matters;
iv. Implementing the state policy pertaining to the correctional administration and discipline, morals, training, treatment programs

and correctional activities;

v. Providing leadership in every aspect of prison management, planning, organizing, directing, guiding, coordinating, supervising and controlling all institutional programs and operations.

23. **Stock Verification;**

i. The Chief Superintendent or Superintendent of Prison shall every six months (in June and December) examine and count all stores ammunition, machinery, plant and tools, raw materials, manufactured articles and satisfy himself that he has on the premises and plant equivalent to the balance shown in the account the respective registers on the date of inspection, after such examination, he shall submit a report giving details of such deficiency and excesses as may found;

ii. He shall also submit to the Director General of Prisons and Correctional Services a report on the state of health and condition of live stock along with half yearly reports of stock taking.

24. **Cleanliness;**

The Chief Superintendent or Superintendent of Prison shall enforce the highest possible degree of hygiene and cleanliness in every part of the prison and with respect to the persons of the prisoners, their clothing bedding and everything in use.

25. **Notice cautioning bringing of Prohibited Articles;**

i. The Chief Superintendent or Superintendent of Prison shall see that a notice is placed on conspicuous place near the Prison Gate. (the notice to be written in Kannada and English), cautioning persons from bringing or attempting to bring spirits, tobacco, mobiles and its accessories, letters, or other prohibited articles into the prison or giving or attempting give such articles to prisoners outside the prison.

ii. He shall further notify in a similar manner that no person other than an officer or a visitor of the prison shall communicate or attempt to communicate with a prisoner by word of mouth or otherwise except with the permission of the Chief Superintendent or Superintendent of Prison;

iii. He shall in accordance with Section 42 of the Karnataka Prisons Act 1963 apprehend or cause to be apprehend any person so offending or who may attempt any means to so offend;

iv. Prohibited Articles in prisons are as follows: Acid or corrosive substance, Panparag, alcohol and breweries, mobile phones and accessories, currency of any kind, Playing cards, SIM cards, IPods, spy devices, USB Devices, memory cards, debit and credit cards, electric stove and stove coils, NDPS drugs and narcotic psychotropic substances (Ganja, Charas, Cocaine, Opium, brown sugar, heroin etc.), electronic and electrical articles/goods, heating materials etc.;

v. All electric gadgets and circuitry items, any explosive devices, arms and ammunition, sharp and blunt weapons, metals and glass materials, pet animals and birds etc., are prohibited articles in the prison.

vi. It shall also be notified that criminal case shall be registered against all such prisoners who are caught with prohibited articles in addition to action against them under Prison Rules.

vii. It shall also be notified that if any Prison Staff is found helping in carrying such prohibited articles inside the Prison or in the Prison premises, serious disciplinary action as well as criminal case shall be registered against them.

26. **Alarm parades;**

In order to train all Prison officials in respective duties which they will have to perform in case of an outbreak and emergency, the Chief Superintendent or Superintendent of Prison shall hold an alarm parade at an unexpected hour at least once a month and record the results of such parade in his journal. Responsibility regarding searches of barracks etc., The Chief Superintendent or Superintendent of Prison shall also acquaint his staff with all the modern e-surveillance equipment and other security features.

27. **Responsibility regarding searches of Barrack;**

i. The Chief Superintendent or Superintendent of Prisons shall see that whether his subordinates complies with all the rules and orders relating to searches of barracks and prisoners at the lockup, the selection of convicts for outgang and safe custody and conditions of employment of convicts working in outgang;

ii. The Chief Superintendent or Superintendent of Prison shall count prisoners as frequently as possible or needed but not less than once a month but not always on a fixed day or at the same hour: see all the prisoners in the prison or counted or cause to be counted personally and satisfy himself that all prisoners who ought to be in prison are

actually there and the result shall be recorded in the journal;

iii. He shall make arrangement for a thorough search of the Prison including barracks and work sheds as well as the prisoners for detection and removal of objectionable articles. This work should be done by surprise and at convenient intervals the result of such surprise search should be recorded in his journal.

28. **Precautions Against Fire;**

i. The Chief Superintendent or Superintendent of Prison shall see that proper precautions are taken to prevent damage by fire to Prison Buildings and all Government properties contained therein. He shall draw up an order showing the duties of each member of the establishment on the giving of an alarm of fires. A copy of this order shall be hung up in the Prison office;

ii. A fire alarm parade shall be held twice in a year and the Fact recorded in the Superintendent's Journal;

iii. Fire Extinguishers and other fire fighting equipments may be installed at main gate, hospital, kitchen and tower and high security barracks or cells, female prisoners barrack etc.

29. **Prevention of overcrowding;**

The Chief Superintendent or Superintendent of Prison shall take all necessary precautions to prevent overcrowding in any barrack. In the event of the prison being full he immediately reports the matter and shall in the mean time adopt such temporary measures as required.

30. **Procedure regarding Civil Suit;**

He shall apply for permission to defend a civil suit against Government by a private party and no Suit shall be instituted on behalf of Government without express sanction of Government.

31. **Communications from Government;**

When a Chief Superintendent or Superintendent of Prison receives a communication direct from Government or sends a communication direct to Government either by Fax or Phone or by letter a copy thereof together with copy of the reply shall be furnished by him to the Director General of Prisons and Correctional Services. In the case of petitions for mercy from and on behalf of prisoners under sentence of death: it shall not be necessary to furnish the Director General of Prisons and Correctional Services with copies of such orders of Government as are also furnished to him direct by Government. Any

specific action taken by the Chief Superintendent or Superintendent of Prison on any order or communication received direct from Government shall at once be reported to the Director General of Prisons and Correctional Services.

32. **Correspondence with Director General of Prisons and Correctional Services and Deputy Inspector General of Prisons;**

i. He shall communicate with the Director General of Prisons and Correctional Services and Deputy Inspector General of Prisons in all matters relating to the prison, appraising them of any occurrence of importance; and in case of any emergency not sufficiently provided in the Rules. He shall apply to him and confirm to his order; acting in the mean time to the best of his judgment;

ii. In the event of an accident resulting in any injury to inmate or staff on duty, enquiry should be immediately held and statement of the injury of inmate or staff and other witness should be recorded and report submitted to Director General of Prisons and Correctional Services.

33. **Requisition by Medical Officer to be Complied;**

The Chief Superintendent or Superintendent of Prison shall carry into effect the written requisition of them officer as to the supply of any additional bedding or clothing or alteration of diet for any prisoner or with respect to any alteration of discipline or treatment in the case of any prisoner whose mind or body appears to require it or who appears to be injuriously affected by the discipline.

34. **To be present during execution of capital punishment;**

The Chief Superintendent or Superintendent of Prison shall be present whenever a capital sentence is carried out.

35. **Allotment of prisoners as prison servants;**

i. The Chief Superintendent or Superintendent of prisons shall see that no more than the authorized percentage of prisoners is employed as prison servants and shall not permit any prisoner to be employed in any private capacity either for himself or for any other person except as provided by rules;

ii. The Chief Superintendent or Superintendent of Prison in consultation with the Medical Officer shall issue such instructions as will prevent prisoners from being employed in any position wherein their lives may be endangered and in consultation with the medical officer.

36. **Lockup Report;**

The Chief Superintendent or Superintendent of Prison shall require a report to be made to him at the hour of lockup of the prisoners for the night: that the prisoners and all officers on duty are present and that everything in the prison is correct or otherwise.

37. **Inspection of Provisions;**

The Chief Superintendent or Superintendent of Prison shall daily inspect the provisions furnished for the prisoners and satisfy him-self by personal observation: regarding the quality of the different cereals and other articles of food supplied for their use. He shall also daily test the weight of the cooked food of the prisoner. An entry of the result of inspection of the food and the scales shall be entered in his journal. He shall visit the prisoners as often as possible at meal time and receive an enquiry into any complaints that may be made to him regarding the quality and quantity of food articles. Food should be inspected in bulk at the kitchen or during distribution to prisoners.

38. **Tenders;**

The Chief Superintendent or Superintendent of Prison shall whenever tenders for supply of articles are being called for, see that the notice is given wide publicity and when submitting the tender report he may express his opinion thereon as to the desirability of accepting or rejecting any tender or tenders. He shall comply with all the provisions of Karnataka Transparency Public Procurement (KTPP) Act-1999 and Rules-2000.

39. **Order book and distribution of work;**

i. The Chief Superintendent or Superintendent of Prison shall enter in the order book all his orders relating to the management and discipline of the prison;

ii. He shall lay down in writing in the order book, the duties of each subordinate, more especially those employed in the prison office.

40. **Financial Powers;**

Subject to rules, orders of Government and direction of Director General of Prisons and Correctional Services, the Chief Superintendent or Superintendent of Prison shall control the expenditure of his prison and shall exercise the financial power delegated to him by Government from time to time.

41. **Advice of the Medical Officer during diseases;**

The Chief Superintendent or Superintendent of Prison shall carry into effect the advice of the Medical officer for separating prisoners suffering from infectious or contagious diseases or suspected thereof and shall immediately give directions for cleaning and disinfecting any place occupied by such prisoners and care should be taken to arrest spreading of disease.

42. **The Superintendent of Central Prisons;**

In those Prisons where Superintendent of Prison is posted to assist the Chief Superintendent of Prison, he or she shall be the second line in command of administration and management of Prisons. His duties are as follows:

i. In the absence of Chief Superintendent of Prison, he will perform all the current duties of Chief Superintendent of Prison;
ii. Admission and release of prisoners after verification and checking of committal warrants;
iii. Disbursement of bata, 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;
iv. Minor correspondence relating to prisoners;
v. Checking of Appeal Registers;
vi. Attending to release on bail, appeals, fine payment, etc.;
vii. Attending to correction of sentences;
viii. Production of prisoners in Courts;
ix. Checking the issue of raw materials to various workshops according to date;
x. Checking the stock book of raw materials and stock book of manufactured articles;
xi. Attending weekly inspection parade for prisoners along with the Superintendent and other officers;
xii. Checking the Ration Stock Book;
xiii. Weighing of ration articles on purchase, subject to supervision by the Chief Superintendent of Prison;
xiv. Visit to the prison once in the forenoon and once in the afternoon every working day and on Sundays and Holidays 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 Chief Superintendent of Prison;

xvi. Attend to unlocking and lockup once in a week, and check all the aspects normally checked by the other officers on the other days. It shall be so arranged in consultation with the in-charge officer and the specific orders of the Chief Superintendent or Superintendent of Prison;

xvii. Check that all Rules, instructions etc., are being followed at locking time, that sufficient guard are posted for the security that senior guards are detailed for tell tale clock duties, that proper lighting is there and also ensure spare tell tale clock is always kept ready. This he will attend to once in a week;

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, discipline risks and prisoners of known bad characters and report to the Chief Superintendent of Prison;

xx. See that the walls, buildings, gates, dormitories, cells, hospitals 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 Chief Superintendent of Prison, wherever the guarding arrangements are not satisfactory through his report book;

xxiii. Visit to the prison hospital two days in a week other than those on which the Chief Superintendent of Prison makes such visits. Such an arrangement shall be made in consultation with the Chief Superintendent of Prison as part of duty allotment;

xxiv. Bring it to the notice of the Chief Superintendent of Prison any defalcation on the part of the prison staff, if it be shown that such defalcation were rendered possible by negligence on the part of the staff;

xxv. At least twice in a week he should check the rations issued to the kitchen and satisfy himself that correct quantity and quality is issued;

xxvi. Go around the prison at least twice in a week, at odd hours and check that the sentries are posted correctly and alert. He will also check that the other checking or 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 on every day and submit the same to the Chief Superintendent;
b) Bring it to the notice of the Chief Superintendent of Prison that his assessment in general on the disciple among the staff and prisoners;
c) Record any inadequacy on the security arrangements and suggest guidelines to set right things, whenever necessary and;
d) Bring it to the notice of the Chief Superintendent of Prison any other matter of importance;

xxviii. General supervision of the Remission Branch in the Prison and frequent and periodical check over all the registers and other records of the Remission Section;

xxix. Supervise the work of his subordinate officers viz., the in-charge officer and other officers 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 them.

xxx. Any other work assigned by the Chief Superintendent of Prison from time to time;

43. **Assistant Superintendent of Prison;**

The Assistant Superintendent of Prison shall be appointed in Prisons to assist the Chief Superintendent or Superintendent of Prison in the administration of Prisons. He is subordinate to Chief Superintendent / Superintendent of Central Prisons.

44. **Duties of Assistant Superintendent;**

i. He shall visit all parts of prison daily to satisfy himself. His duty is to secure safe custody prisoners and to enforce discipline amongst the subordinates and prisoners. He shall frequently visit extra mural working parties and shall record each visit in his report book;

ii. He should be present at unlock and lock up of prisoners. He has no powers to punish a prisoner but shall report the misconduct on their part to the Superintendent of Prison. He shall see that no ladder, planks, ropes, chains, implements of materials of any kind likely to facilitate escape are left unnecessarily exposed or without surveillance at any time in the barracks, all such articles as well as tools of all kinds when not in use must be kept in their appointed place;

iii. He shall enforce the greatest economy and shall give his particular attention to all matters in detail connected with the management of the Prison. He shall bring to the notice of the Chief Superintendent or

Superintendent of Prison any circumstances which may require attention with a view to check unnecessary expenditure;

iv. He shall at once communicate to the Chief Superintendent or Superintendent of Prison every circumstances which may come to his knowledge likely to exact the security, health or discipline of the Prisoners and subordinate officers which may require the attention of the Chief Superintendent of Prison;

v. He is also responsible for the proper working of the prison factory in prisons where there are no factory managers or technical assistant to Superintendent;

vi. He is responsible for collection of social history of offenders and preparing case Histories and writing of index cards of prisoners;

vii. He is responsible for the proper functioning of the judicial section of the Prison;

viii. The Chief Superintendent or Superintendent or the officer in-charge of the prison should not give permission to media persons, film makers, NGO's and others, with materials to enter the prison for the interview of the prisoners unless prior permission from the Government or Director General of Prisons and Correctional Services;

ix. The Assistant Superintendent of Prison shall bring to the notice to all the staff about Government orders, Circulars and Notifications and also obtain the signature of the staff on the materials;

x. To assist the Chief Superintendent/Superintendent of Prison in studying the psychological and mental makeup of prisoners and taking steps to reform them;

xi. To be in-charge of the ration stores as generally stated;

xii. To be directly responsible for the storing and custody of ration and other articles purchased and their issue from the stores;

xiii. To place indents and get supplies of all articles of diet and articles required for the prisoners;

xiv. To attend to the day-to-day maintenance of stock registers and other connected records and to the proper maintenance of stock;

xv. To attend to the maintenance of accounts for extra articles purchased by civil debtors;

xvi. To check the correctness of the kitchen slips, hospital indents and other indents placed on him for issue of ration and miscellaneous articles;

xvii. To maintain separate accounts and to be responsible for the safe custody of empty gunny bags, plastic bags, milk covers and other receptacles received and disposed off;

xviii. To weigh and issue ration and other articles for consumption;

xix. To supervise the cleaning of grains, vegetables and other dietary articles and their grinding, if any;

xx. To ensure that all ration articles taken to the kitchen are actually utilized for the purpose they are meant;

xxi. To be custodian of all civil store articles entrusted to the ration stores;

xxii. To guide the subordinate officers and to be present with him at the time of supply of food to the death sentenced prisoners;

xxiii. To assist the subordinate officers in searching the death sentenced prisoners and examining the cells where they were locked-up;

xxiv. To conduct interviews with death sentenced prisoners;

xxv. To assist the subordinate officer in supervising the work of all guarding staff warders in the gardens;

xxvi. To assist the subordinate officer is supervision over searches, counting opening and closing of prisons;

xxvii. To assist the Chief Superintendent/Superintendent of Prison in all matters pertaining to institutional management;

xxviii. To attend to any other duty that may be assigned to him by the Chief Superintendent/Superintendent of Prison;

xxix. Admission and search of prisoners on their admission;

xxx. Custody of prisoner's property except cash;

xxxi. The removal of private clothing from convict prisoners on their admission, the issue of prison clothing and bedding, the correct making of metal identification discs; and the placing of prisoners in quarantine soon after their admission;

xxxii. The custody of prisoner's private clothing and prison clothing stores; and the issue of fresh clothing to the prisoners;

xxxiii. The maintenance of the clothing and registers in the prescribed form;

xxxiv. Conducting prisoners interview, if he is conversant with the language spoken with visitors or prisoner and to seek translate with the interview;

xxxv. The supervision over the proper maintenance of dairy and poultry units in prisons except the maintenance of accounts which shall be attended to by the live-stock assistant. The Assistant Superintendent shall, however, maintain the stock and the stock register for paddy straw, cholam stalk, grass, etc.;

xxxvi. The censoring of letters addressed to and sent by the prisoners and the disposal of such letters under the order of the Chief

Superintendent or Superintendent of Prison;

xxxvii. Segregate the prisoners having escaped discipline, risks, and prisoners of known bad characters and report to the superintendent ensure to place the sentry in blocks in which notorious prisoners are confined see the walls gates, buildings, cells, hospital area and other place of prison are properly secured and ensure a system of good lighting in and around the prison. Admission release work of prisoners, classification of prisoners and their training, supervision over the guard duty;

xxxviii. Supervision over custody and discipline security supervision over care and welfare of the prisoners and staff discipline and staff welfare and visit Prison canteen, hospital and kitchen daily;

xxxix. He is responsible for all prescribed prison rules and orders. He shall supervise the custody of prison warrants and check the calculation of sentences and releases;

xl. He shall visit the prison at night twice in the week and record such a visit in his report book and also record in the round register and attend weekly parade with superintendent;

xli. He shall reside in the Prison quarters provided him near the prison and he shall not absent from his quarters without written permission of the Chief Superintendent or Superintendent of Prison;

xlii. He shall visit the whole prison once in forenoon and once in afternoon every working day and special circumstances render it desirable that he shall do so;

xliii. Shall, at uncertain times, but at least once in a week, cause every prisoners and all clothing and bedding, workshops, wards and cells to be thoroughly searched.

xliv. Any other duties allotted by the Chief Superintendent / Superintendent of Prison.

45. **Maintenance of Diary / Journal;**

He shall inspect the Prison in accordance with the formats approved by the Director General of Prisons and Correctional Services. During these inspections he shall personally see every prisoner confined in the Prison, inspect the barracks, wards, cells and other enclosures and shall examine the conservancy arrangements and furnish diary of inspection everyday to the Chief Superintendent or Superintendent of Prison.

CHAPTER - 5

The Medical officer

46. **Visiting Medical Officer;**
The District Surgeon/District Medical Officer of the District in which a Central Prison or District Prison or Taluka Prison or Special Sub Jails is situated shall be the Visiting Medical Officer of the Prison and he shall visit the Prison twice a week and see every prisoner and hear and enquire into any complaint of sickness and shall arrange for adequate medical treatment.

47. **Duties of Visiting Medical Officer;**

i. The duties of the visiting Medical officer shall embrace every matter of the prisoners and the general hygiene of the prison, especially as regards diet as well as the treatment of the sick;

ii. He shall have a free hand in the medical treatment of the inmates of the prison hospital whether sick, convalescent or under observation subject to prison discipline.

48. **Prison Hospital;**

i. Hospital accommodation should be provided on the scale of 5% of the daily average of the inmate population in all central and district prisons;

ii. Three ambulances for each Central Prison and two Ambulances for each district prison and one ambulance for each Taluka prison or Special Sub Jails shall be provided;

iii. All medical staff shall wear uniform while on duty as per the prescribed by the Government.

49. **Appointment of Prisons Medical Officer;**

i. Under Section 4 of the Prisons Act, in each central prison and district prison, a member of Medical Department of the rank of Assistant Surgeon Grade II shall be appointed as Medical Officer;

ii. The services of an Assistant Surgeons Grade II shall be placed by the Director of Health and Family Welfare at the disposal of the Prisons Department;

iii. All leaves shall be granted by the Chief Superintendent or Superintendent of prison;

iv. There shall be a one woman doctor among them if there is a female enclosure;

v. There shall be a Chief medical officer (Civil Surgeon) among out of one of them senior most medical officer.

50. **Duties of the Chief Medical officer and Medical officer;**

i. Chief medical officer or medical officer shall report to the Chief superintendent or Superintendent of Prison on hospital administration;

ii. Chief medical officer will be the head of all the medical staff in the prison;

iii. 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 Chief Medical Officer, as the case may be;

iv. To attend to 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 Chief Medical Officer's orders in their regard are properly carried out;

v. To make a daily round of the prison cells and report to the Chief Medical Officer the conditions in the prison which have any bearing on the health of the inmates and every such complaint made to him;

vi. To ensure that all medicines indented for the hospital are properly arranged, labeled and stored in a safe place;

vii. To take proper care of instruments, appliances and equipment in his charge;

viii. To see that sick prisoners are clean and tidy;

ix. To see that the hospital clothing and bedding are marked in a distinctive manner;

x. To see that all articles in use in the hospital are safely stored and kept clean;

xi. To allow no property in his charge to leave the prison premises;

xii. Not to permit any convict attendant to handle instruments or distribute drugs whose misapplication may be dangerous;

xiii. 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;

xiv. To satisfy himself that the food for the sick is properly prepared and distributed;

xv. To ensure that order, cleanliness and discipline is maintained in and around the hospital;

xvi. To ensure that the staff nurses and others employed in the hospital perform their duties properly;

xvii. To ensure that any excess or deficiency of attendants is brought to the notice of the Chief Medical Officer;

xviii. To visit the prison 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;

xix. 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;

xx. To inspect the food supplied to civil and un-convicted criminal prisoners;

xxi. To keep a watch on prisoners suspected of malingering and to report the result of his observations;

xxii. 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;

xxiii. To bring to the notice of the Chief Medical Officer any female whom he may suspect to be pregnant;

xxiv. To see the bathing of prisoners suffering from skin infections;

xxv. 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 and they can perform in view of their health conditions;

xxvi. 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;

xxvii. To vaccinate newly admitted prisoners, and (if so directed) infants admitted with their mothers or born in prison;

xxviii. To bring promptly to the notice of the Chief Superintendent/ Superintendent of Prison and Medical Officer any case of suspected cholera, Swine flu, Covid-19, epidemic, pandemic or other contagious or any infectious diseases declared by District Health and Family

Welfare Department that may appear amongst the staff or inmates of the prison;

xxix. 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;

xxx. To inspect the surroundings of the prison at least once a week. He shall pay particular attention to manner in which filth is trenched or otherwise disposed off;

xxxi. The hospital, sleeping wards and workshops and to satisfy himself that prisoners are not unnecessarily exposed to draught or rain;

xxxii. He shall accompany the Director General of Prisons and Correctional Services or any other senior officers during their inspection of the prisons;

xxxiii. The Medical Officer shall be present at the Chief Superintendent / Superintendents of prisons inspection, and then see every prisoner, and carefully examine each one, paying special attention to any signs of a scorbutic or anemic tendency, of any falling off in condition, or of skin disease. He shall also examine the prisoners' clothing, ventilation, drinking water and conservancy arrangements of the prison;

xxxiv. The Medical Officer shall attend all members of the prison staff and their families residing on prison premises, he may depute the medical subordinate to do these duties; and their treatment shall be recorded in the medical journal. Medicines required for the treatment of prison officers and their families may be supplied from the prison store if available, or purchased as per rules subject to availability of funds;

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

xxxvi. The Medical Officer shall hold a thorough biennial medical checkup of all the members of the prison staff and give preventive treatment like inoculation, and make such entries in their individual medical history sheets;

xxxvii. The Medical Officer shall keep a journal in which he shall record every visit paid to the prisons, the hour at which he entered and left the prison, the portions of the prison or classes of prisoners visited, the

number of the sick in hospital, the result of the weekly inspection and any matter which he so considers should be brought to the notice of the chief Superintendent or Superintendent of Prison promptly and also record in his medical journal.–

a) Any defects or shortage in the food, clothing or bedding of prisoners or in the cleanliness, drainage, sanitation, water supply or other arrangements of the prisons which the Medical Officer considers likely to be injurious to, together with suggestions for the remedy of such defects;
b) Any occurrence of importance connected with the hospital administration and the apparent causes of the same; and any observations, recommendations or directions regarding individual prisoners;
c) His Journal shall be sent immediately after each visit to the Superintendent of Prison for the immediate issue of such orders;

xxxviii. The Medical Officer shall submit punctually the prescribed returns, and shall furnish any other information regarding the medical administration of the prisons;

xxxix. During inspections of prisons by superiors and Audit by the Accountant General the Medical Officer shall produce every register and record connected with the Medical Department of the prisons;

xl. Chief Medical Officer shall maintain journal or registers and medical documents of the prisoner.

51. **Residential Quarters to the Prison Medical Officer;**
The Prison Chief Medical Officer/Medical officer shall reside in the quarters allotted to him on the prison premises.

52. **Pharmacist and Nursing staff;**
Pharmacists and nursing staff are deputed from the Health and Family welfare Department, Pharmacists and nursing staff shall obey orders of the Medical officer and Chief Medical officer.

53. **Duties of Pharmacist and Nursing staff;**

i. The Pharmacist and Nursing Staff shall obey the lawful orders of the medical officer in matters connected with the medical work of the prison and of the Chief Superintendent / Superintendent of Prison in other matters;
ii. Their duties shall be to help the medical officer in the maintenance of the health of the Staff and prisoners by compounding and distributing

medicines and attending sick, weighing prisoners performing clerical and other works entrusted to them by medical officer in maintaining order and discipline in the hospital and by carrying out such other duties of a like character as may be imposed on them by the medical officer.

54. **Residential Quarters;**

The Pharmacist and the nursing staff shall reside in the quarters provided at Prison premises.

55. **Stock Verification;**

The stock of drugs and instruments and other stock shall be checked half yearly by the Medical officer with the help of the pharmacist and furnish a certificate to the Director General of Prisons and Correctional Services through the Chief Superintendent / Superintendent of Prison. He shall also submit a statement showing the drugs and other medicines in the prescribed form to the Chief Superintendent / Superintendent of Prison for being enclosed with the stock and store account for the year ending 31st March of the maintenance section of the prisons.

CHAPTER - 6
Jailor and Assistant Jailor

56. **Jailor;**

Jailor shall be appointed by the Competent Authority; he shall be head of the Taluk Prison and Special Sub-Jails where he was appointed.

57. **Duty of Jailor;**

i. He shall perform the similar duties of Superintendent of Prison, wherever he will be in charge of the head of the Taluk Prisons and Special Sub- Jails;

ii. He shall excise the following duties in Central Prisons or District Prisons;

a) He shall excise general duties of respective sections as delegated to him;
b) Jailor will assist to all the senior officers above him;
c) Superintendence of the admission and search of prisoners;
d) Jailor to be submit Daily report to the Chief Superintendent or Superintendent of Prison in his jurisdiction;
e) He should reside in quarters provided to him near the prison and shall not absent himself from the duty without prior permission of Chief Superintendent or Superintendent of Prison in his jurisdiction;
f) He shall not be absent from head quarters at night without prior permission of Chief Superintendent or Superintendent of Prison;
g) He shall obey all the orders and instruction of Chief Superintendent or Superintendent of Prison;
h) He shall accompany the Chief Superintendent or Superintendent of Prison in daily rounds and also make independent round at least twice a day;
i) He shall make night rounds at least twice a week after lockup and before unlock;
j) He shall supervise the work programmes welfare activities of prisoners, vocation training programme and function of prison school;
k) He shall supervise the proper maintenance of dietary section and he Shall check the ration issued to the prisoners as per the scale prescribed;
l) He shall ensure the proper orderly conduct of interviews for the detenues, terrorist, extremist and other specified class of prisoners;
m) He shall satisfy himself that clothing, bedding and other items are

issued timely to prisoners in accordance with the rules;

n) He shall ensure timely procurement of medicines required for the Prison Hospital and regular attendance of all para-medical staff;

o) He shall oversee the conducting of physical training, parade, firing practice and maintenance of arms and ammunition;

p) He shall inspect all warrants, records, registers, history tickets and remission sheets of prisoners regularly;

q) He shall carefully verify the admissions of all prisoners as per their warrants;

r) He shall attend to the daily release of prisoners;

s) Any other duties delegated to him by Chief Superintendent and Superintendent of Prison.

58. **Assistant Jailor;**

He is appointed by the competent authority; he will assist Jailor in day to day administration and management of Prison.

59. **Duties of Assistant Jailor;**

i. Head of the Warders Establishment;

a) The Assistant Jailor or senior most head warder where there is no post of Assistant Jailor subject to the general control of the Jailor is the head of the warder establishment. He is responsible for its work and for duly carrying out of all rules relating to it and guarding of the Prison;

b) He shall assist the Jailor at unlocking and lockup, he shall visit the guards and sentries on duty frequently by day and at least thrice a week at night and shall make entry of the hours of their visits and of any irregularities he may discover in his report book which he shall maintain in a form similar to that of the jailor and shall submit it daily to the Chief Superintendent or Superintendent of Prison through proper channel. He shall keep the attendance and duty rosters and prisoners punishment book and the register of the warders establishment. He shall perform such other duties as the Chief Superintendent or Superintendent of Prison may by order to be recorded in the Prison Order Book assigned to him, the Assistant Jailor / Head Warder shall assist the Jailor with regard to allotment, handing over and taking over off staff quarters. He shall be in-charge of maintenance of quarters, sanitary conditions, water supply to staff quarters;

ii. The Assistant Jailor shall have charge of the whole arms, ammunition, uniform and equipment of every description in the warder establishment and of the accounts relating thereto. He shall supervise drill and practice in musketry of the men, the attendance of the standing guards, the mounting of sentries, relief etc. He shall be responsible for the smartness and cleanliness of the staff and for their being at all times properly dressed;

iii. Use of arms at the time of violence and attempt to break the Prison or any other disturbance;

a) In the event of any attempt to break out of the Prison or any other disturbance occurring, the guard shall at once do his best to communicate with the Assistant Jailor or senior officer of the Prison. If the prisoners commit assault on the prison officers or subordinates and attempt to break out of any particular ward or barrack, then the Assistant Jailor should consider that it would be dangerous to delay until the arrival of the superior prison officers, the Assistant Jailor should consider that it would be dangerous to delay and prevention of the prisoner from breaking out. He shall give notice to the prisoners in a loud tone of voice that if they do not immediately surrender they will be fired upon. This warning shall (if circumstances admit of delay) be repeated twice and if there appears no other means of quelling the disturbance: the Assistant Jailor shall direct his guards to open fire upon the refractory prisoners but he shall be careful to cease firing as the prisoners may fly or surrender. After arrival of the Chief Superintendent or Superintendent of Prison or senior officers of the prison the guards shall act under the orders of the senior officers;

b) Any officer or member of the guarding-staff of the prison may use lathi, bayonet, fire arm or any other weapon on any prisoner or prisoners are engaged in any combined or individual out break or in any attempt to force or break open the gate or in any enclosure wall of the prison or escape or attempting to escape or using violence to any prison officer or other person provided that such officer or member of the guarding staff has reasonable grounds to believe that he cannot unable to prevent above cited mishaps without the use of such weapons;

iv. Every member of the guarding establishment including the Assistant Jailor may be allowed a holiday once a week, subject to his being called for duty under special circumstances;

v. The Director General of Prisons and Correctional Services may sanction the temporary establishment in addition to permanent establishment provided that as it may, at any time be urgently necessary subject to the approval of Government and that no such establishment shall be sanctioned in any case in which previous reference to Government can without risk or inconvenience be made;

vi. The Director General of Prisons and Correctional Services may, without reference to Government, sanction the temporary additional establishment in the following special cases where in the ordinary Prison establishment is insufficient to supply the necessary guards.

a) A staff not exceeding one head Warder and three warders to guard a Prisoner under sentence of death provided that when there is more than one such prisoner in the Prison at the same time, one head warder shall be sufficient;

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

c) A staff not exceeding one Head Warder and three Warders in all to guard a Prisoner or Prisoners removed to segregation sheds out-side the Prison;

vii. When the Chief Superintendent or Superintendent of prison considers that it is necessary for any reasons to entertain more warders than the sanctioned scale, he may appoint certain number of warders in excess of the sanctioned scale with the prior sanction of the Director General of Prisons and Correctional Services;

viii. Every member of the warder establishment shall be provided with official uniform. He shall at all times while on duty, be properly and cleanly dressed in his uniform. An unarmed Warder shall also carry a baton. He shall on no account wear the uniform when off duty;

ix. Every prison staff shall assigned to himself from time to time particular duty such as the charge of a particular ward or set of wards or particular work shop, or a particular gang of prisoners inside or outside the Prison by the Assistant Jailor / senior officer of prisons;

x. The posts and duties of warder establishment shall be frequently changed so as to prevent them from farming permanent relations with prisoners. However in the case of guards in-charge of Store, garden, factory and kitchen duties may be assigned for longer periods;

xi. Other Duties;

a) He shall assist the Jailor at unlocking and lock-up. He shall visit the guards and sentries frequently by day and night, and shall make an entry of the hours of these visits and about any irregularities in his Report Book and shall submit it daily before the Chief Superintendent or Superintendent of prison. He shall keep the attendance, duty roster and other registers of the Warders Establishment;

b) He shall perform such other duties as assigned by Chief Superintendent or Superintendent of Prison;

c) He shall perform the similar duties of Superintendent wherever he will be incharge of the head of the Special sub-Jails and Taluk sub-Jails;

d) He shall excise the following duties in Central Prisons/District Prisons;

e) He should reside in quarters provided for him near the prison and shall not absent himself from the duty without prior permission of Chief Superintendent/ Superintendent of Prison in his jurisdiction;

f) He shall not be absent from head quarters at night without prior permission of Chief Superintendent/Superintendent of Prison;

g) He shall obey all the orders and instruction of Chief Superintendent or Superintendent of Prison;

h) He shall accompany the Chief Superintendent or Superintendent of Prison in daily rounds and also make independent round at least thrice in a day;

i) He shall make night rounds at least twice a week after lockup and before unlock. The Assistant Jailor shall reside in the Prison and not to concern himself in any other employment;

j) In case of death of Prisoner the Assistant Jailor shall bring it to the notice of the Chief Superintendent or Superintendent of Prison and Medical Officer;

k) Assistant Jailor shall be the responsible for safe custody of records;

l) Assistant Jailor shall keep Prisoner's admission registers and prisoner properties and be responsible for the search of prisoners;

m) Assistant Jailor shall be responsible to report all cases of illness to the Medical Officer and he shall record the compliance of the directions of the Medical Officer;

n) The Assistant Jailor shall make an entry of the performance of his duties in his report book;

o) Superintendence of the admission and search of Prisoners;
p) Custody of the clothing store, issuing of new clothing and maintenance of clothing registers;
q) Custody of Prisoners private clothing;
r) Examination, weighment and storing of all grains and other articles of diet;
s) Supervision of cleaning of grains, vegetables and other articles of diet;
t) Weighment and issue of rations;
u) Maintenance of ration accounts and ration Registers;
v) Mustering of Prison guards at morning and evening parade;
w) Maintenance of extra articles purchased by civil debtors;
x) The Assistant Jailor shall be responsible for the observance of all prescribed rules and orders for the supervision of the subordinate staff and maintenance of discipline among prisoners and subordinates;
y) The Assistant Jailor is in-charge of quarters. He shall be responsible for proper maintenance of quarters. It shall be his responsibility to see that when an officer or official is transferred or retired the quarter is handover to him with all fittings and fixtures. He shall give an acknowledgement to the official which shall be produced at the new station;
z) The allotment of quarters to the staff is as per the orders of the Chief Superintendent or Superintendent of Prison at the new station. On allotment the Assistant Jailor shall hand over the quarter, obtain acknowledgement and keep it on record" subject to the all payments (water bills, electricity bills, quarters telephone bills etc.,) made by him;
aa) He shall be responsible for the custody of all warrants and for the strict enforcement of all terms thereof. He shall in the month of December every year verify all the warrants and valuable property in his possession compare them with the registers and satisfy himself that they are correct. He shall enter a certificate to that effect in his report book and shall submit a copy of it to the Director General of Prison through the Chief Superintendent / Superintendent of concerned Prisons;
bb) He shall present in the prison at Unlock and Lockup time;
cc) Any other duties delegated to him by the Chief Superintendent or Superintendent of Prison.

CHAPTER - 7
General Subordinate Officers

60. **General Subordinate Officers;**

i. The Section 7 of The Karnataka Prisons Act, 1963, requires that all officers shall obey the orders of Chief Superintendent or Superintendent of Prison and all officers subordinate to the Jailor shall perform the such a duties as may be prescribed or imposed on them by the jailor with the sanction of Chief Superintendent or Superintendent of Prison;

ii. Section 8 of The Karnataka Prisons Act, 1963, Provide that no officer of a Prison shall have business dealings directly or indirectly with any prisoners;

iii. Section 21 of The Karnataka Prisons Act, 1963, provides that officers subordinate to the Jailor shall not be absent from the prison without permission of the Chief Superintendent or Superintendent of Prison;

iv. Section 54 of The Karnataka Prisons Act, 1963, renders every Jailor or officer of a prison subordinate to him who shall be guilty of certain specified offences against discipline are liable to judicial punishment;

v. Custody, security, discipline and preventive and control action during an emergency, are the fundamental duties and responsibilities of every staff member;

vi. 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.

61. **General Duties and Responsibilities of officers and staff of Prison;**

i. Every subordinate executive officer shall undergo a thorough training in squad and company drill and the use of arms, the Jailor, Assistant Jailor and Head Warders shall be able to drill the guard and give instructions in musketry;

ii. Every subordinate officer shall make himself fully acquainted with the Rules and Regulations relating to his office, and not pleaded the ignorance of rules will be accepted on excuse for neglect. The Chief Superintendent/Superintendent of Prison shall also educate all their staff on new laws/rules/circulars. All the staff shall perform their duties and discharge their responsibilities strictly in accordance with law/rules/circulars/guidelines of the Government;

iii. Every subordinate officer shall yield prompt and strict obedience to all orders of superiors and shall treat all superiors officers with respect;

iv. Not to be absent without permission.–

a) No subordinate officer shall be absent during hours fixed for his attendance without the permission of the Chief Superintendent or Superintendent of Prison. A subordinate officer who is disabled for performance of duty by illness shall give or send immediate notice to the Jailor or Assistant Jailor who shall make such arrangement as may be necessary for the performance of the duty of the disabled officer;

b) All subordinate officers shall be clean in person and dress and those for whom uniform is prescribed shall wear at all time while on duty and shall further confirm to such regulations: concerning their personal appearance as may be established;

v. No subordinate officers or staff shall smoke or drink while on duty or introduce any liquors, tobacco or any drugs or any kind of prohibited articles into the Prison;

vi. No subordinate officers shall receive any private visitor within the Prison except with the sanction of the Chief Superintendent/ Superintendent of Prison;

vii. All quarrels between prison officers or staff are strictly prohibited any disagreement between the subordinates relating to their duties shall be referred to the senior officers of prisons. A complaint by one officer against an equal or superior shall be made to the Chief Superintendent or Superintendent of Prison. Frivolous or false complaints will be severely punished;

viii. Every Prison officer / staff shall;

a) Exert the utmost vigilance to prevent escapes. Prevent any communication between prisoners and outsiders: except as permitted by rules;

b) Under Section 43 of the Karnataka Prisons Act of 1963, any prison officer may arrest any person committing in his presence any offence specified in Section 42 of the Karnataka Prisons Act of 1963 and on his refusing to give his name, address make him over to a police officer without delay;

ix. No Warder shall be deemed free of responsibility for the charge of a gang of prisoners until he is relieved by another warder detailed for

the duty: in the presence and under the signature made at the time of relieve of the prison staff whose duty is to conduct such relief;

x. Every Officer-in-charge of a gang shall make his Prisoner march in files and shall prevent struggling and disorderly conduct, holding of unauthorized communications with each other or with any unauthorized person or the procuring of prohibited articles;

xi. No subordinate officer entrusted with prison keys shall remove them from the prison, leave them lying about or lend them to any person on any pretence whatever but shall while leaving the Prison or going off duty, deliver them to such officer as may be authorized to receive them. The keys of wards, cells or outer gates are not to be given on any account to any prisoner other than a convict warder;

xii. Care of Government Property;

a) When an officer entrusted with the care of Government property, such as warrants, cash, stones, machinery etc., is transferred, proceeds on leave (other than casual Leave), resigns, is suspended, or discharged he shall make over all property in his care to the officer appointed to relieve him; the relieving officer shall compare all articles thus made over with the entries in the prescribed registers and satisfy himself that they are correct and shall then initial each register in its proper place in token of having received charge of articles entered initialed by the relieving officer: The officer relieved shall be wholly responsible for all errors and deficiencies in the property;

b) All officers shall on relieve, hand over all current files, accounts and registers in their charge and obtain the signature of the relieving officers in the list maintained by them in token of the correct handing over and taking over of the various records. A copy of such list of handing over and taking over charge shall be submitted to the Chief Superintendent or Superintendent of Prison who after being satisfied with regard to the completion of handing and taking over charge shall cause it to be keep on record;

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

xiv. All prison officers, shall treat Prisoners with good temper, humanity and strict impartiality and shall listen patiently and without any

irritability to any complaint or grievance, while at the same time maintaining strict discipline, and enforcing observance of the rules and regulation, it is important that every complaint made by a prisoner should be heard with attention in order that grievance may be redressed and that no cause for discontent may be allowed to remain;

xv. No prison officer or staff shall, in any circumstances, punish any prisoner except under the Chief Superintendent or Superintendent of Prison order or threaten any prisoner with punishment or use violent abusive or insulting language to any prisoner. All conduct intended merely to irritate or annoy any prisoner shall be avoided. Prisoners shall be addressed by their proper names or numbers;

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

xvii. No subordinate officer shall either through favour or mistaken notion of kindness, fail to make an immediate report to his superior officers of any misconduct or willful disobedience of the prison regulations;

xviii. No prison officer shall unnecessarily converse with a prisoner, or treat him with familiarity or allow him any familiarity between a prisoner and any other officer of the prison nor shall he discuss matters of discipline of Prison duties or arrangements within the hearing of prisoners;

xix. No prison officer shall lend money to, borrow money from, or incur any obligation in favour of any Prison officer or any prisoner or correspond with or hold any conversation with the friends or relatives of any prisoner have unauthorized communication with any prisoner with any person whatever, as to matters concerning the Prison;

xx. No prison officer or other person in any way connected with the prison shall receive or use any articles belonging to a person who either is or as been confined the prison;

xxi. No prison officer or staff shall correspond with or hold any conversation with any discharged prisoners or with the friends or relatives of such prisoners, or allow any such prisoners, friends or relative, to visit or remain in his quarters, except with the special permission of the Chief Superintendent or Superintendent of Prison;

xxii. No Prisons officer or staff shall directly or indirectly be concerned in any contract or agreement for the supply of any articles to the Prisons nor receive directly or indirectly any fee gratuity, gift or loan from any

Contractor or person tendering for any contract with the prison or from any prisoner or prisoners friend or any person visiting the Prisons;

xxiii. No Prison officer shall either directly or indirectly engages in any trade, business or employment other than his legitimate prison duties;

xxiv. The Chief Superintendent or Superintendent of Prison shall decide whether or not if Prosecution shall be instituted in respect of any offence punishable under Section 54 of the Karnataka Prisons Act, 1963. Whenever a prosecution is determined, the officer concerned shall be suspended from duty;

xxv. For the following offences, a prosecution shall be instituted unless the Director General of Prisons and Correctional Services otherwise orders in which case the offender shall be punished departmentally.–

a) Willfully or negligently permitting an escape;
b) Committing any offence punishable under Section 42 of The Karnataka Prisons Act, 1963;
c) Immoral conduct with regard to male or female prisoner;
d) Any offence punishable under Indian Penal Code or Offences by or relating to public servants.

xxvi. Acquitted officer to be re-instated;

a) A Prisons officer acquitted of charge by a Criminal Court may be re-instated in the service after obtaining the orders of the Director General of Prisons and Correctional Services;
b) The Director General of Prisons and Correctional Services shall record the reason which the Prison officer is not re-instated;

xxvii. Every subordinate officer or servant is suspended/dismissed, discharged or allowed to resign his appointment shall be required to quit the Prison and the Prison quarters within 30 days occupied by him and shall give up any uniform or other properties of Government entrusted to him while discharging the duties;

xxviii. No subordinate officers who was once dismissed or discharged or who has resigned his appointment in the department shall not be re-employed again in any prison without the sanction of the Director General of Prisons and Correctional Services to whom all the circumstances shall be reported;

xxix. No person who has been convicted and punished with imprisonment shall be employed in any prison without the special sanction of the Director General of Prisons and Correctional Services;

xxx. Security by staff of the Department.–

a) Jailor/ Assistant Jailor, store keeper, accountant and clerks of prisons who handle cash, store and maintain accounts as well as Jailors and head warder in taluk sub-Jails and special sub-Jails should furnish security according to the rules laid down by the State Government for similar posts in Government. The form of security may be as laid down by the Government of Karnataka. The security amount shall be recovered by monthly recovery of 10% of the substantive pay of the official concerned till the whole amount of security is completed. The security amount so recovered, shall be deposited in the post office savings bank account in the name of the officer duly pledged to the Director General of Prisons and Correctional Services a security bond should be got executed in prescribed Form 72 of K.F.C. from each official paying security;

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

c) The Chief Superintendent or Superintendent of Prison shall maintain a register of security deposit showing the names of officials and the amount of security required to be paid and the amount of recovery made monthly;

d) All subordinate officers should inspect their respective section before the arrival of the Chief Superintendent or Superintendent of Prison rounds daily and report the matters to the Chief Superintendent or Superintendent of Prison.

CHAPTER - 8
Warders and Head Warders

62. **Warders and Head Warders ;**

i. There shall be adequate number of Warders and Head warders in every prison responsible for the guarding of prisoners, prison property, gate management and other lawful duties;

ii. The strength of the guarding establishment in each prison shall be determined as per this manual from time to time by the Government having regard to the requirements of every institution;

63. **Head warders and Warders;**

i. There Shall be Head Warders and Warders in every prison responsible for the guarding of the prison;

ii. Warders and Head Warders perform their duties in rotation;

64. **Summary of duties of warders and head warders;**

Warders and Head warders in the prison perform the similar duties. In this regard the following duties of Warders and Head Warders are as follows;

i. To see that all convicts sentenced to labour in their charge are steadily at work and to report to higher authority all cases of idleness, short work, or breaches of Prison rules;

ii. To prevent all unnecessary talking or laughing, singing, playing, quarrelling and other unseemly behaviour and to report the names of offenders;

iii. To see that prisoners keep order into moving about and do not loiter about the prison and see that prisoners march two by two when in file moving from one place to another;

iv. To see that no prisoner leaves his own enclosure or communicate in any way with any prisoner in a different enclosure or with any person outside the Prison;

v. Nor merely prevent escape of prisoners but also to aid their superior officers in seeing that the prisoners, confirm to the rules of the prison, that they apply them industriously to their work, that they do not waste material and that they complete their allotted tasks;

vi. To stand or week whilst on patrol duty and on no account to take off the belt or lie down while on duty;

vii. To bring to notice of their immediate superiors any signs of sickness amongst the prisoner or of any prisoner complaining of sickness;

viii. To treat prisoners with humanity and bring their complaints and grievances to the notice of their immediate superiors with as little delay as possible;

ix. To count the prisoners made over to them and to declare the number to the officer distributing prisoners;

x. To see that there is no dirt or litter in any part of the Prison of which they are in-charge and that the drains are kept properly cleaned;

xi. To report any case/of willful damage to clothing or materials for work or other Government property;

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

xiii. To keep a list of tools delivered to prisoners on proceeding to work in the morning and on their leaving of work in evening to count, examine and return the tools into store reporting any deficiency immediately to the jailor;

xiv. To see to the cleanliness of the persons, clothing, bedding, rings, fetters and eating, utensils of the prisoner's in their gangs to see that the prisoners bathe only at the appointed time and that the bedding is aired according to orders;

xv. To report any defect in locks, bolts or bars and any tampering with these articles or keys;

xvi. To keep all keys entrusted to them on their person and not leave them lying about;

xvii. To keep their uniform and equipment in good order;

xviii. To report to the Jailor immediately the fact of any prisoner missing;

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

xx. To prevent any breaking up of the gang of prisoners entrusted to their special charge, except only when necessary. To make over to a convict officer any prisoner desiring to use toilet and to see that he is not too long away from work and is not permitted to go to any place hidden from view when he may affect his escape, to report any prisoner urinating in or otherwise be fouling any drain or any part of the Prison not set apart for the purpose;

xxi. To report any plot against the prison authorities for the purposes of escaping, assault or outbreak or for obtaining forbidden articles and to report every breach of prison rules;

xxii. Warders in-charge of work sheds shall see that all relieving officer shall satisfy himself that the property or carefully put away or stored on cessation of labour and that no ropes, bamboos, ladders or other things likely to facilitate escape, are left about carelessly;

xxiii. No warder shall in any circumstances leave his post till properly relieved and his responsibility shall continue till so relieved. A warder relieved by another warder shall explain to his successor his duties and any special orders that may have been given to him by his superior officers. The relieving officer shall satisfy himself that the property or number of prisoners made to him is correct;

xxiv. Prison guards shall be mustered when coming on duty, and on being relieved, they may be searched at such or any other time in the presence of Jailor / Assistant Jailor, but not except in a case of emergency, in the presence of prisoners;

xxv. Prison guards shall not be absent from their quarters during night without leave from the senior officers;

xxvi. Prison guards have the power to handcuff and confine if necessary refractory prisoners but shall be resorted to only if it absolutely required and under intimation to senior officer;

xxvii. If any warder has relations or connection among the prisoners, or has had any pecuniary dealings or close acquaintance with any of them, it is his duty to inform the Chief Superintendent/ Superintendent of Prison or senior officer of the fact;

xxviii. The duties of every warder on night duty are.–

a) To see that night sentries both inside and outside the barracks are on the alert;
b) To go round each barrack or cell block, examining locks, gratings, doors, walls and roofs in order to satisfy himself fully that all are intact;
c) To get the prisoners counted by the watchmen on duty at least once in two hours and to satisfy himself that the number is correct;
d) To see that every association barrack containing prisoners is well lighted;
e) To report immediately any serious cases of sickness to the Medical Officer and the Jailor;
f) To raise alarm and send immediate information to the round officer

and the in-charge officer of any occurrence requiring prompt action, such as an escape, riot, fire etc.;

g) The barrack in-charge (guarding staff) has to take the charge of the clothing and bedding of prisoners and other articles issued by the institution.

65. **Armed Sentry;**

i. The watch towers around the peripheral of the main wall and front of the main gate will be guarded by armed sentries. All these guards and sentries will perform duties in rotation;

ii. Armed sentries will perform duties in two hourly shifts. It is the duty of a sentry, both in 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 password. No convict will be permitted to approach near to the any sentry. It is the duty of a sentry to resist all attempts to break into or out of the prison or of any part of it and to prevent escapes or illicit communication with prisoners. At night every sentry 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;

iii. The sentry on duty will carry the required arms and ammunition, which will later be handed over to the relieving sentry.

66. **Relief and Supervision of Sentries;**

As a rule, sentries will be relieved at the end of every two hours. During the day the in-charge officer 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 hours of his visits by appropriate means.

67. **Salutes by Armed Guards;**

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.–

TABLE

Person	Manner of Salute
(i)	(ii)
The Director General of Prisons and Correctional Services, Deputy Inspector General of Prisons, Chief Superintendent, Superintendent of Prison	By presenting arms
Assistant Superintendent and other executive Gazetted officers and official visitors.	By sloping arms and placing the right hand smartly on the butt, fingers extended.
Jailor/Assistant Jailor	By coming to in attention with ordered arms.

Note:

i. The Guard Officer will always bring it to the notice of the Assistant Superintendent any failure on the part of the sentry to comply with this rule.

ii. All uniform officers of the Police Department while visiting the prison shall be suitably saluted by the guards.

iii. As a rule the guard will not be turned out under arms for saluting purposes after sunset.

68. **General Guarding Duties;**

The general guarding will be undertaken by the warder establishment. They will carry on the internal and external guarding of the prison, the supervision of the prisoners during labour hours as well as the work of guarding and maintaining security of wards, blocks, workshops, tools and plants and other Government properties, posts and tower.

69. **Guarding Requirements;**

The charter of functions of the guarding staff shall be;

i. 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 intimation to the Officer-in-charge who will make necessary arrangements;

ii. No sentry or guard while on duty will take off his uniform - this does not apply while taking his meals or while resting;

iii. Guards and 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;

iv. The officers and men of the Guard are strictly prohibited to bring anything from outside the prison to any prisoner and from receiving anything from a prisoner to be conveyed outside the prison;

v. In case any prisoner attempts to escape, the guard will at once raise an alarm and will also prevent damage to Government property;

vi. All guarding personnel, being part of essential services, will be deemed to be on duty round the clock and will not to be allowed to leave the premises without permission of the Competent Authority;

vii. The in-charge officer 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.

70. **Maintenance of Roster;**

It shall be the responsibility of the In-charge officer to ensure that the warders stick to their post according to the Duty Roster and any violation in this regard will be immediately brought to the notice of the Chief Superintendent or Superintendent of Prison. He will also verify this during his surprise visits to different parts during day and night. Care will be taken that the night duty is allotted in rotation.

71. **Custody of Arms;**

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

72. **Custody of Articles Facilitating Escape;**

i. The in-charge officers and guards will 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 these will be properly escorted and will be sent out of the prison after use. Every warder in-charge of a workshop will 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;

ii. Use of Weapons against Prisoners: Any officers, or member of the guarding staff, of a prison may use Lathi, bayonet, or any other weapon, against any prisoner when he is found to be.–

a) 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;

b) Engaged in any outbreak or attempt to force or break open the outer gate or enclosure wall of the prison individually or collectively, provided that he may use the weapon only if such an outbreak or attempt continues;

c) Using violence against officers of the prison or other persons, provided that there is reasonable ground to believe that the officer of the prison 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. Before using firearms against prisoner, the officer, or the member of the guarding staff, will give a loud and clear warning to the prisoner that he is about to fire on him;

d) No officer of the prison will use arms of any sort against a prisoner in the presence of his superior officers, except under the orders of such a superior officer, or if it is in self defence.

73. **Transport of Arms and ammunition;**

i. All consignments of arms and ammunition sent by any means of transport will be put in sealed boxes and escorted by an appropriate armed guard. It will be the duty of the escort to guard the arms and ammunition against any contingency;

ii. When the arms of the Prisons Department are to be dispatched to stations outside the State for repairs they will be entrusted to the Police Department. A police party will escort these arms along with the 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 Prisons and Correctional Services Department, the expenditure incurred in connection with the journey of the escort will be borne by the Prisons and Correctional Services Department.

74. **Security of Locks and Bars;**

i. All locks and bars and other fastenings must be regularly checked by the in-charge prison staff and a report to the effect must be given to the in-charge officer;

ii. All duplicate keys for the locks must be kept in a sealed box under the custody of the concerned in-charge officer. No keys should be left behind unaccounted for and no prisoner will have any access to the prison 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 in-

charge officer, as the case may be;

iii. Every prison will be equipped with a generator with an automatic switch so that if power fails, the generator automatically switches on and all security gadgets will function without any interruption.

CHAPTER - 9

Women Officers and Women Staff

75. **Women Officers and Women Staff;**

i. There shall be Special Prisons for Women for the confinement of women under trials and women convicts;

ii. In other prisons, there shall be a separate enclosure to confine women prisoners to ensure total privacy and security. There shall be women employees in women's enclosures and special prisons in all ranks.

iii. Women officers and women staff are also carrying out the general duties in the Prison.

76. **Categories of Women Officers and Staff;**

There shall be the any rank of Women Officers and staff in the Prisons and Correctional Services Department and they shall perform duties as prescribed to the respective cadre.

77. **Women Personnel;**

i. State should have at least one separate prison for women. There should be separate custodial facilities for convicts and under trial prisoners;

ii. The women's enclosures attached to the sub-prisons and district prisons shall be in the charge of a woman Jailor. They will be assisted by a female Assistant Jailor, Head Warder and Female Warders;

iii. The following officials shall be posted in every prison where the women Prison / women enclosure is exist as per recruitment in accordance with the direction of State Government and Director General of Prisons and Correctional Services;

a) Jailor;
b) Assistant Jailor;
c) Head Warder;
d) Warder.

78. **Duties of women officers;**

The duties of women staff as prescribed in respective rank, along with following duties;

i. The woman jailor or the Assistant Jailor and head warder or the women warders as the case may be shall have the entire care and superintendence of the woman prisoners and she shall discharge the following duties;

ii. She shall be present at the opening of wards and mustering of woman prisoners every morning.

iii. She shall also be present at locking up and see that every prisoner is present. During day she shall have the custody of keys of the wards, cells and yards in which women prisoners are confined and at night after locking up she shall hand over them to the Jailor;

iv. She shall see that the wards are thoroughly cleaned as soon as the prisoners turn out in the morning at which time also the rest rooms, bathing. Places and all other parts of the woman prison shall be swept and cleaned;

v. Subject to the control of the Chief Superintendent or Superintendent of Prison and the in-charge woman officer shall allot tasks to woman convicts, sentenced to labour and shall see that they are duly performed;

vi. She shall see that the women prisoners are clean in their persons and clothes, that they have the prescribed amount of clothing and no more, that their clothing and bedding are properly aired and folded and arranged in the places assigned to each prisoner;

vii. She shall search all women prisoners on admission and remove all prohibited articles found with them. Money or other property delivered with them or found on them shall be handed over to the in-charge officer. She may search any women prisoner at any time and shall do so when directed by a superior at any time and shall do so when made in the presence of males;

viii. She shall take care that no male prisoners enter the women prison barrack unless accompanied by an authorized Prison officer;

ix. She shall carefully supervise the distribution of food to the woman prisoners and see that such prisoner receives her proper share. She shall report any instance in which food is badly cooked or it is insufficient in quantity;

x. Woman warders have the same duties in regard to woman prisoners as male warders have in relation to male prisoners. A woman warder shall invariably form part of the escort of woman prisoners sent to appear before Courts or under transfer;

xi. Woman officer shall if she has reason to believe that any women prisoner is pregnant, report the facts to the Chief Superintendent or Superintendent of Prison or the in-charge officer sent to the medical officer for report, and the records shall be maintained, and also

maintain the monthly period (Menstruation) book of the women prisoners;

xii. In Prisons where there is a woman officers and staff, The woman officers and staff shall keep a diary in the prescribed form in which she shall record all occurrence of importance within her department. This diary shall be laid before the Chief Superintendent/ Superintendent of prison daily for issue of such orders as may be necessary;

xiii. If at any time a woman prisoner is sentenced to confinement in a cell and through unavoidable circumstances there is no woman guard in the ward to whom the key of the cell can be entrusted during the-night, the prisoner shall be removed from her cell during the night hours to association female barrack before lockup;

xiv. Women warders and all other women prison officers shall be provided, basic initial training, in-service training and refresher courses to keep them in touch with contemporary developments in the field of their work;

xv. Every woman member of prison staff shall be provided training in human rights and various aspects of correctional work;

xvi. All promotions up to the level of Assistant Superintendent should be made subject to a pre-promotional qualifying examination. All those who qualify in this examination should be eligible for promotion to the next higher post;

xvii. Physical fitness and psychological tests should be essential pre-requisites for direct recruitment;

xviii. All new recruits should be given basic initial in-service training.

xix. Officers and staff on deputation should be put through short duration orientation courses;

xx. Adequate training reserve should be provided in each cadre of the prison service;

xxi. Basic initial training, in-service training, refresher courses should be organized by the training institutions for various categories of personnel.

79. **Crèche and canteen facilities to staff;**

i. Prison women staff should be given special training in the management of canteen and such officials should be put in-charge of supervising the canteen and the crèches may be opened in all the Prison premises;

ii. Women prison staff shall be allowed the option to take their meals

during duty hours as per the Government Cost.

80. **Escorting of women prisoners;**
The female staff 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 to be utilized for escort duty with due regard to security considerations.

81. **Women staff not to allow any male to enter women enclosure;**
The woman staff shall not allow any male prison staff, or male prisoner, to enter the women's enclosure without proper permission of the authority. If any male prison staff or any other male without authority permission at any time enters, or attempts to enter, any ward or portion of the prison reserved for occupation by women prisoners, the woman warder shall make a report forthwith to the Chief Superintendent / Superintendent of Prison.

82. **Woman guarding staff not to communicate with male prisoners;**
No woman guarding staff 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 prison allotted, reserved for, or occupied by male prisoners except in the discharge of her duties.

83. **Women's enclosure Keys;**

i. The women warder shall have custody of the keys of the wards and enclosures in which women prisoners are confined during the day. After the locking up, she shall deliver the keys to the woman Jailor who shall put them up in the key chest. The Jailor shall hand over the keys again to the women staff in-charge in the morning at the time of unlocking.

ii. No woman prisoner or women officer shall be subjected to sexual harassment and sexual assault at any place in the Prison premises by the another prisoner (male or female or transgender) or by any of the staff of the prison. Sexual harassment and sexual assault means these terms mentioned in Section 2(n) of The Sexual harassment of women at working place Act, 2013. A specific offence under the IPC or under any other special laws.

CHAPTER – 10

The Gate Keeper

84. **Statutory provision;**

Under Section 20 of The Karnataka Prisons Act, 1963 the officer acting as gate keeper or any other officer of the prison may examine anything carried in or out of the prison, may stop and search or cause to be searched any person suspected of bringing any prohibited articles into or out of the prisons or carrying out any property belonging to the prison and if any such article or property be found shall give immediate notice thereof to the Jailor.

85. **A Gate keeper to be constantly on duty;**

i. In every Prison there shall be a gate keeper who shall be constantly on duty as a gate keeper at the main gate by day and by night. He shall be under the general control of the Jailor. A jailor in the case of central Prisons and head warders in other district prisons, Warders in taluk Prisons and special sub-jails shall be posted as gate keeper;

ii. At every relief of a gate keeper a note of the hour of such relief shall be recorded in a register and signed by both the relieved and relieving officers;

iii. In every prison there shall be a gate keeper, and he shall be on duty at the main gate in twenty four hours.

86. **Persons allowed entering and leaving the Prison;**

i. The gate keeper shall admit or pass out of the Prison as the case may;

a) All official and non-official visitors to the Prison, judicial officers, police officers and officers of the public works department or any other department on duty;

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

c) Prisoners duly authorized to enter and leave;

ii. With the exception of the persons mentioned clause (i) no person shall be permitted to enter or leave the Prison, unless under a written order from the Chief Superintendent or Superintendent of prison or when accompanied by Minister and any rank of senior officers of the Prisons and Correctional Services Department;

iii. A list official and non-official visitors entitled to admission shall be posted between the gates;

iv. Every visitor to the Prison shall accommodate in a room or convenient place near main gate, until escort is arranged.

87. **Power to search persons;**

i. The gate keeper is authorized to search every person entering into or going out of the Prison except the following;
   a) Officers of the Prisons and Correctional Services Department;
   b) Official and non-official visitors and other visitors specially authorised by Competent Authority to enter the Prison;
   c) Senior Officers of the other Government departments visiting the Prison on duty.

ii. Search of head warders and warders, shall be conducted by the gate keeper;

iii. The search of all persons who pass through the gate, including prisoners shall be carried out with due regard to decency and with as little annoyance and inconvenience;

iv. Women shall be searched only by a woman staff in a scheduled place and not in the presence of any male person.

88. **When search of Prison officers and other authorized persons to be made;**

When the gate keeper has reason to suspect that any Prison officer or other person, who is exempted from search is introducing or removing prohibited articles he shall detain him between the gates and send notice to the Jailor or to the senior officer on duty, who may if he thinks necessary, cause the person concerned to be searched, as may be necessary.

89. **Prevention of introduction of articles and misappropriation;**

i. The gate keeper shall endeavour by all means in his power to prevent introduction of prohibited articles. It shall be his duty not to allow article inside or outside the prison gate without proper authority;

ii. The gate keeper shall be in-charge of the main gate of the prison and under any pretext, leave the post till he is relieved by another officer. He shall during the day retain charge of the keys of the gates, during night the keys shall be delivered to the charge of the Jailor.

90. **General duties of gate keeper;**

i. The gate keeper shall maintain and make entries in chronological order. He shall not leave any blank spaces with a view to prevent spurious entries being made subsequently in the registers;

ii. The gate keeper shall comply with all rules, regulations, directions and orders for the time being in force, regulating the persons who may be

permitted ingress, to egress from and the articles which may be taken into and brought out outside the Prison;

iii. The date in the gate register shall be changed at midnight and the hours shall be recorded in 24.00 hours format.

91. **Matter to be recorded in the gate register;**

The gate keeper shall record in the gate register;

i. The names of all persons passing in or out of the Prison, together with the hour and minute of their entrance and exit;

ii. The hour and minute at which any articles pass in or out of the Prison, their description, number/quantity, weight and the name of the officer or any person in-charge of articles;

iii. The time at which any money is sent out of the Prison with particulars;

iv. The time should be entered in red ink when the bell is rung for unlocking and locking up or for alarm, etc.;

v. At every relieve of the gate keeper, a note of the exact time of relieve, the number of keys handed over and taken over with the signatures of both the reliever and the relieved officers are to be mentioned;

vi. He shall require the production of a pass signed by Competent Authority, by every person not entitled to admission without one and in respect of every article without exception that he allows into or out of the Prison and shall file all such passes as his authority for action;

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

92. **Statement of Prison Population;**

The gate keeper shall write in the gate register in tabular form a daily statement of the prison population showing the balance of prisoners from the previous day the number of prisoners admitted and the number released or otherwise disposed of and the balance at the end of the day. Such balance should correspond with the actual number of prisoners locked for the night.

93. **Daily check of the gate registers;**

The Jailor and Assistant Superintendent shall check and sign the gate register daily.

94. **Examination of gate registers by Chief Superintendent/ Superintendent of Prison;**

The Chief Superintendent or Superintendent of Prison shall examine the gate register at least once a week and see that all entries have been made properly and all orders as to its maintenance duly complied with.

95. **Gate keeper to know Prison Officers and to observe prisoners;**

The gate keeper shall make himself thoroughly acquainted with the faces of Prison officers and shall carefully observe the faces and appearances of all prisoners leaving the Prison, in order to prevent any prisoner attempting to escape in disguise.

96. **Working of double gate system;**

In Prisons provided with double gates with or without wicket gates, the gate keeper shall open only one gate or wicket gate at a time and before doing so, shall satisfy himself that the other means of entry and exit are secure; entry or exit for ordinary purposes shall take place through the wicket doorways.

97. **Out gang register;**

The gate keeper shall maintain a register of all convicts working in out gang outside the Prison walls has sanctioned by the Chief Superintendent / Superintendent of prison.

98. **Passing out and in of out gangs;**

When prisoners working in out gangs are going in or out of the Prison the following procedure shall be followed;

i. When prisoners in out gangs are passing out of the Prison, the gate keeper shall first pass the prisoners through the inner wicket gate and admit them into the passage between the outer and inner gates. He shall lock the inner gate. The convicts then shall be made to sit down while the roll call is made from the out gang register mentioned in the previous rule by the Prison Officer charged with this duty, The totals of each gang shall be signed by the officer, and the gate keeper shall enter in words in the gate register the number prisoners sent out in each gang and the name of the warder in-charge. This entry shall be signed by the warder or Head warder in-charge of the gang. The gate keeper shall then open the outer wicket gate and count the prisoners as they pass out of the Prison to verify the total. Every change in the gang shall be noted by the officer concerned in the register of out

gangs and recorded by the gate keeper in the gate;

ii. When the prisoners in out gangs are passing into the Prison, the gate keeper shall first open the outer wicket gate and admit the gang into the passage between the outer and inner gates. He shall then lock the outer gate and call out the name of each prisoner as recorded in the register of out gangs. When the number in the gang is found to be correct, he shall open the inner wicket and count the prisoners, as they pass into the Prison to verify the total.

99. **Detention of prisoner not in proper custody;**

i. The gate keeper shall not allow to pass out of the Prison any prisoner who is not in the custody of a Prison officer duly authorized to take him outside the Prison and who is not wearing the prescribed ankle ring;

ii. If the gate keeper has reason to believe that any prisoner is being taken out of the Prison contrary to rules, he shall detain him and after making a note of it in the gate book at once report the matter to the Jailor

100. **Bright light at night;**

A bright light shall be kept burning brightly in the passage between the gates during night.

101. **Gate keeper responsible for condition of main gate;**

The gate keeper shall be responsible;

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

ii. That the gates and wicket gates of the main gate except when it is necessary to open them for the purpose of passing any person or thing into or out of the Prison, are kept shut and locked; and

iii. For the safety and correctness of the keys entrusted to charge;

iv. To keep the passage clear of any persons or prisoners who are not specially authorized to remain there and shall keep an eye on the movements of all persons employed or detained therein.

102. **Articles to be kept between gates;**

In the passage between the main gate shall ordinarily be kept;

i. A clock;

ii. Siren;

iii. A weighing machine;

iv. Spare handcuffs in a secure place;
v. A desk with lock and key for the gatekeeper's book and writing materials and chair for the gate keeper;
vi. A key chest or Box for keys;
vii. A Notice Board;
viii. Vision and mission of the department;
ix. The list of visitors and other persons who are authorized to enter the Prisons under rules or by the orders of a Competent Authority;
x. Apparatus for extinguishing fire;
xi. Battery lights and torches for emergency;
xii. Metal Detector/Hand metal detector;
xiii. Luggage/body scanner;
xiv. Telephone / CCTV/Walkie-talkie / X-ray baggage scanner;
xv. Search room;
xvi. Biometric system and computers;
xvii. Lathis;
xviii. Mobile box for keeping visitors mobile phone.
xix. Security gadgets or any other articles required from time to time.

103. **Dogs and pets not be allowed;**

No dogs and pets shall be allowed inside the Prison. The prohibition is absolute and applies to the dogs and pets of official and non-official visitors, as well as those of Prison officers. This is not applicable to dogs maintained by the Government departments and used for the search or investigation purpose in the Prison.

104. **Assistance to gate keeper;**

Additional sufficient warder / head warder for opening the doors and wicket gates may with the sanction of Chief Superintendent or Superintendent of prison be employed to assist the gate keeper.

105. **Deliver of keys of the main gates and wickets;**

i. The gate keeper shall keep with himself the keys of the two main gates and the wickets during the day, when the prisoners are locked up for the night, the keys of the gates and wickets shall be locked into the key almirah at the main gate, duplicate keys of the locks used for outer gate or wicket shall be given by the Jailor to the visiting officer for the night and the duplicate keys of the locks used for the inner gate or wicket gate to the warder detailed to sleep between the gates;
ii. The keys of the main gate and wicket of the Prison shall be kept in one or two bunches as may be convenient and on a chain or ring for safety and easy attachment to the waist belt.

CHAPTER – 11

Classification and Separation of Prisoners

106. **Statutory Provision;**

Under Section 26 of The Karnataka Prisons Act, 1963 the following separation of prisoners is required viz;

i. In a prison containing women as well as men prisoners, the woman shall be imprisoned in a separate building or separate part of the same building, in such manner has to prevent their seeing or conversing or holding any intercourse with men prisoners;

ii. There shall be separation of Adolescent prisoners from Adult prisoners;

iii. Undertrial prisoners shall be kept apart from convicted prisoners; and

iv. Civil prisoners shall be kept apart from criminal prisoners. Other than this the following prisoners kept in separate.–

a) Transgender prisoners of all ages shall be separated from other male and woman prisoners;

b) Prisoners suspected to be suffering from mental disorders;

c) Hardcore, terrorists, extremists, activists and religious fundamentalists;

d) Prisoners of any class who, in the opinion of the Chief Superintendent / Superintendent of Prison, are of a bad or desperate character or who have escaped or attempted to escape from lawful custody or whom it is considered desirable for any other reason to keep apart from others.

107. **Classes of prisoners;**

A prisoner confined in a prison may be;

i. Criminal prisoner.–

ii. Convicted prisoner;

iii. Under trial prisoner;

iv. Detenue prisoner;

v. Civil prisoner;

vi. Woman Prisoner;

vii. Military Prisoner;

viii. Transgender Prisoner;

ix. Young Prisoner;

x. Foreign National Prisoner; etc..

108. **Classification of prisoners;**

i. Under 17 of The Karnataka Prisons Rule, 1974, the under trial prisoners are divided into two classes 'Special and Ordinary classes and convict prisoner shall be divided into two classes namely, i. A class-I, ii. B class-II;

ii. The special class of under trial prisoners classified on the basis of the security and risk of the prison. Individual prisoners are assessed in respect of.–

a) The degree of threat which they would present to the public if they were to escape;
b) The likelihood that they may attempt to escape;
c) The external sources on which they can call upon to help them to escape.

109. **Category of Security Prisoners;**

i. All prisoners including Convict, Under trial and detenues shall be classified into following categories to determine the level of security for effective surveillance, safe custody and prevention of escapes;

a) Security Category-1 (S.1): Naxalites, radicals, extremists and terrorists (high security prisoners);
b) Security Category-2 (S.2): Dacoits, robbers, hired assassins, drug peddlers and other escape prone prisoners including previous escapees (dangerous prisoners);
c) Security Category-3 (S.3): All types of offenders who do not pose any threat to the society even if they were to escape, the ordinary murderers, offenders involved in attempt to murder, grievous hurt, simple hurt, traffic offenders, excise offenders, railway offenders and other offenders;
d) Security Category-4 (S.4): Prisoners who are eligible for Open Air Prisons with good conduct;
e) Security Category-5 (S.5): Aged and sick prisoners, students, decent persons etc.;

ii. The initial assessment of a prisoner when he or she first enters prison will not only consider the security risks but will also look at his or her needs. It is good practice to maintain the security assessment at the lowest level necessary so as to make available the widest range of constructive and resettlement activities.

110. **Detention of Civil Prisoner;**

The term civil prisoner includes;

i. A judgment debtor confined under a warrant in execution of a decree of a Civil Court;

ii. An income tax defaulter detained in custody under rules in the II Schedule to the Income Tax Act, 1961;

iii. Generally any prisoner other than a criminal prisoner of a detenue.

111. **Short termers;**

Short termers means, prisoners having sentence of less than three months and long termers having sentence of three months and above.

112. **Habitual prisoners;**

Habitual Prisoners means as defined in The Karnataka Habitual Offenders Act 1961 and any amendments made thereunder.

113. **Separation of Habitual Prisoners;**

i. Habitual convicts shall as far as possible, be separated from others. If it is impossible to separate the class entirely during work. Chief Superintendent / Superintendents of Prison should do as much as can be done in this direction by locating habitual convicts in a definite part of the several work sheds or otherwise;

ii. Chief Superintendent / Superintendent of Prison may transfer to the habitual section of an ordinary Prison any prisoner not being habitual criminal whom for reasons to be recorded in writing, he believes to be of so vicious or deprived a character and to exercise or to be likely to exercise so evil an influence on his fellow prisoners, that he ought not to be confined with other non-habitual prisoners. A prisoner so transferred shall not otherwise be subject to the special rules affecting habitual convicts.

114. **Military Prisoners;**

i. Military prisoners are those who have been sentenced for purely military offences should be kept as far as possible entirely apart from ordinary convicts. In the case of military prisoners, application for higher classification may be made to the concerned Court martial who sentenced the prisoner;

ii. Ex. Military prisoner belonging to Karnataka State convicted by Court martial and admitted to Prisons may be transferred to the Central prisons of concerned jurisdictional Districts;

iii. Ex. Military prisoners confined in the Prisons of other states shall be transferred to reciprocal basis to the respective Central prisons of concerned jurisdictional Districts.

115. **Duty of Chief Superintendent or Superintendent of Prison with regard to Classification;**

i. In order to facilitate the identification of habitual prisoners special care shall be taken in filling up the columns relating to character in the register. The letter "H" shall be written in red ink against the names of Habitual Criminals in all registers and forms;

ii. The Chief Superintendent or Superintendent of Prison and in-charge officer on receipt of a prisoner, shall endeavor to ascertain from Prison subordinate and long term convicts as well as from Prison records, whether he has more convictions than one recorded against him in the warrant;

iii. In case in which there is room for doubt whether a prisoner should be classified as habitual or not, the Chief Superintendent or Superintendent of Prison may refer the case for the orders of the convicting Court or of the District Judicial Magistrate;

iv. When the Chief Superintendent or Superintendent of Prison discovers that a prisoner has previous conviction against him which has not been recorded he shall immediately communicate the fact to the Court which convicted the prisoner and to the Commissioner of Police / Superintendent of Police concerned;

v. If a prisoner was previously classified as habitual prisoner by a Court he shall be continued to be classified as habitual prisoner whatever be the nature of offence for which he is later convicted.

CHAPTER - 12

Admission of Prisoners

116. **Statutory Provision;**

i. Under Section 3 of The Karnataka Prisoners Act, 1963, the Officer in-charge of Prison shall receive and detain all persons duly committed to his custody under The Karnataka Prisoners Act, 1963, or otherwise by a Court, according to the exigency of any writ, warrant or order by which such person has been committed until such person is discharged or removed in due course of law;

ii. No person will be admitted in a prison as a prisoner unless accompanied by a writ, warrant or order in the prescribed form, signed, dated and sealed by the Competent Authority. There will be a separate writ, warrant or order for every prisoner, even if two or more prisoners have been jointly charged;

iii. Under Section 4 of The Karnataka Prisoners Act 1963, Officer-in-charge of Prison after the execution of every such warrant or order, shall return the same to the Court by which the same was issued indicating how the same has been executed;

iv. Before admitting a prisoner, the concerned Prison authority will 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, will satisfy himself that he is the person referred to in the warrant.

v. Under Section 5 of The Karnataka Prisoners Act, 1963, Officer-in-charge of a Prison, may give effect to any sentence or warrant or order for the detention of any person passed or issued by any Court or tribunal acting within or without the State under the general or special authority of the State or Central Government;

vi. Under Section 6 of The Karnataka prisoners Act, 1963, a warrant under the official signature of an officer of such Court as referred to above shall be sufficient authority for holding any person in confinement or for sending any person for imprisonment;

vii. Under Section 7 The Karnataka Prisoners Act, 1963, where an officer of a Prison doubts the legality of a warrant or order sent to him for execution or the competency of the person whose official seal or signature is affixed, to pass the sentence and issue the Warrant or Order, he shall refer the matter to the State Government and the

prisoner shall be dealt with in accordance with such order as the Government may make. Pending orders the prisoner shall be detained in such manner as is contemplated in such manner as in the warrant of order.

viii. Under Section 60 of the Karnataka Prisons Act, 1963, the Chief Superintendent or Superintendent of Prison, considers for the safe custody of any prisoner and the security of the Prison they, should be confined behind the irons grills subject to regulations and instructions;

117. **Procedure of warrant;**

i. Under Sections 23 and 24 of The Karnataka Prisons Act, 1963, a prisoner on admission shall be searched and all weapons and prohibited articles taken from him. A female prisoner shall be searched by Woman staff only.

ii. Every prisoner on admission as soon as possible shall be examined by the medical officer and a note to be record. All money and other articles belonging to the prisoners shall be placed in the custody of the in-charge officer and the signature of the Prisoner can be obtained.

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

118. **Search of prisoners on admission;**

i. Prisoners will be thoroughly searched by a prison staff. Female prisoners will be searched by female staff only. Searches of prisoners will be made, with due regard to decency and with reasonable privacy;

ii. Every prisoner during admission shall be photographed at the Main gate itself and biometric measurements including finger prints should be taken for establishment of his correct identification.

iii. The photographs of prisoners should be taken every third month to update their profiles. The updated profiles should be shared with the local police at the time of the prisoner on bail/parole or release.

119. **Admission;**

i. There shall be an officer in-charge of all work pertaining to under trial prisoners;

ii. No person shall be admitted into a prison as an under trial prisoner unless accompanied by the following documents.–

a) A remand warrant in the prescribed form along with medical report,

signed, dated and sealed by the Competent Authority. There should 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;

c) The officer on duty is authorized to take admission of an under trial prisoner in whose case the warrant is not sent in the appropriate form or the warrant is found to contain the following.–

1. Discrepancies in name or identification or warrant;
2. Omissions of the signature of the Competent Authority. In such a case, a report should be sent in the prescribed form to the authorities concerned;

iii. Children of women prisoners may be allowed to the prisons on the direction of concerned Courts. (Up to the age of 6 years);

iv. If an under trial prisoner has not been in the prison 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 prison, if he is likely to arrive there too late for the prison meal. If the police or military escort reports that the under trial prisoner has not been supplied with food, prison authorities should make necessary arrangements for the issue of food to him. In case the under trial prisoner is admitted after the prison meals have been served, or after lock-up, food stuff like parched rice, parched gram, groundnuts, etc., should be issued to him as per prescribed scale.

v. Every prisoners shall produce Aadhaar card or Voters ID card or any other government issued ID card during admission.

vi. During admission of prisoner, details pertaining to whereabouts of their dependents including children shall be collected.

vii. During the admission of prisoner, the medical screening of all prisoners shall be carried out as per the NHRC 'Proforma for health screening of prisoners on admission to Prison'.

120. **Admission hours;**

i. Prisoners should be admitted at any time when brought for the admission. Prisoners received after the lock-up hour should be confined in a separate place specially earmarked for such purpose;

ii. While prisoners are being escorted, care should 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 Prison or the Police or military escort should send sufficient advance intimation to the prison where the prisoners are being escorted;

iii. It is the duty of every prison officer to endeavour to ascertain whether an prisoner has been previously convicted. Such information, as and when it is available, should be immediately forwarded to the Commissioner of Police / Superintendent of Police for necessary action.

iv. The Officer-in-charge of a prison shall receive and detain all persons duly committed to his custody by any Court according to directions contained in any writ warrant, or order by which such person has been committed. No prisoner shall be admitted into prison except on a warrant signed by a Competent Authority. An escaped prisoner who is recaptured may be received into the prison on the original warrant;

v. Prisoners received in a prison after it has been locked up shall be confined in a separate cell or room for the night, barracks shall not be opened at night for this purpose.

121. **Concurrent or consecutive how to reckon;**

i. Sentence of imprisonment passed by a criminal Court may be concurrent or consecutive. In the absence of any specific direction on the warrant as to the manner in which such sentences shall be carried out it should be assumed that they are consecutive.

ii. Sentence imposed in default of payment of fine cannot run concurrently

122. **Procedure if warrant is irregular;**

As soon as possible after a prisoner is admitted, his warrant shall be examined by the concerned prison authorities. If a warrant is incorrect or incomplete and if there is any clerical mistake it shall be brought notice to the Chief Superintendent or Superintendent of Prison and it may be returned for correction to the Court which issued it and a copy of warrant shall be retained till the original is returned duly corrected.

123. **Examination of warrant;**

All warrants shall be examined to ascertain whether these conform to the code of criminal procedure and the orders of the Courts.–

i. The Chief Superintendent or Superintendent of a prison is justified in refusing to receive or detain a prisoner in prisons on a warrant to which a signature is not affixed with a stamp;

ii. All warrants should be signed in full (not initials) by the judge or magistrate who issues it and should have the seal of the Court;

iii. In the case of prisoner, on whom separate sentences are passed, care should be taken to state the dates from which each sentence is to have effect in the warrant;

iv. Warrants for the release of prisoners on bail and intimation of payment of fine should be sent to the Prison authorities through official communication only.

124. **Warrants not containing particulars of fine;**

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

ii. Information received from a Court or Magistrate subsequent to the admission of the prisoner that fine has been paid in part or whole on his behalf shall be endorsed on the warrant in red ink and acknowledgement sent to the Court concerned.

125. **Method of calculating sentence;**

i. The duration of a sentence shall be calculated by the calendar year or month unless stated in terms of weeks or days;

ii. When a prisoner's sentence contains a fraction of month the date of release shall be calculated by reducing the fraction today, a whole month being for these purposes taken to consist of thirty days.

Illustration;

A prisoner is sentenced to one and half months imprisonment on 2nd February, the date of release will be 16th March.

126. **Commencement of and break in imprisonment how reckoned;**

i. In calculating the date of expiry of sentence of imprisonment in a criminal case, the day on which the sentence was passed and the day of release shall both to be included as days of imprisonment. Similarly if a prisoner is released on bail pending appeal or if he escapes the day on which he was released or escaped and the day on which he was readmitted or recaptured shall both be counted as day of imprisonment;

ii. 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 date of expiry of sentence.

Illustrations:

i. A prisoner sentenced to one day imprisonment shall be released on the same day but if he is sentenced to imprisonment for 24 (twenty four) hours he should be kept in confinement for that period;

ii. A prisoner sentenced on 1st January to one month's imprisonment shall be released on 31st of January and not on 1st day of February;

iii. A prisoner sentenced to one year's imprisonment on the 15th January of a year shall be released on the 14th January of the next year unless he earns remission by which the number of days will be reduced;

iv. A prisoner sentenced on 28th February to one month's imprisonment shall be released on 27th March;

v. A prisoner sentenced on the 29th, 30th or 31st of January to a month's imprisonment shall be released on the last day of February;

vi. A prisoner sentenced on 1st January to one month imprisonment escapes on 15th January and is recaptured on the 16th he shall be released on the original warrant on 31st January unless he is convicted under Section 224 of I.P.C.;

vii. The period of imprisonment shall be reckoned from the date on which the sentence is passed except in cases which fall under Section 31(1), 426 and 427 of the code of criminal procedure in which case the direction of the Court shall be followed.

viii. 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 rearrested for failing to pay the fine imposed.

127. **Imprisonment in default of giving security;**

i. When a person in respect of whom an order requiring security is made under Section 106 or 117 of the Cr.PC., is, at the time such order is made, sentenced to or undergoing a sentence of imprisonment, the period for which security is required shall commence on the expiry of such sentence;

ii. In other cases such period shall commence on the date of such order unless the Magistrate, for sufficient reason fixes a later date;

iii. If such a person fails to give security on or before the date of expiry of his substantive sentence, he shall be detained in prison until the expiry of the period for which security is required to be furnished or until the required security is given whichever is earlier, In such cases it shall not be necessary to issue a warrant for the detention of such person in the Prison after the expiry of the substantive sentence.

Illustration:

i. A prisoner while undergoing three months imprisonment is ordered by a competent Court to execute a bond under Section 106 of the code for keeping peace for a term of six months for a sum of thousand rupees and one surety for a like amount fails to give security on or before the date on which the substantive sentence expires shall be detained in prison until he furnished required security or until the term for which such security is to be given is completed but no formal warrant is necessary for such detention;

ii. If a person while undergoing imprisonment under an order under Section 122 of the Code in default of furnishing security is convicted of an offence committed prior to the making of the order and is sentenced to imprisonment, such sentence shall commence from the date on which it was passed and if such sentence should expire before the period for which the person is undergoing imprisonment in default of giving security, he/she shall be detained for the remainder of such period. If however, a person while undergoing sentence in default of furnishing security is convicted for an offence committed after the making of the order under Section 122 of the code and is sentenced to imprisonment, such sentence shall commence at the expiration of the imprisonment for failure to furnish security unless the Court directs that such sentence shall run concurrently with the imprisonment for failure to furnish security;

iii. An accused person has been ordered to give security by a Magistrate falling under Section 122(2) of code must be treated as an under trial prisoner until his case has been decided by the Sessions Court or the High Court. During this period he shall neither earn remission nor be compelled to labour.

128. **Date of release when two or more sentences run consecutively;**

i. The sentence of all prisoners sentenced to imprisonment for life or to more than twenty years imprisonment in the aggregate, shall for the administrative purpose of calculation of the normal date of release, be deemed to be sentenced to imprisonment for twenty years;

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

Illustration:

i. A prisoner sentenced on 21st November, 2015 to two substantive terms of imprisonment of one year each should be released on 20th and not 19th November, 2017;

ii. A prisoner is sentenced on 1st January to two months imprisonment and a fine of twenty rupees 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 on 28th February.

129. **Effect of annulling the first of two sentences;**
When a prisoner is undergoing more than one sentence and the first sentence is annulled on appeal the second sentence shall take effect from its own date.

Illustration:

a) 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 is entitled to release on 31st December.

b) 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 is entitled to release on 31st January.

130. **Calculation of date of release in certain cases;**
The following method shall be adopted in calculating the date of release of a prisoner who after conviction was released on bail but afterwards recommitted to prison to serve his sentence or who escapes and is subsequently recaptured to the term of his sentence. The number of days the prisoner was on bail or at large exclusive of the day of release and rearrested or of escape and recapture shall be added and the date on which the sum of these periods shall elapse counting from the date of conviction shall be the date of expiry of sentence.

131. **Time spent in another state for trial etc;**
If a prisoner undergoing imprisonment in a prison is transferred to another state in India for purpose of trial in cases in that state and afterwards retransferred to this state, the number of days between the date of transfer and the date of retransfer shall be counted as sentence undergone in the case in which he was undergoing the sentence prior to his transfer.

132. **Date of release of prisoner sentenced for escape;**
If a prisoner receives a sentence for escape, the date of release shall be recalculated in accordance with section 426 of the Code and entered in the register in place of original date of release.

133. **Date of release from imprisonment in default of payment of fine;**

i. If a prisoner is sentenced to imprisonment of which the whole or any portion is in default of payment of fine and if the fine is not immediately paid, the date of release shall be calculated and entered in the prisoners warrant, history ticket and in the registers so as to correspond both the payment and the nonpayment of fine.

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

Illustration:

a. If a prisoner is sentenced on 1st January to six months imprisonment and to a fine of three hundred rupees in default of payment of fine for a further period of six months, then if the prisoner pays immediately on conviction Rs.100/- the date of release shall be 31st October viz., six months and four months equivalent of the fine not paid; if he afterwards pays another Rs.100/-, the date will be changed to 31st August and on his paying the whole amount to 30th June;

b. A prisoner is sentenced on 1st January to a fine Rs.300/- or in default to six months imprisonment. If no part of the fine is realised except a sum of 75 paisa he shall be released on 29th June though the amount realised is less than the full amount due for a single day.

134. **Calculation of sentence awarded to prisoners undergoing imprisonment in default;**
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.

Illustration;

A prisoner is sentenced on 31st January to fine of thirty rupees or in default to two months imprisonment and on the 12th February of the same year he is sentenced on another Court to additional imprisonment for four months. The fine is paid in full on 28th February. Then the sentence for 4 months should begin, from the 28th February and not 31st January.

135. **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. In cases in which sentence of death is commuted to life imprisonment or imprisonment for any other term, the period of imprisonment shall be counted from the date of original sentence.

136. **Procedure when sentence suspended;**

i. When an appellate Court directs that the execution of a sentence or order appealed against be suspended the appellant, shall if detained in prison pending further orders of such appellate Court be treated in all respects as an under trial prisoner;

ii. If the appellant is ultimately sentenced to imprisonment or imprisonment for life, the period during which the original sentence was suspended shall.–

a. If spent in prison be included; and

b. If spent out of prison be excluded in computing the term for which he is sentenced by the appellate Court.

137. **When a default sentence is to begin;**

Sentence of imprisonment in lieu of fine shall always be carried out on the expiration of substantive sentences whether the latter are annexed to the fine sentences or not.

138. **Prisoners to wash themselves and their clothing;**

On admission to Prison, a prisoner shall be required to wash his clothing thoroughly. If epidemic disease exists in the neighbourhood from which he comes, his clothing shall also be disinfected by soaking

in a solution of corrosive sublimate or by being boiled. In such cases special care shall be taken to cleanse the prisoner's person especially his hair.

139. **Removal of articles from prisoners;**

i. At the search every article whether clothing, bedding, jewelers, documents or otherwise shall be taken away from prisoners sentenced to rigorous imprisonment or imprisonment for life to whom an issue of Prison clothing and bedding in accordance with rules. From prisoners sentenced to simple imprisonment every article shall be taken away except personal clothing;

ii. In case under trial prisoners money, personal property, personal ornaments, letters other than clothes shall be taken and also dangerous weapons and articles calculated to facilitate escape and such prohibited articles like spirits, drugs and immoral books shall be taken;

iii. The sacred thread worn by persons belonging to some community or castes and the Mangalasutra (thali) or wedding ring from a woman shall in no case be removed; All articles removed from a prisoner under this rule shall be dealt with under rules regarding prisoners property;

iv. A Sikh prisoner may be allowed to wear iron bangle and kirpan.

140. **Quarantine on admission;**

i. Every newly admitted prisoner shall be subjected to such period of quarantine as the Chief Superintendent or Superintendent of Prison, as required;

ii. During the period of quarantine the prisoner shall be strictly separated by day and by night from all prisoners not undergoing quarantine;

iii. If any epidemic disease appears in the quarantine ward no resident of the ward shall be taken into the Prison until the expiry of 14 days from the date of disappearance of the last case of disease;

iv. Elementary orientation should be given to the prisoners during the quarantine period;

v. The prisoners should be explained by the Prison staff including medical officer, simple rules of Prison discipline of personal and communal hygiene, their behavior towards Prison officials and towards other prisoners. The new outlook in regard to the treatment of prisoners, the concession and liabilities of prisoners, the necessity of utilising the

period of his Prison life in preparing himself for rehabilitation after his release.

141. **Reception ward;**

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

i. Haircut and shave, issue of soap and disinfecting lotion;
ii. Disinfection and storing of prisoners personal clothes and other personal items;
iii. Issue of disinfected prison clothing, bedding and utensils;
iv. Issue of authorized personal belongings;
v. Housing as per the principles of basic segregation;
vi. A thorough medical examination within 24 hours by medical officer;
vii. Attending to immediate and urgent needs of prisoners like letters, interviews, family welfare, immediate personal problems, etc.;
viii. Verification by the in-charge officer of admission of committal papers, identification marks, entries in registers, prisoners cash property, appeal and other legal matters;
ix. Finger printing and photograph as per rules;
x. Identification of drug addicts, if any by medical officer.

142. **Orientation;**

i. Every newly admitted prisoner will be subjected to a program 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 prison 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 prison.
ii. At important places in the Prison display boards shall be placed detailing the rights and duties of the prisoners.

143. **Admission Register;**

i. As soon as possible after admission every prisoner shall be brought before in-charge prison official and shall have his descriptive roll carefully written out in the appropriate columns of the admission register and at the same time his property shall be entered in the property register. The latter entry should be read out to the prisoners and signed by him and the concerned prison authorities in proof of its correctness. Valuable articles of jewellery should be put into a packet

in the presence of the prisoner concerned and carefully closed and sealed. A paper cross band should be stuck all round the packet and the prisoner should be allowed to put his signature or thumb impression on the band so pasted;

ii. At least three distinctive identification marks should be recorded in the column provided for in the register.

144. **Provision of history ticket, medical sheet and weighment charts;**

i. Every convict shall be provided with;

a. History ticket in prescribed form in which all occurrence of importance in his Prison life shall be recorded at the time including letters and interviews issued and also issue of clothing and bedding;

b. A Medical sheet in prescribed form for registering the entries in the like manner all important events in his health history and;

c. A weighment chart in prescribed form in which all fortnightly weighments shall be noted;

ii. As soon as possible, but within one week after a prisoner's admission, he shall be brought before the Medical officer for making necessary entries in the convict register and then for verification by the Chief Superintendent or Superintendent of Prison for other entries already made in that register. The Chief Superintendent or Superintendent of Prison shall be personally responsible that no undue delay is allowed to occur in this matter;

iii. The descriptive entries at the head of the ticket shall be made by the remission clerk from the convict register, also relating to appeals and petitions as they occur. Offences and punishments shall similarly be copied from the punishment book. Remission shall be entered and the progressive totals noted monthly or periodically as the case may be against each award. Other entries such as receipt of intimation of payment of fine, judicial confinement under gone, diet on which placed, fact of verification under sub-rule (ii), promotions in the class, grade, issue of clothing, nature of labour, ordinary changes therein, extra mural appointment, suspension of sentence, letter writing and interviews, attendance in Court, service of Civil Court process, imposition and removal of fetters, escapes and recaptures, transfer, death, release or other mode of disposals, parole, remission, etc. shall be made as occasion required by the remission clerk from the registers and other records and the Chief Superintendent/ Superintendent's initials obtained. As far as possible, the Chief Superintendent/

Superintendent of prison shall make all important entries in his own hand;

iv. The medical entries of age, weight, height, health and class of labour in the convict register shall be copied into the medical sheet by the Medical officer and into the history ticket by the remission clerk. Those concerning any disease or deformity on admission or marks of violence, curative treatment etc., shall be made by or under the control of the Medical officer. Observations, recommendations or directions regarding individual prisoners the medical officer journal shall be copied into the sheet by the Medical officer. Other entries such as admission as an outpatient, under observation or into hospital with nature of disease discharge to work or to the convalescent gang or death shall be made as occasion requires from the hospital registers and the Medical officer's initials obtained. As far as possible the Medical officer shall make all important entries in his own hand. All entries in the medical sheet which shall be made promptly will be copied without delay into the ticket by the remission clerk and the sheet thereupon kept in safe custody;

v. Entries of periodical weighment shall be made at the time of weighment by the weighing officer in the weighment chart and subsequently copied into the ticket by the remission clerk.

145. **Custody of history tickets, weighment chart and medical chart;**

i. History ticket shall be kept in the custody of remission clerk. A box with padlock shall be provided for the tickets. When a prisoner goes to hospital his history ticket shall go with him. Remission clerk with the help of a warder shall maintain the history tickets;

ii. Medical sheet and weightment charts shall also be kept in the custody of the hospital and will be issued to prisoners for fortnightly;

iii. On transfer of a prisoner, the Medical sheet and the weightment chart shall be attached to the history ticket so as to form a complete record of the prisoner's history for information of the receiving Prison;

iv. Use of register number.–

a. The name of every convicted prisoner shall be entered in convict register, the entries being serially from 00001 to 20,000 with the mention of year and name;

b. For under trial prisoner shall be entered in the under trial register the entries being similarly numbered from 1st of January to 31st of December with the mention of year and name;

c. The name of each civil prisoner shall be entered numbered serially from 0001 to 1,000 with mention of year.

146. **Preparation and maintenance of history tickets;**
Every Convict Prisoner shall, immediately on his admission into prison, be provided with a history ticket and nominal roll for the convicts which shall be maintained, in the manner hereinafter provided, throughout the period during which such prisoner remains in confinement.

147. **Every Nominal Roll shall contain the following particulars;**

i. The name, prisoners number and other particulars necessary for the identification of the prisoner;
ii. A brief entry of every order passed and direction given relating to, and punishment inflicted on the prisoner;
iii. A brief record of every other occurrence of any importance, affecting the prisoner, which takes place while he remains in confinement.

148. **The history ticket of every convict shall also contain the following;**

i. The nature of the offence for which he has been convicted and the provision of the law applicable there to;
ii. The date, nature and extent of the sentence passed;
iii. 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;
iv. A duplicate history ticket will be issued when original history ticket is lost. The new history ticket will be marked duplicate and signed by the Competent Authority. The ticket will be reconstructed by registering all previous entries.

149. **Entries by medical officer in history tickets;**

i. In the heading of the history ticket of every prisoner, the Medical Officer shall enter the following;
   a. The prisoner's weight on admission and age;
   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 any virus;
ii. The medical officer shall also subsequently enter, or have it entered the following.–

a. Details of the vaccination given and the result, if any;

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;

iii. The medical officer shall himself enter such other directions or recommendations, as he may from time to time consider necessary, for the maintenance of the health of the prisoner;

iv. Particulars to be entered and the officers to enter them: On the history ticket of every prisoner entries may be applicable.–

a. The date of admission into prison;

b. The number and name of every article of clothing and equipment issued on admission and later;

c. The particular work and task in weight, number or measurement, to which the prisoner is put;

d. Every change of work or task for reasons other than medical;

e. Any complaint made by the prisoner of sickness or report of his sickness;

f. The action taken on any direction or recommendation of the medical officer or medical subordinate;

g. Application for a copy of judgment, if the prisoner desires to appeal;

h. Receipt of the copy of judgment;

i. Dispatch of appeal;

j. Substance of the order of the appellate Court;

k. The fact of an appeal not having been made before the expiry of the term allowed for appeal;

l. The amount of remission awarded quarterly;

m. The total remission in days earned up to the end of each quarter;

n. Every prison-offence alleged to have been committed;

o. Every interview allowed and the receipt or dispatch of private letters;

p. Dispatch to a Court, or transfer, discharge, escape or death;

q. Any recommendation of the factory manager or the in-charge officer;

r. Action taken on any order entered by the Chief Superintendent or Superintendent of Prison;

s. The fortnightly or weekly measurement of weight;

t. The number of cells in which placed on account of warrant confinement;

u. The total confinement undergone on warrant on each occasion of removal etc.;

v. Entries regarding point (i), (ii), (v), (vii), (viii), (ix), (x), (xi), (xii), (xiii), (xiv), (xv), (xvi), (xx) and (xxiii) above may be entered by the concerned officer in-charge. Point (ix) may be entered by the concerned officer in-charge authorized to award remission, and point (xxi) by the medical subordinate or by the concerned officer in-charge, if deputed to assist him. Point (iii) shall be entered by the factory manager, when there is no officer of this grade, it shall be entered by the concerned officer in-charge, but in large Prisons a portion of the duty may, under the orders of the Chief Superintendent or Superintendent of Prison, be performed by the concerned officer in-charge. The duty of making entries regarding point (iv), (vi) and (xviii) shall not be delegated to any officer subordinate to the concerned officer in-charge.

150. **Use of register number;**

There will be an admission register for all prisoners admitted to the prison. The admission register will contain basic descriptions of the prisoners in terms of name, parentage, home address, legal status, date of admission and committal Courts. This register will be maintained by concerned officer in-charge as in prescribed form. The entries in this register will be numbered serially.

151. **Use of fresh register number being given on every transfer to other prison;**

i. The register number thus given will be the means of identifying the prisoner, a fresh number being given on every transfer to another prison. 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, e.g., convict No. 00001, Name;

ii. 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 will be called by his name and not by his number in the register.

152. **Custody and management of history tickets;**

i. The history ticket of each prisoner shall be kept in a proper receptacle by the convict-functionary in whose charge the prisoner is placed, and shall be produced by him whenever required by any officer of the prison or superior convict-functionary. It shall go with 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;

ii. 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 Chief Superintendent or Superintendent of Prison or medical officer for any reason.

Note 1: Every under-trial and civil prisoner may be allowed to retain possession of his Nominal roll.

Note 2: At weekly inspections the tickets will be issued just before, and removed immediately after, the inspection of the Chief Superintendent or Superintendent of Prison.

153. **Retention of history ticket after release or death;**

The history ticket of every prisoner shall be retained in safe custody in the event of his escape for one year; in the event of his release for one year; in the event of his death for two years; after it occurs; and in the event of release on bail for a year after the result of appeal is known.

154. **Record of date of release, etc.,**

In the case of convicts, the date on which the sentence will expire will be entered in the convict register. If the convicts are under sentence for less than three months, entries of their 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 the 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 officer after examination and comparison with the body of the warrant and with the entries in the convict register. In cases where imprisonment is awarded in default of payment of fine, the alternative dates of release will both be included in the endorsement on the warrant, in the convict register, release diary and remission sheet.

155. **Chief Superintendent or Superintendent of Prison to check entries;**

When the prisoner is produced before Chief Superintendent or Superintendent of Prison shall compare the entries in the registers and history ticket with those in the warrant and initial the convict register in token of its correctness. In case of under trail and civil

prisoners a similar procedure shall be followed as regards the warrants and admission registers.

156. **Chief Superintendent or Superintendent of Prison to check alteration of sentence;**

When the prisoner is produced before him, the Chief Superintendent or Superintendent of Prison shall be responsible for seeing that necessary alterations are made in the registers and documents when a prisoner's sentence is enhanced or reduced on appeal or realisation of fine. The Chief Superintendent or Superintendent of prison and the concerned officer in-charge shall initial these alterations.

157. **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 concerned officer in-charge 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.

158. **Ticket to be worn by convicts;**

Every convicted prisoner shall be given a thick paper ticket noting his number, name, date of sentence and date of release. A new ticket shall be issued (replaced) when the old one becomes torn and useless.

159. **Rules regarding cutting of hair and exceptions;**

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

a. Sikhs shall not have their hair cut or removed in any way except on purely medical grounds on the written orders of the medical officer;

b. Hindus shall be allowed to retain the kudumi or zutu or top knot;

c. Muslims on religious grounds shall be allowed to have their beards and mustaches trimmed to a length of an inch. Long mustaches shall not be allowed;

ii. Any prisoner who is exempted under the above rule from the liability of having his hair cut may at his own request and with the permission of the Chief Superintendent or Superintendent of Prison recorded on his history ticket, have the hair of his head or face cut or shaved;

iii. No prisoner sentenced to rigorous imprisonment for a month or less or to simple imprisonment shall be subjected against his wish to the operation of hair cut. Except to get rid of vermin or dirt or when the medical officer deems it necessary on the ground of health and cleanliness the hair shall not be cut closer than may be necessary for the purposes in view.

160. **Rule relating to remission etc., to be displayed;**
The Chief Superintendent or Superintendent of Prison shall cause to be fixed on the wall of each barrack copy of the rules relating to appeals, offences and punishments, remission of sentence and rules under which early or premature release of prisoners is allowed in the regional language. The Officer-in-charge of the barrack shall fully explain the rules to every illiterate prisoner.

161. **Medical examination of prisoners;**
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 prison, 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 in the prescribed pro forma 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. If a prisoner looks younger than his age, the matter may shall be referred back to the Court concerned after the due medical examination on the determination of his/her age for further directions, as no juvenile shall be kept in prison in any case and they are sent to the juvenile institution laid down in the Juvenile Justice Act.

162. **Certification of appropriate class of labour;**
In the case of convicts sentenced to rigorous imprisonment or imprisonment for life, the medical officer will enter the class of labour on which he will be working 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.

163. **Acceptance of Body Warrant;**
If the prisoner released in the admission warrant (remand) and if he is required in the body warrants the prisoner to be produced before concerned Hon'ble Court where body warrant pending or communicate with concerned Court immediately and obtain proper directions from the Court for necessary action.

CHAPTER - 13

Remission System

164. **Under Section 63(2)(e) of The Karnataka Prisons Act, 1963, to regularise the shortening of sentence by the grant of remission;**

i. Remission system aims at the reformation of a prisoner. The scheme is intended to ensure prison discipline and good conduct on the part of the prisoners and to encourage them to learning and better work culture, with the prospect of their early release from prison as an incentive;

ii. Remission is a concession, which can be granted to the convict prisoners by the State Government or Director General of Prison or Chief Superintendent or Superintendent of Prison. This concession is subject to subsequent withdrawal or forfeiture or revocation by the State Government or Director General of Prison or Chief Superintendent or Superintendent of Prison;

iii. Remission is intended to be an incentive for good behavior and work. It should be granted on the basis of an inmates behaviour, work and general response to various institutional activities;

iv. The sentence of all prisoners sentenced to imprisonment for life or to more than 20 years imprisonment in aggregate or to imprisonment for life and imprisonment for terms exceeding in the aggregate 20 years, shall for the purposes of these Rules be deemed to be sentence of imprisonment for 20 years;

v. Remission is not the matter of right for any prisoner.

165. **Types of Remission;**

Remission is of three kinds.–

i. Ordinary remission;

ii. Special remission;

iii. Remission by the State Government.

166. **Ordinary Remission;**

i. Eligibility of Ordinary remission.

Ordinary remission may be granted at the scale shown below to convict prisoners who are eligible for earning remission other than those employed on conservancy work;

a. Prisoners having substantive sentences of three months and more;

b. Prisoners sentenced to simple imprisonment for three months or more

who volunteer to work;

c. Prisoners employed on prison maintenance services requiring them to work on Sundays and holidays, e.g. sweeping, cooking etc., irrespective of the length of their sentence;

d. Prisoners admitted for less than one month in hospital for treatment or convalescence after an ailment or injury not caused willfully. (Those admitted for such purpose for more than one month should be entitled to remission for good conduct only);

e. Three days per calendar month for good behavior, discipline and participation in institutional activities as per the prison regulations;

f. Three days per calendar month for the performance of work allotted and prescribed standards;

g. Seven days per calendar month for prisoners employed in prison maintenance services requiring them to work even on Sundays and holidays e.g. sweeping, cooking etc.;

h. Eight days per calendar month for those working as night watchmen;

i. Thirty days remission shall be granted to all classes of convicts on the following scale for attending literacy courses including skill development training courses and completing the literacy course or award of certificates by the concerned authorities;

j. The award of ordinary remission shall be made as nearly as possible on 1st January, 1st April and 1st July and 1st October and the amount of remission recorded in the History ticket;

k. No Prisoners shall be granted ordinary remission for the month in which he is released.

ii. Authority to grant ordinary remission;
The Chief Superintendent / Superintendent of Prison is authorised to grant ordinary remission;

iii. Non Eligibility for ordinary remission;
The following types of convict prisoners should not be eligible for ordinary remission.–

a. Prisoners having substantive sentence of less than three months;

b. Prisoners sentenced in default of payment of fine only;

c. Prisoners whose sentence is reduced to less than three months (in such cases remission already earned, if any, should stand forfeited by concerned Chief Superintendent or Superintendent of Prison);

d. In the case of prisoners transferred from one prison to another on

disciplinary grounds, during the period of their stay in the latter prison;

e. Prisoners debarred from remission as punishment;
f. Prisoners specifically debarred from remission under any law or rule; and
g. Prisoners out on special leave for the duration of such leave;

iv. In respect of any sentence of simple imprisonment three month and upwards except for continuous period not less than one month during which the prisoner labors voluntarily.

v. Re-admission of excluded prisoner;

a. The Chief Superintendent or Superintendent of Prison may with the previous sanction of Director General of Prisons and Correctional Services re-admit any prisoner who has been removed from remission system and such prisoners shall earn ordinary remission under following such re-admission;

b. Ordinary remission can be earned throughout a period of imprisonment in lieu of fine which immediately follows and is continued to a substantive sentence of not less than three month.

167. **Special remission;**

i. Meritorious work by inmates should 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 prisoners eligible for ordinary remission on the following considerations;

a. Saving the life of a Government employee, a prison visitor or an inmate;
b. Protecting a Government employee or prison visitor or inmate from physical violence or danger;
c. 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;
d. Assisting prison officials in handling emergencies like fire, outbreak of riots and strike;
e. Reporting of or assisting in prevention of serious breach of prison regulations;
f. Special contribution in cultural activities or education or vocational

training;

g. Specially good work in industry, agriculture or any other works in Prison;
h. All special remission must be justified to fall in to one of the above category before sanctioning the remission.

ii. Authority to grant special remission;

a. Special remission shall be granted to the convict prisoner those prisoner who are eligible for ordinary remission by the Chief Superintendent or Superintendent of prison to an extent not exceeding 30 days in calendar year;
b. Special remission shall be granted to the convict prisoner those prisoners who are eligible for ordinary remission by the DG of prison to an extent not exceeding 60 days in calendar year.

168. **Maximum remission awardable;**
The total ordinary and special remission awarded to any convict prisoner under these rules shall not exceed one third (S) of his sentence.

169. **State remission;**

i. State remission is granted by the State Government under Cr.P.C. and Article 161 of the Indian constitution;
ii. Eligibility;

a. The State Government remission can be awarded to such a convict prisoners or categories of prisoners as the State Government may decide time to time;
b. State Government remission will be granted at such scale, or in such quantum, as may be fixed by the State Government from time to time.

170. **Procedure for remission;**

i. Entries regarding remission should be made, under proper attestation of the Chief Superintendent or Superintendent of Prison in the remission register and the history ticket of the prisoner concerned as soon as it is granted;
ii. Ordinary remission should be calculated for full calendar months. It should not be granted for a fraction of a calendar month;
iii. Special remission may be granted for any fraction of a year accordingly;
iv. Grant of remission to prisoners sentenced by Court martial should be on the same principles as those applicable to other prisoners;

v. An Officer awarding ordinary remission shall before making the award consult the Prisoners History Ticket in which every offence proved against the Prisoner is recorded;

vi. If a Prisoner has not been punished during the period otherwise than a formal warning shall be awarded full ordinary remission for the month admissible;

vii. If a Prisoner has been punished, during the period otherwise than by a formal warning he shall be granted only industry work remission for the month in which he is punished.

171. **Conditions for forfeiture of remission;**

i. Remission earned by the prisoner may be forfeited by respective sanctioning prison authority;

ii. If the prisoner is found involved in criminal offence and case is registered against him, all the ordinary and special remission of whatever kind, earned by him may be forfeited in part, or in whole; by the concerned sanctioning authorities.

iii. All such convict prisoners who are found in possessing of prohibited articles in the Prison and Prison premises, their all remission shall be prohibited and as well he shall not be eligible for future remission.

iv. In addition to the forfeiture of remission criminal case has to be registered on such convict prisoners.

v. All entries about forfeiture of remission shall be promptly made in the remission sheet and in the remission register.

172. **Transfer from one prison to another prison;**

i. In the case of a prisoner transferred from one prison to another while undergoing imprisonment, the period spent by him in the first prison excluding the period spent as an under trial prisoner shall be calculated along with the period spent by him in the second prison for remission;

ii. When prisoner is transferred to another Prison the total amount of remission earned by him up to the end of the previous month shall be endorsed on his warrant and entered on his history ticket, these entries being signed by the Chief Superintendent or Superintendent of Prison;

iii. The receiving prisons shall be responsible that the above information is duly obtained. Each Prison at which a prisoner serves a portion of his sentence shall be held responsible for the correct calculation of remission earned in prisons.

173. **Date from which remission is calculated;**

The remission shall be calculated from the first day of the calendar month next following the date of prisoner sentence. Any prisoner who after having been released on bail or because his sentence has been temporarily suspended, is afterwards re-admitted to Prison shall be brought under the remission system on the first day of the calendar month next following readmission but shall be credited on his return to Prison with any remission which he may have earned previous to his release on bail, or the suspension of his sentence.

Explanation:

i. Ordinary remission shall not be granted for broken periods of a calendar month;

ii. A prisoner unless sentenced on the first day of a month will not get remission for the month in which he has been sentence.

174. **How to treat period of absence from work;**

A prisoner who is unable to labour through causes beyond his control of reason of being at Court in transit from one prison to another, in hospital including mental hospital, on the invalid gang shall be granted ordinary remission under the above rules. On the scale earned by him during the previous month if his conduct period to and during the period in question has been such as to deserve such grant, if the period does not exceed one month. if the period exceeds one month, he will get remission for conduct only.

i. Provided that if his absence from work is due to his own misconduct in prisons, no remission shall be awarded for the period of absence;

ii. Provided also that if he is in hospital or in valid gang no remission shall be granted unless the medical officer certificates that the prisoners absence from labour is due to the causes beyond his control and is in no way caused by any action of the prisoner himself taken with a view to escaping work or to get into or to remain in hospital.

175. **Method of calculating the release;**

i. In calculating the date of release of a prisoner the number of days of remission earned shall be converted into months at the rate of 30 days a month;

ii. In calculating the date of release, the remission earned should be subtracted from the substantive sentence as follows.–

a. Months should be first subtracted and then days;

b. Set off period to be deducted from the term of sentence under Section 428 Cr. P.C.;

iii. When an accused person has on conviction being sentenced to imprisonment for a term; the period of detention, if any, undergone by him during investigation ; Inquiry or trial of the same case and before the date of such conviction shall be set off against the term of imprisonment imposed on him on such conviction and liability of such person to undergo imprisonment on such conviction shall be restricted to the remainder of any of term of imprisonment imposed on him (under Section 428 Cr. P.C. 1973).

Note; The set off mentioned above applies not only in relation to substantive sentence of imprisonment but also in relation to sentence of imprisonment in default of payment of fine.

iv. When a life convict or a prisoner in whose case Government have passed an order forbidding his release without reference to it, has earned such remission as would entitle his release but for the provisions in this rule, the Chief Superintendent or Superintendent of Prison shall report accordingly to the Government through the Director General of Prisons and Correctional Services in order that his case may be considered with reference to Section 401 of the Code;

v. Same provided by clause (iv) when a prisoner has earned such remission as entitledhim to release, the Chief Superintendent or Superintendent of Prison shall release him;

vi. When a prisoner is released under clause (v) the total amount of remission earned by him shall be endorsed on his warrant and the endorsement shall be signed by the Chief Superintendent or Superintendent of Prison.

176. **Preservation of remission sheet;**

Remission sheets shall be retained in the office of a Prison for a period of one year after the release of the prisoner to whom they released or his transfer to another Prison.

177. **Record;**

i. Following records will be maintained by the prison authority;

ii. Officer-in-charge of section, shall maintain remission sheets for prisoners eligible to earn remission. On the appointed days, these sheets shall be forwarded to the officer dealing with remission work and to the Officer-in-charge of admission and release of prisoners for

inspection. These sheets shall be attached to the remission sheet of the prisoners;

iii. A remission register shall be maintained in a prescribed Form, in which all entries about grant and forfeiture, if any, of remission shall be promptly made and duly attested by the officers concerned;

iv. 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;

v. At the end of each quarter, prisoners should be informed about the remission they have earned during the quarter and also the total of their remission;

vi. Grant or forfeiture, if any, of all types of remission should be recorded in the remission sheet;

vii. Officer-in-charge of admission and release, shall inspect the remission register or remission sheets at fixed intervals;

viii. Remission record shall be treated as confidential. It shall not be allowed to be handled by the prisoners;

ix. Prisoners should be released on such dates, as would be worked out, after allowing for the remission granted.

178. **Prisoners transferred on reciprocal basis;**

A prisoner transferred under the reciprocal arrangements from a Prison in another state will earn ordinary, special and Government remission as laid down, but any other special remission of sentence not provided above or remission of sentence for ordering premature release have to be sanctioned by the Government of the state where the prisoner was convicted and in case of conviction for offence in the union list by the Central Government.

179. **Temporary removal period to be stated;**

A prisoner transferred under the reciprocal arranges removal from the remission register the award of punishment shall state specifically the period for which the same has been so removed.

CHAPTER - 14

Offences and Punishments

180. **Statutory Provisions;**

Under Section 45 of the Karnataka Prisons Act, 1963, are declared to be prison offences when committed by a prisoner. Under clause (1) of the Karnataka Prisons Act, 1963, the willful disobedience to any regulation of the Prison as shall have been declared by rules made under this Act to be a Prison offence.

181. **Principles;**

i. Prison 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;

ii. 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.

182. **Object of punishment;**

i. Discipline is the basic foundation of correctional work. Discipline should not be retributive, unnecessarily harsh or repressive. Discipline and order shall be maintained with firmness, but with no more restrictions than required for safe custody and well ordered community life;

ii. No prisoner shall be punished unless he has been informed of the offence alleged against him and given a proper opportunity of presenting his defence. The authority shall conduct an enquiry into the case. No prisoner shall be punished except in accordance with the terms of law or regulation;

iii. No prisoner shall be punished twice for the same offence. Provided that any security measure (separate confinement, hand cuffs, fetters etc.,) taken for the safe custody of a refractory and dangerous prisoner or for preventing him from committing mischief or the stoppage of

privileges which are otherwise admissible to well behaved prisoners only be construed as prison punishment for this purpose.

183. **Prison Offences;**

Following acts of the prisoners shall constitute prison offences:

i. Endangering the security of the prison in any way, by a willful or negligent act and shall include tampering in any way with prison walls, building, bars, locks and keys, lamps or lights or with any other security and custody measure;
ii. Doing any act calculated to create unnecessary alarm in the minds of other prisoners;
iii. Doing or omitting to do any act with intent to cause to oneself any illness, injury or disability;
iv. Omitting to report the commission of any prison offence;
v. Breaking law and order and prison discipline;
vi. Planning, instigating and abetting, directly or indirectly, the commission of any prison offence;
vii. Refusing, omitting to abide by standards of behavior, rules and regulations and lawful instructions and orders;
viii. Failing to assist in the maintenance of prison discipline;
ix. Failing to give assistance to a prison official when called to do so;
x. Making false, malicious and groundless, written or verbal, complaints against prison officials;
xi. Committing nuisance or mischief of any sort;
xii. Quarrelling with other prisoners;
xiii. Smoking at places, or at times, other than identified smoking zones;
xiv. Attacking, assaulting, and causing injuries to others;
xv. Participating in a riot or mutiny, abetting another prisoner to do the same;
xvi. Escaping or attempting to escape from prison or legal custody or failing to report to prison officials about attempted escapes;
xvii. Possessing, hiding, smuggling, attempting to smuggle, obtaining, giving or receiving and bartering contraband articles;
xviii. Failing to report to prison officials about contraband articles;
xix. Stealing/damaging/destroying/disfiguring/misappropriating any Government property or another prisoners' articles and property;
xx. Failing to report at once any loss, breakage or injury, which the prisoner may accidentally have caused, to prison property or implements;

xxi. Tampering with or defacing identity cards, records or documents;
xxii. Breach of the conditions of leave and emergency release;
xxiii. Refusing to eat food or going on a hunger-strike;
xxiv. Eating or apportioning any food not assigned to him or taking from or adding to the portions assigned to another prisoner;
xxv. Willfully or negligently destroying or spoiling food, or throwing it away without orders;
xxvi. Introducing into food or drink anything likely to render it unpalatable, unwholesome, or dangerous for human consumption;
xxvii. Cooking of unauthorized food;
xxviii. Violating rules and regulations framed for the systematic running of the canteen;
xxix. Bartering canteen articles;
xxx. Being idle, careless or negligent at work, refusing to work, malingering, disturbing other prisoners at work, or in barracks;
xxxi. Manufacturing any article without the knowledge or permission of a prison officer;
xxxii. 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;
xxxiii. Apportioning to any prisoner any part of the task to be performed by him/her;
xxxiv. Mixing or adding a foreign substance to the materials issued for work;
xxxv. Willfully disabling himself from labour;
xxxvi. Converting, or attempting to convert, a prisoner to a different religious faith;
xxxvii. Willfully hurting other's religious feelings, beliefs and faiths;
xxxviii. Agitating or acting on the basis of caste or religious prejudices;
xxxix. Having any communication, in writing or by word or by signs, without permission, with any outsider, an undertrial prisoner, detunes, civil prisoners, and approvers;
xl. Sending messages surreptitiously by writing or verbally;
xli. Participating in, or organising, unauthorised activities like gambling and betting;
xlii. Using indecent, abusive, insolent, threatening or improper language; being disrespectful, making indecent or vulgar acts or gestures;
xliii. Soiling or befouling any place or article;
xliv. Loitering or lingering, leaving the appointed area or work- group without permission;

xlv. Failing to assist, or preventing another person from assisting, prison officials in suppressing violence, assault, riot, mutiny, attack, gross personal violence or any other emergencies;

xlvi. Use of criminal force;

xlvii. The use of insulting or threatening language;

xlviii. Immoral or indecent or disorderly behavior;

xlix. Willfully disabling himself from labour;

l. Contumaciously refusing to work;

li. Filling, cutting, altering or removing hand cuffs, letters or bars without due authority;

lii. Willfully idleness or negligence at work by any prisoner sentenced to rigorous imprisonment;

liii. Willfully mismanagement of work by any prisoner sentenced to rigorous imprisonment;

liv. Willfully damage to prison property;

lv. Tempering with or defacing history ticket, records or documents;

lvi. Receiving, possessing or transferring any prohibited article;

lvii. Feigning illness;

lviii. Willfully bringing a false accusation against any officer or prisoner;

lix. Omitting or refusing to report as soon as it comes to his knowledge the occurrence of any fire, any plot or conspiracy, any escape, attempt or preparation to escape, and any attack or prepare to attack upon any prisoner or prison official; and

lx. Conspiring to escape or to assist in escaping or to commit any other of the offences aforesaid.

184. **Offenders to be brought before the Chief Superintendent or Superintendent of Prison;**

i. Prisoners are liable to be punished for Prison offences as per rules irrespective of the class in which they are placed;

ii. No prisoner shall be punished for any statement or complaint made to a visitor;

iii. Whenever prisoners are produced before the Chief Superintendent or Superintendent of prison for punishment, the Chief Superintendent or Superintendent should conduct a enquiry in fair manner. It should not become a mechanical process for the more awarding of punishment. Enquiry should be conducted as promptly as possible. During enquiry the accused should be present. Witnesses should be brought in one at a time;

iv. Every precaution should be taken to ensure that the enquiry is conducted in an orderly manner. Prisoners should be thoroughly searched before being brought before the enquiry officer; violent prisoners may be properly secured during enquiry;

v. In case of serious violation of prison discipline, the Chief Superintendent or Superintendent of prison may order the recording of statements of the person concerned. When the Chief Superintendent or Superintendent of prison thinks that recording of statement is not necessary, he should briefly record the salient facts of the case in the appropriate columns. If a prisoner has committed any infringement of the prison rules through ignorance or excusable carelessness the Chief Superintendent or Superintendent of prison shall admonish him without recording in the register;

vi. The officer, who had conducted the preliminary investigation, should present his report and witnesses if any. The report should be presented in a language that is commonly understood in the locality or by the accused. Where necessary and available, interpreter may be provided. The accused and his witnesses if any should be heard;

vii. After the Chief Superintendent or Superintendent of prison has been satisfied that all relevant facts of the case have come to light, he should record his decision in the register. After enquiry the punishment should be promptly implemented as per prescribed rules;

viii. Prison discipline is the collective responsibility of all the prison personnel who are actually supposed to user in reform to the offender;

ix. Prison discipline should also ensure impeccable security in the prison so that the safe custody and well being of the prisoners is not in jeopardy;

x. Prison discipline shall also envisage a tidy ambience in the premises, which is conductive to creative work in the field of culture, literacy and vocational training.

185. **Punishments;**

The following punishments may be awarded by the Chief Superintendent or Superintendents of prisons for prison offences.–

i. Recreational facilities: The Chief Superintendent or Superintendent of Prison is empowered to award the punishment of stoppage of recreational facilities up-to a maximum period of one month. Prisoners awarded this punishment should be confined in cells or barracks during recreational period;

ii. Canteen facilities: The Chief Superintendent or Superintendent of Prison is empowered to stop canteen facilities up to maximum period of three months at a time. Prisoners awarded this punishment should be kept in a separate area so that this punishment may be properly implemented.

iii. Wages: Where prisoners willfully or negligently spoils production or damages Government property, the Chief Superintendent or Superintendent of Prison is empowered to:-

a. Cut the prisoner wages up to a maximum of Rs.500/- at one time;
b. Order recovery from wages and private cash to reimburse loss of Government property up to a maximum of Rs.1500/-;
c. Remove a prisoner from the wages system for a period of three months;
d. If the Chief Superintendent or Superintendent of Prison thinks that more severe punishment is necessary he should obtain orders from Director General of Prisons and Correctional Services;

iv. Forfeiture of unauthorized cash, currency etc: The Chief Superintendent or Superintendent of prison is authorized to profit to Government cash, currency etc., found in the possession of the inmates;

v. Transfer to other prisons as a punishment.–

a. Prisoners who are persistently violating prison discipline, and who are instigators or ring leader or agitators may be transferred to other prison as a punishment;

b. When this punishment is to be awarded Chief Superintendent or Superintendent of Prison should submit a nominal role in duplicate along with a statement of details of the offences and punishment to Director General of Prisons and Correctional Services proposing the transfer as a punishment for the sanction of Director General of Prisons and Correctional Services;

vi. Separate confinement.–

a. The Chief Superintendent or Superintendent of prison is empowered to award the punishment of separate confinement up to one month at one time. Under the sanction of Director General of Prisons and Correctional Services this punishment can be extended up to three months. Before implementing this punishment, the Prisoner should be examined by the medical officer obtained a certificate that the prisoner is fit to sustain the punishment;

b. Prisoners under this punishment may be allowed half-an-hour exercise in the morning as well as in the evening. This should be allowed in the separate barrack of the premises only;

c. They should also be allowed bathing and western commode facilities. But they should not be allowed to communicate or congregate during such periods;

d. Except for the above purposes the prisoner should be confined in the cell. Food should be served in the cell only;

e. The following concession should be extended to prisoners under this punishment.–

1. Letters as per rules;
2. Religious and moral books and religious pictures should be allowed as per rules;
3. Interviews with the family members and relatives may be granted at the discretion of the Chief Superintendent or Superintendent of Prison provided he thinks that such interviews will have a salutary effect on the conduct and behavior of the prisoner;
4. The prisoner under this punishment may also be given work in the cell at the discretion of the Chief Superintendent or Superintendent of Prison;

vii. Handcuffing and Fetters.–There should be no handcuffing except in special circumstances as per the guidelines prescribed.

viii. Women offenders.–Violent women offenders who are likely to harm themselves or others can be segregated in a cell up to one month at one time.

186. **Combination of punishment;**

The following punishment shall not be carried out in combination even when awarded at different times for different offences.–

i. Formal warning with any other punishment except loss of privileges;

ii. Separate confinement so as to prolong the total period of seclusion to which the prisoner is liable.

187. **Record to be kept for separate confinement;**

In the cell in which prisoners under separate and cellular confinement are kept changing duly signed by the Chief Superintendent or Superintendent of Prison showing therein the number of the prisoners offence which he is punished, period of confinement awarded and date of confinement in the cell and the date on which he is to be removed.

188. **Punishment for breach of conditions under leave and special leave release;**

i. In each case of late surrender or breach of any of the conditions of emergency parole or parole release necessary punishment or punishments should be awarded by the Chief Superintendent or Superintendent of Prison with due regard to the circumstances of each case. It is left to the discretion of the Chief Superintendent or Superintendent of Prison which particular punishment or punishments should be awarded in certain cases if the Chief Superintendent or Superintendent of Prison is satisfied that the overstayed was for good or sufficient reasons he may excuse the prisoner. Before awarding any punishment, the Chief Superintendent or Superintendent of Prison should invariably obtain the prisoners explanation;

ii. Breach of conditions, of suspension of sentence or grant of parole to the prisoner shall be deemed to be a prison offence and the Chief Superintendent or Superintendent of Prison may punish for such offences by.–

a. Formal warning;
b. Reduction in grade if such prisoner has been appointed as an officer of Prison;
c. A cut in remission at the rate of five days for each day of over stayed, provided that where the prisoner has not sufficient remission to his credit, he shall cease to earn remission in future for such period as the Chief Superintendent or Superintendent of Prison may direct;
d. Debarring from leave and special leave for a special period.

189. **Punishment by a Magistrate for Prison offence;**

If a prisoner is guilty of an offence against prison discipline which by reason of his having frequently committed such offence or otherwise, in the opinion of the Chief Superintendent / Superintendent of Prison is not adequately punishable by infliction of any Prison punishments, the Chief Superintendent or Superintendent of Prison may send a statement of the circumstances along with the prisoner concerned to the Court of a Judicial Magistrate having jurisdiction for being dealt with under Section 53 of The Karnataka Prisons Act, 1963.

190. **Duties of Prisoners;**

Prisoners hand book which outlining the duties of prisoners inside the

prison shall be kept in prison library, admission room (Quarantine) and maximum visible places inside the prison.

The duties broadly include the following.–

i. Obey the orders of all prison officers and staff (including clerks, medical and technical staff) and convict officers;
ii. Remain strictly with their groups and within the part of the prison in which they are confined, unless ordered by proper authority to leave it;
iii. Abstain from talking when in a file at unlocking or at latrine and bathing or other parades, or at any time when ordered by an officer of the prison to desist; also abstain from abusing, singing, quarrelling, laughing loudly, talking loudly and indecent behaviour at any time;
iv. Not receive or possess prohibited articles in the prison, when they find any of prohibited articles in the prison or know of any other prisoner having possession of any such articles, they shall report the matter to the Prison authorities;
v. Report any plot or conspiracy and any attempt to escape or any planned attack upon any prisoner or officer of the prison;
vi. Help the officers of prison in the event of any attack upon them;
vii. Keep their clothes, blankets, beddings, and utensils clean and in proper order;
viii. Keep himself clean;
ix. Perform their assigned tasks willingly and carefully and take proper care of any property of Government entrusted to them for any purpose;
x. Be orderly in their behaviour; march when moving about the prison; when addressing or being addressed by an officer of the prison or visitor stand at attention with their hands down; and salute when ordered;
xi. Not to remove provisions from the kitchen or food servicing platforms without authority, or conceal any article of food in the wards or cells;
xii. Not to remove any unconsumed food from the place where the meal is taken;
xiii. Stick to the bed, ward, barrack, and the seat assigned to them while at meals or at work;
xiv. Not to loiter in the barrack/wards, after the doors have been opened, or bathe beyond the specified hours;
xv. Not commit any nuisance or urinate in any part of the prison which has not been assigned for that purpose, or spoil any part of the prison

or any article in the prison in any way;

xvi. Show respect to all officers. Not to strike, assault or threaten any officer or prisoner;

xvii. Not to gamble or barter or play any game (unless specially permitted by the Chief Superintendent or Superintendent of Prison) within the prison; nor keep animals, birds or other pets;

xviii. Wear the clothing given to them and not to exchange clothing or any part of their prison kit, with any other prisoner;

xix. Not to undertake any agitation, organised protest or hunger strike.

CHAPTER - 15

General Discipline and Daily Routine

191. The barracks and cells shall be unlocked at day break throughout the year. Prior to the opening of wards, the convict night watchman on duty shall awake all the prisoners and keep them in readiness to march out in files with their bedding as provided hereunder.

192. **In-charge officer to be present;**

i. The in-charge officer shall be present at the opening of the wards and cells every morning and shall personally supervise the unlocking of a portion of them. The reminder shall be carried out by the other Officers on duty;

ii. The in-charge officer shall personally supervise the unlocking and the locking of condemned prisoners;

iii. Senior officer shall supervise locking and unlocking of the prison at least 4 days in a week including two surprise checks while the Chief Superintendents or Superintendents of prisons shall also supervise locking and unlocking work minimum twice in a week (one surprise check) and the result should be recorded in their diary.

193. The general daily routine;

i. The general daily routine except on Sundays and prison holidays shall be as follows.–

(a) Early Morning		
from	to	
5.30 a.m.	5.45 a.m.	Prayer
5.45 a.m.	6.15 a.m.	Opening of barracks and cells and counting of prisoners.
6.15 a.m.	6.45 a.m.	Use of rest rooms and wash
6.45 a.m.	7.15 a.m.	Exercise (individual and group) P.T. Drill

(b) Morning		
7.15 a.m.	7.45 a.m.	Breakfast
7.45 a.m.	8.00 a.m.	Work allotment and marching to work sheds
8.00 a.m.	11.00 a.m.	Work
11.00 a.m.	11.30 a.m.	Bath

11.30 a.m.	12.00	Morning meals
12.00 Noon	12.30 p.m.	Rest

(c) After noon		
12.30 p.m.	4.30 p.m.	Work
4.30 p.m.	4.45 p.m.	Wash/restroom
4.45 p.m.	5.20 p.m.	Games, recreational and cultural

(d) Early evening		
5.20 p.m.	5.30 p.m.	Wash
5.30 p.m.	6.00 p.m.	Evening meal
6.00 p.m.	6.15 p.m.	Rest room parade
6.15 p.m.	6.45 p.m.	Search, counting and lockup

Evening		
6.45 p.m.	7.45 p.m.	Reading news papers, books and indoor
7.45 p.m.	9.00 p.m.	Radio Music, Group music, recreational activities, recorded talks on spiritual education etc.,
9.00 p.m.	9.30 p.m.	Prayers, preparation to go to bed.
9.30 p.m.		To bed

ii. Routine for Sundays and prison holidays;

a) Early morning routine as in mentioned in i(a);

b) Morning 7-15 a.m. to 12-30 p.m.

Use of rest rooms, Prayer (Individual and Group), breakfast, general cleaning of barracks, cells, open spaces, etc., cleaning of equipment washing cloth, bath, inspection of equipment, meals and rest;

c) Afternoon, 12-30 p.m. to 5 p.m. Moral sessions, educational films, group music, folk dance, dramatics (as per schedule for each group) news papers, books, T.V., toilet, wash, games; use of restrooms;

d) Early evening 5 p.m. to 6-45 p.m. as mentioned in i(d);

e) Evening 6-45 p.m. to 9-30 p.m. news papers books, t.v., etc.,

f) prayer and to bed;

iii. These timings are approximate and may be altered at the discretion of the Chief Superintendent or Superintendent of Prison in consultation

with the Medical Officer, if necessary according to local circumstances and seasons of the year;

iv. A small bell (sound distinct from the sound of the alarm bell) or a bugle shall be sounded as a signal for the change of routine;

v. Care should be taken to see that prisoners move in a disciplined manner and are not allowed to wander unattended by convict watchmen or Prisons guards.

194. **Detailed schedule of the prisons routine;**

Morning Bell;

i. The main gate bell shall be sounded half an hour before sunrise throughout the year say at about 5 a.m.;

ii. Before the barracks are opened, the convict watchmen shall awaken all the prisoners and make them shake out and get their bedding and clothing folded up neatly;

iii. The prisoners shall sit in double file down the centre of the barrack in readiness to march out;

iv. The convict watchmen will ascertain if any prisoners are sick or require medical treatment or wish to see the medical officer. Sick persons shall be placed at the rear of the file;

v. On the arrival of in-charge officer of the barrack shall be unlocked. The prisoners shall be marched out with their bedding and counted by the warder in the presence of the warder who will take over charge of the prisoners and check with the entries in the barrack list;

vi. Each prisoner shall take his bedding outside and leave it in sun/air for some time in the allotted space except on rainy days. The Chief Superintendent or Superintendent of Prison and Medical Officer shall occasionally examine the bedding to see if it is properly aired.

195. **Cleaning of wards and cells;**

Directly the cells and wards are vacated. The night vessels shall be removed and the sweepers shall thoroughly sweep and clean every part; all cobwebs, dust and dirt of every description being carefully removed from the roofing, corners and elsewhere.

196. **Relieve of night duty officers;**

After the prisoners have been counted and the in-charge officer has satisfied himself that the number of prisoners is correct, the night duty warders shall be marched out of the barrack or cell and the convict watchmen on duty at the main wall shall put be on duty.

197. **Washing parade;**
Prisoners shall then be marched to the rest rooms and then to the bathing platform for brushing their teeth, washing their face and feet.

198. **Morning exercise or drill;**
After the rest room and washing work prisoners shall be divided into suitable batches for P. T. and Drill. Each batch will be taken charge by a Prisons guard and P. T. and Drill shall be conducted by trained prisons guards or instructor.

199. **Morning light meals;**
Prisoners after drill etc. shall be given an opportunity to wash their hands and be ready for the morning light meal. Early morning meal shall be served by the cooks at the appointed place.

200. **Formation of gangs;**

i. After the distribution of early morning meal, prisoners shall be divided into gangs for work; each gang being placed in the charge of a Prison guard and a convict watchman. A record of the names of the prisoners made over to each warden and convict watchman during the day shall be recorded in the gang book;

ii. The number of prisoners in each out gang and the names of officers in-charge shall be recorded in the gate book and the signature of the Officer-in-charge of the gang taken in the book. For gangs inside the Prison and in workshops it would suffice if the number of men in a gang is noted in the work distribution book maintained by the officer in-charge;

iii. A gang detailed for extramural (outer wall) work one shall be a convict watchman and shall be in-charge of a warder whose acknowledgement shall be taken;

iv. It shall be the duty of the convict watchman to assist the warder in supervising the prisoners, escorting them to and from their place of work or rest rooms and to perform other similar duties assigned to him.

201. **Marching of prisoners to work sheds by in-charge officer to distribute work;**
The Gangs shall then be marched to their worksheds, the prisoners being ranked in fours are required to keep their step. The distribution of labour will be made by the in-charge officer according to the work allotment committee. But the in-charge officer should see that no

prisoner is put to or kept on work for which he is unfit or which is likely to be prejudicial to his health.

202. **Wards and cells to be ventilated and locked;**
The sleeping wards after the march of prisoners to work shall be thoroughly ventilated during the day and kept locked to prevent prisoners from re-entering them. The keys shall be kept in the box or almirah until it is necessary to re-open the wards in the afternoon.

203. **Procedure in case of illness;**
If a prisoner in a gang working outside is injured or taken ill, the whole gang shall be marched back to the Prison with the sick prisoner.

204. **Mid-day meal and bathing;**

i. At 11-00 a.m. the bell or bugle shall be sounded, when the prisoners shall stop work and march in file to the bathing platform and shall also have an opportunity to use the rest rooms;

ii. All prisoners shall bathe every day regularly unless exempted by the Medical Officer. Coconut oil shall be issued to them once a week at Government cost at the scale given below.–

   a. 50 grams per week in the case of prisoners who are allowed to keep hair viz., Sikhs, women and convict watchmen;
   b. 25 grams per week in case of other prisoners.
   c. Prisoners are also allowed to purchase hair oil from prisoners' canteen at their own cost.

iii. After the prisoners have finished their bath and rest room usage they shall proceed to the place appointed for the distribution of mid-day meal. Here they shall sit down in a double line and cooks shall distribute food in the presence of prisons officers. The meal shall be served hot. Any complaint about food must be enquired into;

iv. The out gangs shall stop work half an hour before and return to the inside of the Prison in time for their bath and meal along with others;

v. The taking of meal shall be so adjusted that the prisoners will get at least 30 minutes rest before resuming work. The convict watchmen in charge shall see that after the meal the barracks are thoroughly cleaned up. Every prisoner shall also be required to thoroughly clean his plates and pots.

205. **Resumption of work in afternoon;**
After the meal and rest prisoners shall be given an opportunity to use

rest rooms and the gangs shall be reformed and marched back to their work which shall continue till 4-30 p.m. A bell shall be rung indicating the cessation of work.

206. **Procedure on cessation of work;**

i. Upon cessation of work the prisoners shall be marched back to the barracks where they will be again given an opportunity to use rest rooms. Prisoners are also allowed to wash their face, hands and legs;

ii. Prisoners shall be encouraged to play such games as can be arranged in prisons premises. Others will be encouraged to take part in recreational and cultural activities. If space permits prisoners shall also be permitted to play outdoor games in the Prisons premises.

207. **Evening meal;**

The games and other activities shall stop at 5-20 p.m. and prisoners should get themselves ready for the evening meal after washing their face, hands, etc., The evening meal shall be served hot from 5-30 p.m. to 6-00 p.m. The prisoners shall then be given another opportunity to use rest rooms.

208. **Lockup;**

i. Lockup shall ordinarily be done between 6-30 p.m. and 7-00 p.m. during summer and half an hour earlier in winter, i.e. between 5-45 p.m. and 6-15 p.m. It may be based on local circumstances. The counting of prisoners in the Prison shall be done under the direct supervision of in-charge officers and if the number is found to be correct they shall be locked up in barracks or cells for the night;

ii. Similarly female warder shall be present at the lockup of the female wards. She shall attend to mustering of female prisoners. She will ensure that all women prisoners are counted and that their number is correct before they are locked up for the night.

209. **Manner of lockup;**

After the evening meal is over the prisoners shall be locked up in the following manner.–

i. The prisoners shall collect their complete clothing, bedding and blankets and parade in line outside their sleeping barracks. The prison staff on night duty and in-charge staff shall then search the barrack or cell and examine gratings, bolts, fastenings and bars are in order and that no contraband articles or any article which is likely to facilitate their escape is left with any prisoner or in any ward or cell

and record the same in the charge book. On the word of command the prisoners shall stand up and advance four paces in front of their bedding;

ii. The night duty staff and convict watchman shall then carefully search every prisoner, with due regard to privacy and decency and also search his clothing and bedding in the presence of the prison staff on night duty and the in-charge staff of the barrack. When the search is over the prisoner shall reform ranks, roll up their bedding and sit in pairs;

iii. The Officer-in-charge of the lockup shall call out the names and the prisoners shall stand up and march to the gate of the barrack and enter the barrack after his number is marked in the barrack list, the prisoner repeating his number and the number of his sleeping berth;

iv. The prisoners shall sit in pairs in the middle of the barrack and the prison staff and the Officer-in-charge shall count the prisoners;

v. The Prison officers shall then go out of the barrack and lock the door but shall remain present till the convict prisoner has counted the prisoners and reported the number of prisoners to be correct. The prisoner shall then go to their berths. The number locked up in the barrack shall then be entered in the board outside the barrack. The Officer-in-charge shall record the number locked up in the lockup report book and take the signature of the prison staff on night duty;

vi. The time at which the Prison is locked up shall be entered in the lockup report book above the in-charge officers signature.

210. **Indoor activities after lockup;**

Literary classes may be conducted by literate prisoners inside the barrack.–

i. Slate, pencils, note books, pens and ink may be supplied to prisoners at Chief Superintendent or Superintendent of Prison discretion at Government cost;

ii. Prisoners may be permitted to read library books, newspapers or magazines before going to bed. Prisoners shall go to bed by 9-30 p.m. when bright lights will be switched off.

211. **Safe deposit of keys;**

A key box shall be affixed to the wall between the main gates;

i. After the prisoners are counted and the prisoners locked up in the evening the keys of the barracks and cells shall be collected and

counted by the in-charge officer. They shall then be kept in the key box which shall be locked and sealed. The key of the box together with the keys of the wickets of the inner and outer gates shall be entrusted to the officer on night duty;

ii. Similarly the key of the women barracks and cells shall be deposited by the female ward in a separate key box. The box shall be locked and sealed. The key of the box remains with the in-charge officer;

iii. As a general rule and subject to rules as to classification, men who work together would, as far as possible sleep in the same barrack or block, so as to facilitate the formation of gangs, prevent inter communication among prisoners etc., prisoners concerned in the same case should not be confined in the same ward or employed in the same gang if possible. All long term prisoners however should be frequently changed from barrack to barrack or cell to cell as the case may be under orders of the in-charge officer to frustrate combined or individual attempts at escape.

212. **Letting out cooks to prepare early morning meal;**
When it is necessary to let the cooks out before the general body of prisoners, they shall be locked up together in a single ward, the key of which shall be entrusted to the patrolling officer, who may unlock the ward at the prescribed hour.

213. **Lighting of wards and cells at night;**
A light which should as far as possible be out of the reach of prisoners, shall be kept switched on in every sleeping ward throughout the night. It shall be so placed as to throw sufficient light in the barrack or cell. If the light goes out of order the convict watchman on duty shall immediately report to the prison staff on duty who will have it restored. It shall be the duty of the convict watchman to prevent all noises and to maintain order in all respects including reporting of any breach of prisons rules.

214. **Use of rest rooms at night to be discouraged;**

i. As prisoners are given sufficient opportunities of using rest rooms during day time, the use of the same during night hours is to be discouraged and the convict watchman shall report any prisoner who makes a practice of it;

ii. If during the day, any prisoner wishes to visit rest room out of the usual parade time, he shall be made over to a convict watchman. If a

prisoner unnecessarily visits the rest room the convict watchman shall report it to the staff in-charge of the gang. If it appears that the prisoner is suffering from diarrhoea or dysentery a report shall be made to the in-charge officer who shall send him to hospital for observation or treatment.

215. **Search of prisoners when leaving or entering prisons;**
Every prisoner shall be searched each time he leaves or enters the cell or barracks. All prisoners shall be counted and searched on return to the barrack from labour.

216. **Strict discipline to be enforced;**
Every detail of the daily routine shall be carried out systematically, the prisoners being marched about by word of command. Strict silence should be maintained and prisoners shall not be allowed to wander about the barrack unattended.

217. **Conduct of gangs;**
Gangs when halted shall ordinarily be required to sit down. At the hours for turning out for work, when the gangs have been formed, the Officer-in-charge shall see that they are properly arranged and (if necessary) equipped with tools and then shall give the orders "rise" and "march". At the first order the gang shall rise and at the second move off at a steady pace to their work place. The same procedure should be followed when moving gangs at other times. The prisoners must be made to understand and obey orders.

218. **Rule on Smoking;**
As per the Government regulations smoking is prohibited in all the Prisons.

219. **Wards to be opened during night only in the presence of an in-charge officer with sufficient staff;**

i. If a prisoner requires medical attention during night or if for any other reason if it becomes necessary to open a ward or cell, the in-charge officer shall be sent for and except in cases of emergency, such as fire or attempt to escape or attempt to commit suicide, no ward or cell shall be opened except in the presence of one of these officers.

ii. During emergencies to open a barrack or cell the official in-charge of the keys shall break the seal of the key box or break the glass pane and take the necessary keys to open the barrack. A report shall be made in the in-charge officer report book about the necessity to open

the key box.

220. **Matters affecting caste or religion;**

i. As far as possible prisoners of all religions should be mixed together in the barracks without any discrimination;

ii. No undue interference with religion or caste prejudices of prisoners shall be permitted. Every prisoner shall be allowed to perform his/her religious prayers in a quiet and orderly manner during the hours of rest and when locked up for the night or at such other hours as the Chief Superintendent or Superintendent of Prison may think fit;

iii. No gathering together of prisoners for performing any religious function or caste ceremony shall be allowed unless specially permitted by the Chief Superintendent or Superintendent of prison for valid reasons to be recorded in writing;

iv. Every prisoner who expresses a desire to observe a religious fast and if in the opinion of the Medical Officer is in a fit state of health may be permitted to do so. As far as practicable, the convenience of such prisoners shall be met with regard to the disposal of the food and the hours of distribution. Prisoners observing fast may be put on light labour if the fast is of a long duration;

v. The major festivals of India during which religious fasts may be permitted on the willingness of the prisoner.

vi. If offered by a religious or charitable body or individual, the Chief Superintendent or Superintendent of prison may at his discretion receive and distribute to well behaved prisoners on festival occasions small luxuries in the shape of fruits and sweets subject to the conduct of appropriate tests by the Medical Officer;

vii. The Director General of Prisons and Correctional Services may at his discretion permit a general feeding of prisoners in Prisons at the instance and cost of a private party subject to the strict control and supervision of the officers in-charge of the Prison concerned.

221. **Use of books and magazines by prisoners;**

i. Every Prison may be supplied with books in English and the regional languages, which have been approved by the Chief Superintendent or Superintendent of prison. The in-charge shall allow the use of books, periodicals and journals to literate prisoners subject to such rules the Chief Superintendent or Superintendent of prison may prescribe. Any

book/magazine/ periodical introduced otherwise than in accordance with this rule shall be destroyed;

ii. Books, newspapers and periodicals allowed to prisoners by Government shall be seen by the Chief Superintendent or Superintendent of prison before issue to prisoners;

iii. Books, newspapers and periodicals supplied to prisoners by their friends or relatives which are not objectionable may be given to well conducted prisoners;

iv. The Chief Superintendent or Superintendent of prison may permit literate prisoners to read out loudly for the benefit of other prisoners of any books etc., approved by him;

v. Prisoners may obtain at their own cost such weekly magazines as the Chief Superintendent or Superintendent of prison may approve;

vi. News papers shall be purchased at the following scale at Government cost. For every 20 literate prisoners one copy of local language daily, for every 20 literate prisoners one copy of weekly and for every 20 prisoners one copy of monthly magazine, all from the list approved by the Chief Superintendent or Superintendent of prison.

222. **Locking and unlocking of condemned prisoners;**

The in-charge officer shall personally supervise the locking and unlocking of condemned prisoners.

223. **Literacy drive in Prison;**

i. The state of education of every convict shall be ascertained on admission and recorded in the admission register and in his History ticket with details regarding education qualification and the languages, he can read and write;

ii. Convicts who are well educated may be appointed by the Chief Superintendent or Superintendent of prison as convict teachers. They shall work under the guidance of a paid teachers or Prison officer;

iii. Literate convicts and prisoners undergoing instructions may be provided with lighting facilities up to 10-30 p.m. to enable them to read books or receive instructions;

iv. Every convict under the age of 50 years shall be liable to undergo instructions of reading, writing and arithmetic up to the lower primary standard unless he has been declared as mentally or physically unfit by the medical officer. The other prisoners may be given instructions in case they so desire. The syllabus as prescribed by Government for general school may be followed;

v. A progress chart in the prescribed form shall be maintained for every convict receiving instruction and the result of such instruction shall be recorded in the history ticket at the time of transfer or release;

vi. Prisoners who desire education beyond the elementary stage shall be given the necessary books and available assistance;

vii. The District Educational Officers and their assistants shall inspect the Prison school in their circles and advise on the scope of teaching and furnish reports of their inspection to the Chief Superintendent or Superintendent of prison who shall submit the same with his remarks to the Director General of Prisons and Correctional Services;

viii. At the end of each education project inmates should be given tests and examination which should be organised in consultation with the education department. Inmates who have successfully passed these tests and examinations should be awarded certificates on behalf of the education department;

ix. Women prisoners shall ordinarily be employed for grain cleaning, making file boards, paper bags, envelopes, tailoring, sanitary napkin making, weaving and knitting.

224. **Books from Prison library;**

i. Literate prisoners may be allowed to have not more than two books at a time from the Prison library;

ii. Prisoners may read books on Sundays and Prison holidays and if permitted by the Chief Superintendent or Superintendent of prison during their spare time on working days but not during working hours.

225. **Prisoners to observe strict silence and not to leave their bed;**

Strict silence shall be maintained at all times except when any enquiry or instructions relating to work is being given. Talking, singing or quarrelling in the wards at night is strictly prohibited. No prisoner shall be allowed to leave his bed for any purpose without first obtaining the permission of the convict watchman. No prisoner shall lay down or sit on any other prisoner's bed.

226. **Prisoners to wash their clothing;**

i. Every prisoner shall wash his clothing at least once a week usually on a Sunday morning and at such times as the Chief Superintendent or

Superintendent of Prison may direct. A prisoner shall be issued 70g of washing soap per week at Government cost.

ii. Prison cooks and prisoners employed on conservancy work shall be provided with 70g of carbolic soap per prisoner per week at Government cost;

iii. Women prisoners shall be given 105g of soap per week for washing their clothes and those with children may be given one extra piece of 35g. Sick prisoners shall be given 70 g of soap;

iv. Initial weighment on admission and the final weighment before release shall be recorded in the convict register and these as well as the intermediate fortnightly weighments shall be recorded in the prisoners history ticket and weighment chart;

v. Before recording prisoners weighments it shall be ascertained that the weighing machines are accurate;

vi. Every prisoner shall be weighed regularly every alternate Sunday in the presence of the Prison Medical Officer who shall personally record the weights in a register specially kept for the purpose. The weighment should take place before the morning meal and the prisoners should wear half pants only. As far as possible weighment should be taken under the same conditions;

vii. The Medical Officer shall from time to time examine the prisoners while at work and any prisoner who appears to be suffering in health from any kind of labour on which he is employed shall be removed and employed in other kind of labour as the medical officer consider suited for him;

viii. Prisoners who have lost more than 3 Ibs. since the last fortnightly weighment or more than 7 Ibs. since admission to Prison shall be paraded with their weighment chart separated for the inspection of the Chief Superintendent or Superintendent of prison and Medical Officer at the next general weekly parade;

ix. Special care shall be taken with regard to prisoners of poor physique on admission and in whom a small loss of weight may be of serious concern;

x. Every prisoner shall be provided with 0.25g of tooth powder and 0.75g of bathing soap for every fifteen days and 0.25g of soap nut powder or 10 ml shampoo for women prisoners once a week.

227. **Chief Superintendent or Superintendent of prison to hold weekly parade;**

On every Monday in the morning the Chief Superintendent or Superintendent of prison shall hold a parade of all prisoners at which the Prison Medical Officer shall be present. Prisoners will have an opportunity of making any complaint or application to the Chief Superintendent or Superintendent of prison. At this parade, each prisoner shall have his clothing, bedding, eating plate, cup, etc., and history ticket arranged in line before him. Prisoners losing weight shall be paraded separately. Convict watchmen shall be paraded separately from other prisoners. On arrival of the Chief Superintendent or Superintendent of Prison at the word of command all prisoners shall stand up and take up the history ticket. The Chief Superintendent or Superintendent of Prison as he passes along the line shall hear any complaint, inspect the bedding etc., and verify if entries are made properly in the history ticket. He shall also inspect the weighment chart and ensure that prisoners are clean. The Chief Superintendent or Superintendent of Prison shall visit the hospital and shall make enquiries from the sick prisoner. Women prisoners shall be paraded separately in the women barrack.

228. **Prisoners not to leave their place to make representation;**

No prisoner shall leave his work or line to make any representation to the Chief Superintendent or Superintendent of Prison. The in-charge officer and other officers shall visit all prisoners and give them an opportunity of making representation on any urgent matters like appeals, ill treatment etc., Any prisoner making any complaint or wishing to appeal shall be brought by the officer before the Chief Superintendent or Superintendent of Prison.

229. **Moral instructions and religious discourse;**

i. Discourses/Lectures on basic morals, general ethics, civics, public health, hygiene, pollution, caring about senior citizens shall be arranged by the Chief Superintendent or Superintendent of Prison, preferably on Sundays and prison holidays by inviting eminent persons from various fields relevant free of cost. They may however, be paid conveyance charges not exceeding Rs.250/- per visit. The number of such lectures being limited to one per week;

ii. Prisoners shall not be permitted to change their religion in prison. The Chief Superintendent or Superintendent of prison, shall exercise

great caution and see that any outside suggestions or attempts at proselytisation are scrupulously avoided;

iii. No minister of religion shall be allowed to have access to any prisoner other than a prisoner sentenced to death who does not belong to his own denomination unless the prisoner voluntarily and spontaneously expresses his wish to see such a minister, in which case the matter shall be reported to the Director General of Prisons and Correctional Services;

iv. Before permitting any prisoner to see a Minister of religion, who belongs to a religion other than his own, great caution shall be exercised to avoid all outside suggestions or colour of proselytism. If, however, the spontaneity of the prisoner's wish is established beyond doubt, it is not desirable to interfere with its fulfillment even though it extends to a change of religion;

v. Cultural and recreational programmes such as harikathas, musical concerts etc., may be arranged with the prior sanction of the Director General of Prisons and Correctional Services. An honorarium of not more than Rs.300/- may be paid for each such programme with the concurrence of the Director General of Prisons and Correctional Services;

vi. Religious preachers may be allowed to conduct prayers on major Indian festival days with special permission of concerned Chief Superintendent or Superintendent of Prison. An honorarium of Rs.300/- may be paid to the visiting religious preachers.

230. **Physical exercises and games;**

Subject to such instructions as may be issued by the Director General of Prisons and Correctional Services in this regard, the Chief Superintendent or Superintendent of prison should provide facilities for physical exercises, Yoga, Meditation, indoor and other games like chess, carrom, volley ball, tug-of war, kabaddi, tennis, basket ball in the evening on working days and on holidays in a manner which may not disturb the routine prescribed for Prisons.

231. **Annual sports and tournaments;**

Sports meet may be held in institutions. Carefully selected prisoners may be allowed to take part in local tournaments and matches district wise and at state level subject to necessary security precautions. The Director General of Prisons and Correctional Services is authorized to grant permission to the Chief Superintendent or Superintendent of

Prison in this regard.

232. **Hunger strikes;**

i. Prisoners who go on hunger strike shall be warned that no request for the redress of the alleged grievances shall be considered so long as the strike continues, that hunger strike is a major prison offence. A mass hunger strike amounts to mutiny and such hunger strikes are liable to be punished either departmentally or by prosecution under Section 53 of The Karnataka Prisons Act, 1963 under which they may be sentenced to imprisonment which may extend to one year;

ii. A hunger strike should not ordinarily be prosecuted under the Prisons Act without the previous sanction of the Director General of Prisons and Correctional Services;

iii. When prosecution is instituted the proceedings should be held within the Prison and should be completed as early as possible.

233. **Action on the occurrence of hunger strikes;**

When one or more prisoners go on hunger strike, they shall be immediately isolated from other prisoners and also as far as possible from one another. All cases of hunger strike shall be reported immediately to the State Government through the Director General of Prisons and Correctional Services together with reasons for the hunger strike and a report as to the action if any taken by the Chief Superintendent or Superintendent of Prison. Medical report as to the condition of the striker should be submitted daily till the hunger strike lasts. The prisoner should not be permitted to have any kind of communication such as interview, letter, telephonic facility, etc., during the period of hunger strike.

When the strike ends a report should be submitted.

234. **Prisoners Panchayat;**

i. With a view to creating a sense of responsibility and self reliance among the prisoners, Prisoners Panchayat Board shall be constituted for each Prison. The following Rules govern the selection of convicted and under trial prisoners to the said Board;

ii. In the case of Central prisons, the Panchayat board shall consist of convicted prisoners only and in the case of District prisons it shall consist of convicts if available and under trial prisoners;

iii. In central prisons one 'panch' shall be elected for each barrack; the maximum strength of the board shall be limited to 10 and in case of a district prisons the number shall not exceed 5;

iv. No convicted prisoner who has less than six months of his sentence to serve on the date of election shall be eligible for election to the Panchayat board and no under trial prisoner who has not spent one month in the prisons on the date of election shall be eligible;

v. The following prisoners shall not be eligible for election to the Panchayat board.–

   a. Prisoners whose conduct in the Prisons has not been satisfactory;
   b. Prisoners who have two convictions in case convicts and if more than two case in under trail.

vi. The election shall be held in such manner at such place and at such time as may be specified by the Chief Superintendent or Superintendent of Prison and his decision on all matters relating to the election shall be final;

vii. The duration of a Panchayat shall be six months in the case of central Prisons and three months in case of district Prisons;

viii. Any vacancy falling due to transfer, death or release of any member of otherwise, shall be filled in for the unexpired period by holding a bye-election within 15 days of vacant;

ix. The powers and function of the Panchayat shall be advisory and limited to a discussion and suggestion on the matters relating to sanitation, recreation, books and news papers etc., The Panchyat will also be empowered to enquire into minor complaints and to suggest to the Chief Superintendent or Superintendent of Prison suitable punishment permissible under the Prison Rules:

x. The Panchayat shall also have the privilege of supervising over the kitchen and offering suggestions for its betterment;

xi. The Chief Superintendent or Superintendent of Prison shall be the head of the Panchayat board and he shall have the power to reject any suggestion by the board which he considers to be not in the bona fide interest of prisons administration or beyond the scope of the prisons rules;

xii. The Panchayat shall meet once in a fortnight or earlier if considered necessary by the Chief Superintendent or Superintendent of prison ;

xiii. The Chief Superintendent or Superintendent of prison shall conduct the meetings of the Panchayat and in his absence the Chief Superintendent or Superintendent of prison in the case of Central

prisons and in-charge officer in the case of a District prisons duly authorised by the Chief Superintendent or Superintendent of Prison shall conduct the meetings;

xiv. Any pancha misusing his position shall be removed by the Chief Superintendent or Superintendent of Prison from office after making due enquiries and decision shall be final. Such removed persons shall not be eligible for any election unless it is specially permitted by the Chief Superintendent or Superintendent of Prison.

CHAPTER - 16

Out Breaks

235. **Alarm to be sounded and arming of officers and staff;**
On hearing the Alarm, all prisons officers and staff except staff on duty shall forthwith assemble at the main gate, the prison staff shall fall in near the guard room and arm themselves under the orders of the senior officer present. The officer shall dispatch a messenger to the Chief Superintendent or Superintendent of Prison and other senior officers, if they are not present.

236. **Procedure when alarm is sounded:**

i. Upon the alarm being given, the guards and all other officers and staff shall arm themselves with loaded rifles and fixed bayonets and fall in. Staff for whom rifles are not provided shall be armed with lathis. The main gate sentry with three other staff shall be posted between the gates and unless the prisoners are actually threatening the main gate, the rest of the force available shall enter the Prison and proceed to the scene of the disturbance;

ii. If the prisoners are threatening the main gate, it must be defended until the guards are strong enough to enter and drive the prisoners back;

iii. In the event of an outbreak or disturbance, the prison official present at the scene of occurrence shall raise an alarm by blowing his whistle hearing which the staff shall blow their own whistles. It will be followed by sounding of siren at the main gate. Every prison official outside the prison shall proceed at once to the guard room and arm them self with a baton. A messenger shall be sent by the senior officer present to the Chief Superintendent or Superintendent of Prison who shall summon every available man when the alarm is sound;

iv. The armed guards shall not enter the prison or arrive at the scene of the disturbance until specially sent for by the officer in command.

237. **Duty of the prisoners on hearing an alarm;**
When the alarm is given it shall be the duty of every prisoner to run at once to previously defined places of security, usually the nearest sleeping barrack, where they shall be locked in by the staff inside the prison. Prisoners should be warned in advance that neglect of this rule shall render them liable to be treated as participating in the outbreak.

238. **Collection and locking up of prisoners;**

Staff on duty in-charge of prisoners or gang of prisoners inside the prisons shall collect the prisoners where they are at work and shall lock them up in the nearest barracks or factory. If outside the prison the prisoners shall be marched in file to the main gate, where they shall be locked up in the nearest barrack. All prisoners locked up in barracks and factories shall be counted by the in-charge staff. The prisoners shall sit silently in file till alarm is over.

239. **Staff to be on sentry on prisoners;**

Staff after locking up the prisoners in their charge shall unless otherwise ordered, remain on sentry duty outside the barracks or factories in which the prisoners have been locked up.

240. **Duties of senior officers before the arrival of Chief Superintendent or Superintendent of Prison;**

Pending arrival of the Chief Superintendent or Superintendent of Prison, the present senior officer shall act in accordance with the following instructions;

i. He shall post sentries above the main gate and central tower to observe and report the movements of the prisoners and to depute a party of staff for duty around the main wall of the Prison. If the sentries near the gate, report that the main gate is clear, he shall take the remainder of the guards inside the Prison.

ii. On reaching the scene of disturbance, the guards 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 prisoners, and to rescue any prison officer / staff, who may be in danger. If the disturbance is accompanied by an attack on any prison official / staff, 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, this 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 guards and open fire on these prisoners. He shall stop the firing as soon as the prisoners cease resistance or submit.

iii. However firing shall be last resort and shall be used only after exhausting all other means to quell the violence.

241. **Chief Superintendent or Superintendent of Prison to assume charge of operation;**

On arrival of the Chief Superintendent or Superintendent of Prison, their orders shall be taken and all officers and staff shall act as per their orders.

242. **Defense of main gate;**

The main gate sentry and the additional guards 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.

243. **Police Aid on Emergency;**

i. Police aid shall be invoked by the Chief Superintendent or Superintendent of Prison either by phone or by other means as speedily as possible only as and when required;

ii. Prison authorities should not attempt to disperse a mob outside the premises of the Prison unless Prison itself is threatened;

iii. Whenever there is a Prison outbreak, other emergency inside a prison, the concerned Chief Superintendent or Superintendent of Prison or senior officers of prison should inform the concerned City/District Police authorities, who will take necessary action to control the situation and bring order inside the prison. However, till the arrival of the Police, the prison guards and security personnel guarding the prison shall initiate steps to control the situation and prevent further untoward incidents.

244. **Disturbance within wards;**

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

245. **Treatment of extramural groups;**

Groups which are outside the prison 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 the prison staff in-charge of the group can be released for other duty.

246. **Conclusion of alarm;**

When the alarm has been concluded the Prison bell shall be rung thrice as a signal for all officers / staff to return to the main gate where a roll call shall be held and the names of officers / staff who were late in turning out or absent shall be noted for necessary action. The in-charge officer of armory shall collect the unexpended ammunition and render account of the cartridges fired to Chief Superintendent or Superintendent of Prison.

247. **Report to the Director General of Prisons and Correctional Services;**

Enquiries on incidents like assaults on prison officials / staff shall be conducted by the Chief Superintendent or Superintendent of prison, or such other officer as the Director General of Prisons and Correctional Services may direct.

248. **Rehearsal of procedure on alarm;**

i. No arms shall be taken inside the Prison during practice alarm parades. The Chief Superintendent or Superintendent of Prison shall record in his journal the fact of alarm parade having been held and whether the rehearsal was satisfactory.

ii. 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 a month or more often in each prison. All steps laid down in the rules shall be rehearsed as accurately and promptly as possible;

iii. The prisoners too shall be trained to run at once to the assigned place of security when the alarm is sounded failing which, they shall be held to be taking part in the disturbance and shall be liable to be fired on.

CHAPTER - 17
Release of Prisoners

249. **Statutory Provision;**

i. Under Section 63(a), of The Karnataka Prisoner Act, 1963, the State Government may make rules for release of prisoners;

ii. Under Section 4 of The Karnataka Prisoners Act, 1963, the Officer-in-charge of Prisons shall return the writs of warrants or orders after their execution to the concerned Courts by which they were issued or made together with a certificate endorsed thereon and signed by him showing how the same have been executed:

iii. The check date of a convict who has been sentenced to imprisonment for life or to sentences in the aggregate exceeding 20 years or to imprisonment for life shall be fixed as if he had been given a sentence of 20 years imprisonment for the purpose of execution of sentence. This date shall be altered later as per orders issued by Government in connection with premature release of prisoner under those Cr. P.C. and Constitution of India.

250. **Fresh check data to be fixed in certain cases;**

The Chief Superintendent or Superintendent of Prison shall cause a fresh check date to be fixed whenever;

i. A convict's sentence is enhanced or reduced;

ii. A convict's fine or fines are paid;

iii. A convict receives or forfeits remission;

iv. The orders of the State Government are received;

v. A convict is absent from custody on bail after escape or on temporary release.

251. **Release of prisoners on Sunday and Prison holidays;**

i. Should the date on which convict is entitled to release falls on a Sunday or on any of the Prison holidays, he shall be released on the preceding day and an entry to that effect be made in the convicts register and on the warrant.

ii. But civil prisoner will not be released on the preceding day, he will be released after serving the full term whether it is a Sunday or any prisons holiday on or before 6.30 p.m. before sunset on that day.

252. **Release orders from the Court;**

i. 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 should be made;

ii. If the under-trial prisoner is released from the Court he should claim his personal property, if any, from the prison authorities within three months, failing which the same shall be forwarded to the police for disposal;

iii. While releasing an under trial prisoner, the Officer-in-charge should 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 the identity of the under trial prisoner;

d) Handing over of the cash and personal property of the under trial prisoner.

253. **Release orders received by post;**

i. All release orders received by post shall ordinarily be complied with on the same day;

ii. If a prisoner is not released on day when release order has been received by post or any authorized person, the Chief Superintendent or Superintendent of Prison shall record in his report book the fact and the reason for not releasing the prisoner on the same day.

iii. Release orders and bail bonds shall be received through post or any authorized person only. But shall not be accepted if any private person or advocate brings such documents.

254. **Release of prisoners in Chief Superintendent or Superintendent of Prison absence;**

If an order for the unconditional release of a prisoner is received at the Prison before 6.00p.m. and in the absence of the Chief Superintendent or Superintendent of Prison, the prisoner shall be released by the concerned in-charge officer who is present, after following the procedure laid down for release in the following rule but shall not sign the endorsement on the warrant which together with the release register shall be placed before the Chief Superintendent or Superintendent of Prison for signature next day.

255. **Procedure prior to releasing a convict prisoner;**

i. On the day of release, the concerned prison incharge-officer;

a) Check the details of sentence given in warrant and the registers and satisfy himself of the title of the prisoner to release with reference to warrant, history ticket, remission register and release register;

b) Compare the marks of identification as given in the warrant and in the Prison registers with concerned convict prisoner and satisfy himself that proper person is produced before him;

c) Satisfy himself that the prisoner wages, canteen, personnel property, private cash and other accounts have been completed;

ii. The prisoner shall then be produced before the Chief Superintendent or Superintendent of Prison along with the following register.–

a) Admission register;

b) Release Register and warrant;

c) Property Register;

d) Remission Register;

e) History Ticket;

f) Wages Register;

g) Release certificate together with his clothing and other property if any;

iii. The Chief Superintendent or Superintendent of Prison shall compare the entries in the warrant with those in the relevant register and shall satisfy himself that they agree and that the sentence passed on the prisoner has been duly executed. He shall then sign the endorsement for release on the warrant certifying to the execution of the sentence and the date of release and shall affix his initials together with the date in the proper columns of the registers;

iv. The private property including jewellery and the amount due to the prisoner under several accounts like private cash, wages, bata etc., shall be paid to him in the presence of the Chief Superintendent or Superintendent of Prison after obtaining the signature of the prisoner in the relevant register. The Chief Superintendent or Superintendent of Prison shall satisfy himself that the prisoner has received all his property and shall countersign the entry in the registers.

256. **Time and method of release;**

Every prisoner to whom Prison clothing has been issued shall be required to wash it clean on the morning of his release and every prisoner shall

be given the usual morning meal before release. All prisoners shall be released from the prison as soon as possible and before lockup. During emergency cases or medical grounds or aged prisoners shall be released even after 6.00 p.m. at the discretion of Chief Superintendent or Superintendent of Prison;

257. **Prisoners labouring under contagious or dangerous diseases on discharge;**

Prisoners discharged from prison if labouring under any contagious or dangerous disease, shall ordinarily be removed to the nearest hospital until they are in a fit state to be sent to home, in case removal would endanger life, the prisoner may but only with his own consent be detained in the prison hospital till he is fit to undertake journey.

258. **Prisoners suffering from acute or dangerous diseases;**

No prisoner suffering from any acute or dangerous disease, shall be discharged from prison against his will on the expiry of his sentence, but shall be detained in the hospital until the Medical officer considers that he can be safely liberated.

259. **Grant of Travelling Expenses;**

i. Every Class II prisoner whose destination after release is on or near a line of railway shall be supplied with a railway warrant by II class or bus warrant to the station (i) nearest to his home or to the place at which he was convicted or (ii) to the station nearest to the place at which he is to be employed after release as the Chief Superintendent or Superintendent of prison may decide;

ii. In the last mentioned contingency the Chief Superintendent or Superintendent of Prison shall satisfy himself that the prisoner has secured employment at the place through competent agencies prior to his release;

iii. Class I prisoners shall be provided with second class railway accommodation in railway or bus warrant for road journeys. If these prisoners desire to travel by a higher class they shall be allowed to do so provided they themselves pay all additional expenses;

iv. Sick prisoner or other prisoners who on release if unable to travel by foot shall he provided with conveyance charge or bus or railway warrants as may be necessary.

260. **Release of prisoners under treatment in outside hospital;**
Release of prisoner admitted at in an outside hospital under treatment shall be done by the Medical Officer-in-charge of the hospital, on receipt of release intimation from the Chief Superintendent or Superintendent of the prison. If necessary, the patient may be kept in a ward other than the prisoners ward if he needs further hospitalization.

261. **When prisoner has to undergo more than one sentence;**

i. When a prisoner has to undergo two or more sentences under separate warrants and if all the warrants are not issued by the same Court, at the expiry of each sentence, the warrant relating to it shall be separately endorsed and returned to the Court. In such case the endorsement shall state that the prisoner is returned in prison to undergo sentence under another warrant.

ii. When an order under Section 565 of the code of Criminal Procedure is made in a warrant of commitment, it shall not be returned to the committing Court until such time as the prisoner has undergone all the sentences under different warrants and has been served with the notice under Section 565 of the Code of Criminal Procedure.

262. **Warrants of commitment in respect of escapes and wrongly released prisoners;**
Warrants of commitment of escapes or wrongly released prisoners who remain at large and are not recaptured should be returned to the Court concerned ten years after the date of escape or wrong release with a certificate endorsed thereon and signed by the Chief Superintendent or Superintendent of Prison showing the date on which the prisoner had escaped or been wrongly released. If any prisoner is wrongly released the same should be intimated to the concerned Court and Director General of Prison office immediately for further action.

263. **When a prisoner dies;**

i. The warrant of prisoner who dies in Prison shall be returned to the Court within 36 hours of his death with an endorsement certifying the date and cause of death;

ii. Immediately report shall be send to all concerned authorities.

264. **Return of warrants of Military convicts;**

After execution of sentences, the warrant of commitment of convicts sentenced by general Court martial shall be sent to the Judge, Advocate General at the Head Quarters of the Army in India and those of convict sentenced by summary Courts martial to the officer commanding the unit in which the Court was held.

265. **Orders of the Supreme Court or High Court;**

When the orders of release is received directly from Supreme Court or High Court by the Chief Superintendent or Superintendent of Prison; the prisoner concerned shall be released immediately without waiting for the receipt of formal warrant of release from the lower Court. The same procedure shall be followed where sentences are reduced or rectified by the Supreme Court or High Court and where as a result of reduction or modification a prisoner is due for immediate release (after fulfillment of the conditions imposed in the order).

266. **Advance intimation of release to police;**

Not later than the 20th of each month, the Chief Superintendent or Superintendent of prison shall send to the concerned Commissioner of Police in cities or to the Superintendent of Police of the District in which the Prison is situated, a list of the prisoners who will be released during the following month in the prescribed form, a similar list shall also be sent to the Commissioner of Police or Superintendent of Police of the City or District in which the prisoner's home may be situated and the Commissioner of Police or Superintendent of Police of the City or District in which they may have been convicted. When necessary supplemental list containing the names of prisoners admitted after the 20th and who will be released during the following month shall also be sent.

267. **Release of woman prisoner;**

i. At least a fortnight before a woman prisoner is due for release, the Chief Superintendent or Superintendent of Prison shall write a letter to her relative intimating them the date of her release and asking them to be present at the Prison to take her away;

ii. When their sentence have expired women prisoners shall be released immediately.

268. **Women Under trial Prisoners;**

i. Women under trial prisoners shall normally be escorted by women staff. As far as possible, separate conveyance should be provided for the transport of women under trial prisoners;

ii. Women staff members shall be in-charge of women under trial prisoners. A senior officer of the Prison should be present at the time of admission and release of women under trial prisoners.

iii. As far as possible women under trial prisoners should be handed over to their relatives after release. If this is not possible, a woman staff should escort the released woman under trial prisoner to the nearest railway station or bus stand.

269. **Conditional release for treatment in outside hospital;**

i. If in opinion of the medical officer, a prisoner requires special treatment in a hospital outside, he shall certify to the necessity of transferring the prisoner to such hospital, record a full statement of the case and forward it to the Chief Superintendent or Superintendent of prison for obtaining orders of the Director General of Prisons and Correctional Services for such a transfer. The report shall invariably include a bond in the prescribed form executed by the prisoner or any relative or friend of prisoner;

ii. The form shall be in English and Kannada. The prisoner or his relative or friend, as the case may be, shall sign two copies of which one will be retained in the Prison and other delivered to the person concerned for production before the Officer-in-charge of the hospital;

iii. Before removing the prisoner, the Chief Superintendent or Superintendent of the Prison, shall make necessary arrangements to send him to the hospital for treatment. The prisoner shall be provided if necessary with railway warrants for his journey or bus fare. At the time of removal from the Prison, the prisoner should be provided, with private clothing which will be withdrawn on readmission;

iv. If the medical officer considers the case so serious as to require an attendant the Chief Superintendent or Superintendent of prison shall provide a proper attendant and woman prisoners shall be provided with women attendants;

v. In the case of prisoners of high risk who are sent to civil hospital or mental health institute for special treatment, a regular police guard shall he arranged. Such a prisoner shall be sent to the civil hospital or mental health institution only after ascertaining from the authority

concerned that separate accommodation is available in the prison ward;

vi. In emergency cases, necessitating the immediate removal of a sick prisoner to a civil hospital or a mental health institute, in which delay in sending the prisoner to such an institution is in the opinion of the Medical Officer of the prison likely to prove fatal, the prisoner shall be sent there without delay and the authority concerned shall make the best possible arrangements irrespective of the fact that separate accommodation is available or not there. In such cases orders of the Director General of Prisons and Correctional Services to be obtained later;

vii. After release the bail bond should be duly returned to the Court concerned along with a certificate of release.

CHAPTER - 18

After Care and Rehabilitation

270. **After Care and Rehabilitation;**

i. The process of after care and rehabilitation of offenders is an integral part of institutional care and treatment. These two should 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 should be effectively integrated with the department of Prisons and Correctional Services;

ii. It is clear that after care and follow up service is not required by each and every inmate leaving the prison. A large number of prisoners coming from the rural areas and agrarian and business communities are generally accepted back into their families. They are re-assimilated in the social milieu without much difficulty.

iii. They require only some continued contact with their kin and some pre-release counselling to bridge the gap between their life in the prison and that in the free society;

iv. 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 down in the society after their release and get themselves rehabilitated beyond the possibility of reverting to crime.

271. **The objectives of the after-care services;**

i. Extending help, guidance, counselling, support and protection to such a released prisoners, whenever necessary;

ii. Helping in the removal of any social stigma that may have been attached to the inmate or his/her family because of his incarceration;

iii. Impressing upon the individual the need to adjust his/her habits, attitudes, approaches and values to a rational appreciation of social responsibilities and obligations and the requirements of community living;

iv. Helping the individual in making satisfactory readjustment with his/her family, neighbourhood, work group and the community;

v. Assisting in the process of the individual's physical, mental, vocational, economic, social and attitudinal post-release readjustment and ultimate rehabilitation process;

vi. There should be full coordination between the correctional services and the after- care services;

272. **Planning;**

i. Planning for after-care should be initiated immediately after an inmate's admission in the institution;

ii. After-care should be in the interest of the individual and based on his/her needs. While planning post-release assistance, factors like the inmate's personality, his weaknesses and strengths, limitations and capabilities, and his/her rehabilitation needs should be taken into consideration. The inmate's desires for post-release help should be considered on a practical and realistic basis;

273. **Discharged Prisoners Aid Society;**

i. Discharged Prisoners Aid Society has been established in Bengaluru; The society is mainly non-official in character;

ii. The Welfare officer appointed by the Society and the liaison officer of the social welfare department detailed for work in prison for welfare and rehabilitation of discharged prisoners shall have free excess to all prisoners whose sentences are about to expire for the purposes of ascertaining their needs and plan for the future with a view to deciding the assistance required if any, in each case;

iii. The Chief Superintendent or Superintendent of Prison shall give the society sufficiently advance intimation of the impending release of prisoners selected for help and patronise and afford every facility to the welfare officer as well as the liaison Officer to interview prisoners for this purpose;

iv. A careful record should be maintained of all prisoners assisted by the society as well as by the Department of Social Welfare and an analysis of cases assisted should be incorporated in the annual report of the prison. This will serve as a suitable index to find out how far the released or discharged prisoners have been rehabilitated in the society;

274. **The Role of N.G.Os. or Civil Societies;**

i. The participation of N.G.Os or Civil societies in the rehabilitation programmes should be extensively encouraged. Voluntary organisations, who wish to help the Government in rehabilitation projects, should be given necessary help.

ii. The public should be educated about the need for rehabilitation of ex-prisoners through print and audio-visual media;

iii. Continuous liaison should be maintained with the agencies or individuals which are willing to give employment to the released prisoners;

iv. Companies that are required to spent their net profit on CSR activities. Under the Companies Act, 2013 should be encourage to contribute funds towards rehabilitation of prisoners. Appropriate steps may also be taken by the Government to facilitate tax deductibility of donations made for this purpose in terms of Section 80-G of the Income Tax Act, 1961.

CHAPTER - 19

Civil Prisoners

275. **Statutory provisions;**

i. Under Section 2(a) of The Karnataka Prisons Act, 1963, civil prisoner is any prisoner who is not a criminal prisoner;

ii. civil prisoners shall be kept separate from criminal prisoners under Section 26(h) of the Karnataka Prisons Act, 1963;

iii. Section 30 of The Karnataka Prisons Act, 1963, permits civil prisoner to maintain himself and to purchase or receive food, clothing, bedding, writing materials books, newspapers, etc., from private source subject to usual inspection;

iv. Under Section 32 of The Karnataka Prisons Act, 1963, civil prisoner unable to provide himself with sufficient clothing and bedding shall be supplied by the Chief Superintendent or Superintendent of prison such clothing and bedding as may be necessary;

v. Under Section 32(2) of the Karnataka Prisons Act, 1963, decree holder at whose instance a civil prisoner has been committed shall deposit amount as may be fixed by Court in accordance with rules framed by Government and in default of such deposit the prisoner may be released;

vi. The deposit amount shall includes food, hiring charges of clothing and bedding amounts and other expenses like medical expenses are borne by the decree holder in the Court.

276. **Segregation of Civil Prisoners;**

i. Civil prisoners shall be confined in an enclosure inside the Prison entirely separate from the enclosure allotted to criminal prisoners and shall not be allowed to hold communication or be associated with criminal prisoners;

ii. A separate room may or may not be provided for each individual civil prisoner. They may be confined in an enclosure inside the prison separated from criminal prisoner;

277. **Application of Rules and Powers;**

All the Prison officials possess the same powers in respect of civil prisoner as in respect of other classes of prisoners except when distinction is made in those rules and all rules, except as otherwise provided in this chapter shall apply to civil prisoner.

278. **Search and Examination;**

The search and examination of civil prisoner shall not be conducted in the presence of any other prisoners.

279. **Civil Prisoners Registers;**

Every civil prisoner on admission into Prison shall be entered in the register of civil prisoners.

280. **Subsistence allowance to be excluded from debt;**

The amount disbursed by a decree holder from the subsistence of a judgment debtor in Prison may not be included in the amount for which the judgment debtor's detention is ordered. If in any warrant such amounts are found to be so included the warrant shall be returned to the Court for amendment.

281. **Release on non-payment of allowance;**

i. In case of non-payment of the monthly subsistence allowance in the prescribed manner, the civil prisoner shall be produced before the Chief Superintendent or Superintendent of Prison or in charge-officer on the morning of the first day of the month whether Sunday or prison holiday for which the monthly subsistence allowance has not been duly paid.

ii. The Chief Superintendent or Superintendent of prison or charge officer stated above shall examine the necessary records and if he is satisfied that the monthly subsistence allowance has not been paid then the civil prisoner shall be released;

iii. Money tendered after lockup (up to 6.00 p.m.) or on Sundays or other Government holidays shall not be received until the next working day.

282. **Release on grounds of illness;**

i. A judgment debtor who has been committed to Prison may be released there from by the State Government on the ground of his suffering from any infectious or contagious disease. If it is intended to move Government, the Chief Superintendent or Superintendent of Prison without delay shall forward the Medical officer' report, nominal roll and decree particulars to the Director General of Prisons and Correctional Services for addressing to the Additional Chief Secretary / Principal Secretary, in-charge of Prisons for orders;

ii. In the meanwhile, pending receipt of orders from the Court or from Government, the Chief Superintendent or Superintendent of Prison

shall take action either to remove the prisoner to a hospital or to segregate the prisoner.

283. **Cooking of food;**
Civil prisoners are permitted to cook their own food at such place as the Chief Superintendent or Superintendent of prison may direct and to use their own cooking and eating and drinking vessels.

284. **Supply of the food and other articles from outside:**

i. Civil prisoners may be permitted to purchase or receive food, clothing and bedding, writing materials, books, news papers or other necessaries from private sources subject to the following restrictions;

a) Such articles shall be examined by the concerned prison officer before being introduced into the prison;

b) Food cooked outside the Prison shall be allowed only to such prisoners have been specially permitted by the Chief Superintendent or Superintendent of Prison to receive it having regard to their status habits of life and social position after due inspection;

ii. All purchases shall be made by or under the orders of the Chief Superintendent or Superintendent of Prison;

iii. Food and the other articles shall be admitted only between such hours as the Chief Superintendent or Superintendent of Prison may prescribe;

iv. The Chief Superintendent or Superintendent of Prison may refuse to allow to purchase or receive anything which he considers to be un-necessary, unsuitable or unduly luxurious.

285. **Gift, hire or sale of articles by civil prisoners prohibited;**
No part of any food, clothing bedding or other necessaries belonging to any civil prisoners shall be given, hired or sold by him to any other prisoner and any prisoner transgressing this provision shall loose the privilege of purchasing food or receiving it from private sources for such time as the Chief Superintendent or Superintendent of Prison thinks proper.

286. **Clothing to be clean;**
Civil prisoners who supply their own clothing and bedding shall be required to dress themselves properly. Through cleanliness shall also be insisted on, the Chief Superintendent or Superintendent of Prison may decline to allow any clothing or bedding to be introduced into the Prison or used until it is, in his opinion clean.

287. **Prison clothing to be supplied when not provided by the civil prisoner himself;**

Every civil prisoner not provided with sufficient clothing and bedding shall be supplied by Chief Superintendent or Superintendent of Prison with such clothing and bedding as may be necessary.

288. **Disposal of clothing supplied by decree holder;**

The articles of clothing and bedding supplied for the use of a civil prisoner at the cost of decree holder shall be given to the prisoner on release.

289. **Supply of food on medical grounds;**

If the Medical Officer recommends on medical grounds any food which a civil prisoner is unable to provide, such articles shall be supplied by the Chief Superintendent or Superintendent of Prison at Government cost.

290. **Supply of food by Prison;**

If any civil prisoner is unable to provide his own food, he shall receive food in accordance with the scale laid down for criminal prisoners undergoing simple imprisonment. When a civil prisoner is supplied with articles of ration from the Prison store or with cooked diet from the Prison cook house, the cost of such articles of ration or diet shall be recovered from his subsistence allowance and remitted to treasury.

291. **Use of books and amenities;**

i. Civil prisoners shall be allowed the use of books from Prison library and to provide at their own cost such books and news papers,
ii. to engage themselves in such harmless indoor games like Carrom, Chess or other means of occupation as the Chief Superintendent or Superintendent of Prison considers un-objectionable.

292. **Work:**

i. A civil prisoner may with the Chief Superintendent or Superintendent of Prison permission work and follow any trade or profession. He shall be encouraged to work and if he works on trade be allowed to receive his earning;
ii. He shall keep the room he uses or occupies in a clean and orderly state;

iii. On the release of a civil prisoner any cash or personnel property belonging to him shall be returned to him and an entry to that effect made in the appropriate registers after taking his acknowledgement.

293. **Under mentioned facilities may be granted to civil prisoners;**
Civil prisoners shall be granted all reasonable facilities to interview, or write letters to their family members, relatives, friends, and legal advisors;

CHAPTER - 20

Prisoners Clothing and Equipment

294. **Prisoners Clothing and Bedding;**

Under Section 63(k) of Karnataka Prisoners Act, 1963, prescribes

i. issue of prison clothing and bedding to prisoners;
ii. Scale of issue of clothing and bedding is as laid down in The Karnataka Prisoners Rules 1974.

295. **Clothing and bedding for Prisoners;**

i. Children are permitted to reside with their mothers in Prison with such suitable clothing as may be approved by the Chief Superintendent or Superintendent of Prison;
ii. Simple imprisonment and under trial prisoners shall be permitted to wear their own clothing, they may have own footwear;
iii. Simple imprisonment and under trial prisoners unable to provide themselves with necessary clothing shall be supplied with sufficient clothing from the Prison stores;
iv. Simple imprisonment prisoners who elect to labour and are employed extra-mural shall be supplied with and are required to wear the same clothing as is supplied to convicts sentenced to rigorous imprisonment;
v. Every convict prisoner sentenced to rigorous imprisonment or imprisonment for life or death sentenced prisoner shall be required to wear prison clothing as prescribed in these rules and shall be supplied with prison bedding;
vi. Other prisoners such as under trial prisoners or detenues or simple imprisonment prisoners shall be supplied with clothing and bedding if they make an application to the Chief Superintendent or Superintendent of Prison for this purpose. Such clothing shall be of a colour different from that issued to convicts so that the distinction between convicts and other prisoners is visible;
vii. Usual private clothing to meet reasonable requirements should be allowed to under trial prisoners. Such articles of clothing as will affect the security requirements of the institution should not be allowed. An under trial 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.

viii. Private articles bearing marks or symbols of political affiliations shall not be allowed to be kept or used by under trial prisoners;

ix. Under trial prisoner and civil prisoners will be allowed to use their own clothing and bedding. These supplies may be supplemented at their own cost;

296. **Convict watch woman;**

Convict watch woman shall wear the same style of clothing as woman convict. The sari jackets shall however be of better cloth.

They shall wear the badge night watchwoman on the sari in front on the left side at the shoulder level. They shall be provided with a pair of Sandals.

297. **Issue of satchel or bag;**

i. Every prisoner shall be issued a satchel or bag made out of thick cloth to keep his uniform and equipment. This arrangement is intended to give a neat appearance in barracks;

ii. The clothing of every sick prisoner admitted to hospital shall be taken from him, washed and placed in the hospital cloth store and he shall instead be provided with a complete outfit of hospital clothing;

iii. The prison medical officer shall be responsible for the return of all clothing of convicts who die in hospital to the clothing in-charge officer unless it is destroyed under the direction of the medical officer.

298. **Pattern of clothing ;**

i. All prison clothing to be of uniform pattern and all prisoners shall be provided with clothing of white cotton materials. The cotton cloth used shall be made of 7/20s in the warp and 6s/10s in the width and 24 picks per inch without stripe. Clothing weft and 24 picks per inch without strap. Clothing closely and uniformly woven and shall be of width 26 inches or 27 inches;

ii. The clothes of convicts shall have no pockets or openings 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.

iii. The clothing issued to prisoners shall be of the following type.–

a) Caps shall be of usual Gandhi cap and 3 inches in height;

b) Towels shall measure 3 feet by 3 feet;

c) Shirts will be of the type popularly known as "Nehru Shirts" which will be of sufficient length to reach up to knee with side pocket of 6.5 x 4.5 inches with three buttons in the chest.
d) Loom Carpet 6 ft. x 2.5 ft.
e) Inner wares as per required.

299. **Identification of categories of prisoners;**
For purpose of identification of certain special categories of prisoners, small patches of coloured cloth may be sewn on the front upper left side of the shirt or saree. The patch may be of the size and shape of a rupee coin. The colour of this piece of cloth may be of.–

a) Black Colour in the case of habituals;
b) Green in the case of life imprisonment prisoners or those sentenced to more than 20 years in the aggregate;
c) Red in the case of escapees;

300. **Clothing of convicts attending Courts;**
Convicts 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 prison or those provided by friends or relatives shall be issued to them before they are taken to the Court. Such clothes shall be taken back on their return from Court attendance. In other cases, the Chief Superintendent or Superintendent of Prison shall provide suitable clothing;

301. **Issue of sandals to prisoners;**
The sanction of the Chief Superintendent or Superintendent of prison is necessary for the issue of sandals to prisoners;

302. **Clothing store and care of clothing;**
i. The clothing store shall be in-charge of a officer appointed by the Chief Superintendent or Superintendent of Prison. He shall be responsible for all the clothing and bedding and other equipment. He shall see that sufficient stocks are always manufactured and stored and that they are frequently moved and exposed to sun and air.
ii. He shall maintain the clothing, bedding and equipment register in the prescribed format. It shall be his duty to see that all articles of cotton as well as woolen received back from prisoners are thoroughly washed with soap, disinfected and then placed in store properly arranged in bundles;

iii. All articles in the store have been properly repaired, regularly aired and kept fit for use. Every precaution shall be taken for complete care of the clothing. He shall be given the assistance of prisoners to enable to carry out the above duties;

303. **In-charge of clothing store;**

i. The in-charge officer of the clothing store shall be held responsible for custody and maintenance of all clothing 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.

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

304. **Submission of clothing indents;**

No Clothing or bedding shall be issued from the manufacturing department of the Prisons and Correctional Services except upon an indent passed by the Chief Superintendent or Superintendent of Prison.

305. **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 Chief Superintendent or Superintendent of Prison 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.

306. **Issue of Water Proof Hoods;**

Water proof hoods of an approved pattern may at discretion of the Chief Superintendent or Superintendent of prison be issued to prisoners on extra mural (outer wall) labour.

307. **Disposal of clothing of discharged prisoners;**

i. Prison 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 washed 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;

ii. Irreparable clothing shall be struck off from the register under the signature of the Chief Superintendent/Superintendent of prison once a month and used as rags for cleaning the kitchen and for cleaning machinery in the workshop. If the accumulation of such clothing is in excess, it shall be sold, after being shredded into small pieces, to the paper making units of the Khadi or other such agencies;

iii. Unserviceable clothing shall be stocked separately and a proper stock register shall be maintained for this purpose.

308. **Clothing to be marked on issue;**

i. The date of issue and the convicts number shall be marked on all clothing and bedding in use issued to prisoners sentenced to period of imprisonment of 3 months and above;

ii. They should also be marked indelibly on issue. In the case of those sentenced to less than three months they shall be merely stenciled with the letters S.T. (Short term).

309. **Grant of special remission for economy in wearing clothing;**

If a convict has kept his clothing in good order and has not been reported for causing damage to it, he becomes eligible for the grant of special remission. This remission should not however be indiscriminately dispensed but may be granted once in 12 months.

310. **In-charge officer responsible for supply of clothing;**

i. The in-charge officer is responsible for seeing that all prisoners are provided with articles of clothing and bedding in accordance with the prescribed scale or special instructions, if any given by the Chief Superintendent or Superintendent of prison or the Medical Officer;

ii. No general distribution of cotton clothing shall be made. Issues shall be made as necessity arises;

iii. All issues of clothing and bedding, other articles and also subsequent renewal shall be recorded in the history tickets of prisoners under the initials of the issuing officer. Entries relating to new articles of clothing shall be prefixed with the letter `N' and those relating to used but serviceable clothing with the letter 'U'.

311. **Prisoners Clothing and bedding;**

i. Prison clothing should be manufactured in the prison manufactory only, the raw materials required for the manufacture of prisoners clothing shall be provided with Government cost.

ii. Clothing and other Articles to the children of age groups 0-6 Years is as follows subject to the modifications by the Government from time to time.

Name of the Item	**Period**
Cotton Nappy Pads 10 per Baby	Once in Two months
Cotton Clothes 5 Pairs	Once in three months
Sweater, Socks and stockings	Once in six months
Rubber sheet 3 Ft. x 4 Ft. size	Once in a year up to three years
Covering clothe for rubber sheet	One pair
Washable children bed	One pair
Shoes	One pair
Baby mosquito net with cradle	Three in prison
Baby powder - 500 Gms.	Once in six months
Baby soap - 75 Gms.	Once in 15 days
Dettol - 100 ml.	Once in a month
Tooth Brush (After 2 years)	Once in Three Months
Tooth Paste - 100 Gms.	Once in a Month
Washing Soap - 75 Gms.	Once in a Two Week
Comb	One in a month
Toys of different kinds as per the age specified	As specified by the Medical Officer

iii. Class (A) and (B) prisoners may be permitted to use their own clothing and bedding except political symbols. They shall be provided with prison clothing on following scale subject to the modifications by the Government from time to time.–

Name of the item	**Quantity**
Caps	2
Shirt long sleeves	2
Pyjamas or dhoti	2
Inner garments	2
Towels	2

Note: Shirts and Pyjamas shall be made out of superior cloth than those given to the ordinary prisoners.

iv. Bedding of Class (A) and (B) male prisoner shall be as follows subject to the modifications by the Government from time to time;

Name of the Item	Quantity
Night shirts	2 Nos.
Night half pants	2 Nos.
Slippers	1 pair
Pillows	2 Nos.
Pillow covers	4 Nos.
Bed sheets	2 Nos.
Wollen blankets	1 No.
Mattress covers	2 Nos.
Comb	1 No.
Mirror	1 No.
One warm jacket	During winter shall consist of mattress (medium thickness)

v. Clothing of Class (A) and (B) female prisoner shall be as follows subject to the modifications by the Government from time to time.–

Name of the item	Quantity
Upper innerwear	2 Nos.
Towels	2 Nos.
Cotton sarees and blouse	2 pair
Petti coats	2 Nos.
Flannel jacket	1 No.
Sandals	1 pair

vi. Bedding of Class (A) and (B) female prisoner shall be same as provided to class (A) and (B) male prisoners;

vii. The clothing and bedding articles of 'C' Class male and female prisoners shall consists of following items, subject to the modifications by the Government from time to time.–

Name of the Item	Nos. of items issued per male prisoner	Nos. of items issued per female prisoner
Cotton shirt half arm	2 Nos.	-
Shorts upto 2 inches below knee	2 Nos.	-
Pyjamas or dhoti	1 No.	-
Caps	2 Nos.	-
Inner garments	2 Nos.	-
Towels	2 Nos.	2 Nos.
Wollen jackets	1 No.	1 No.

Sarees (5 to 6 yards x 42 inches)	-	2 Nos.
Ravike (Blouse)	-	2 Nos.
Petticoats	-	2 Nos.
Inner wear (Bra)	-	2 Nos.
Comb	-	1 No.
Mirror	-	1 No.
Loom carpet (6½ feet x 2½ feet)	1 No.	1 No.
Bed sheets	2 Nos.	2 Nos.
Chaddar or kambali	1 No.	1 No.
Pillow	1 No.	1 No.

viii. The following additional clothing to be provided for Lactating Women Prisoners subject to the modifications by the Government from time to time;

Sl. No.	Articles
1	Extra pair of Sarees
2	Extra Pair of Blouse
3	Extra Pair of Inner Garments (Two Bras and two Panties)
4	Extra Pair of Petticoats

ix. The life of prison clothing and bedding and other articles shall be as follows.–

Shirts	6 months
Pyjamas or dhoti	6 months
Shorts	6 months
Towel	6 months
Cap	1 year
Inner garments	6 months
Blouse	6 months
Saree	6 months
Upper inner garments and petticoats	6 months
Warm jacket	2 years
Pillow covers	1 year
Bed sheets	6 months
Cotton coats	1 year
Blanket or Kambali or chaddar	2 years
Slippers	1 year
Loom carpet	4 years

Slippers / Sandals	1 year
Comb, mirror	6 months

x. Women prisoners shall be provided with sufficient number of sanitary napkins as and required. Prison women staff shall explain proper use of sanitary napkins to such a female prisoners who have not used it earlier.

xi. One pair of sandals for 1 year may be allowed/supplied for sick prisoners/old age prisoners and newly born child's mother/Lactating women prisoner if not supplied may be allowed to purchase at their own cost;

xii. Sikh prisoners shall be provided with white turbans 12 feet x 2 feet and under garments in lieu of caps and trousers.

xiii. Women prisoners may be allowed toilet articles at their cost if not supplied by the department;

xiv. Prisoners confined in Kodagu District may be given one woolen jersey instead of woolen jacket and a pair of woolen socks for rainy and winter season;

xv. Men employed on work which specially soils their clothing like scavenging, cooking, gardening may in addition to the ordinary scale of clothing to be supplied with an extra jacket and one shorts for wearing during working hours. Cooks may be allowed an apron besides the usual clothing;

xvi. A convict night watchman shall be provided with trousers reaching up-to ankle instead of shorts and he shall be provided with two closed collar coats with five buttons with two side pockets and one pocket near the chest on the left side. He shall be provided with forage cap and brass badge in front of cap with the words night watchmen engraved. He shall also be supplied with a belt and whistle and with chain. He shall carry a baton. He shall also be supplied with a pair of sandals;

xvii. The Medical Officer has authority at any time to direct on medical grounds to issue extra clothing to any prisoner. He may authorize issue of warm clothing to prisoners who are old or infirm if he considers it necessary;

312. **Hospital Clothing;**

i. Prisoners who are patients in the hospital shall be supplied with suitable sufficient clothing to make them comfortable;

ii. They shall be provided with properly stuffed mattress with two bed sheets, a counter-pane, a pillow with pillow cover;

iii. Male prisoners in the hospital shall be provided with cotton coat that can be buttoned up in front, a pyjama of full length, a towel and a chaddar. Coats and pyjama shall have red stripe down on the side and chaddars shall have thick and thin red line in the margin;

iv. All hospital clothing, bedding shall have the letter 'H' woven or marked in red. The medical sub-ordinate shall be in-charge of the hospital clothing and shall perform the same duties as the assigned to the in-charge officer of the prison clothing.

313. **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 Director General of Prisons and Correctional Services 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.

314. **Prisoners to wash their clothing and bedding once every week;**

i. Every prisoner shall be required to wash his clothing and bedding at least once a week, usually on Sunday mornings and at any other time as the concerned officer may direct.

ii. The Chief Superintendent or Superintendent of Prison may ask prisoners to wash specific items of prison clothing and bedding may authorize the issue of the necessary washing materials for the purpose.

iii. All male prisoners shall be supplied with half a bar of washing soap weighing approximately 250g each per month and 50g of washing powder every month for washing their clothing and bedding issued by prison authorities.

iv. All women prisoners shall be supplied with a bar of washing soap weighing approximately 250g each per month and 100g of washing powder every month for washing their clothing and bedding issued by prison authorities.

315. **Prison laundry;**
All Central and District Prisons to have their own mechanized laundry to wash items of clothing and bedding, at the time of return of these

items to the clothing store.

316. **Prisoners eating and drinking vessels (utensils);**
Prisoners shall be provided with following eating and drinking vessels once in every two years, subject to the modifications by the Government from time to time.

Name of the Item	Quantity
Stain less Steel Plate	1 No.
Stain less Steel Mug	1 No.
Stain less Steel Bowl	1 No.
Stain less Steel Glass	1 No.

317. **Children (0-6 years) eating vessels (utensils);**
Children (0-6 years) shall be provided with following eating and drinking vessels once in every two years, subject to the modifications by the Government from time to time.

Name of the Item	Quantity
Stainless Steel Glass	2 Nos.
Stainless Steel Bowls with covering Plate	2 Nos.
Stainless Steel Plate	1 No.
Stainless Steel Spoons	2 Nos.
Stainless Steel Olale	2 Nos.
500 ml. Water Container with lid	2 Nos.

CHAPTER - 21

Dietary

318. **Scale of Diet;**

i. Scales of diet admissible to various categories of prisoners are given in Karnataka Prison Rules 1974, subject to the modifications by the Government from time to time.

ii. An average man requires approximately 2,000 to 2,400 calories per day. A person who does heavy work requires not less than 2,800 calories per day;

iii. Convict night watchman shall receive the same diet scale as of convicts of their class.

319. **Weighing articles;**

i. The officer in-charge of the ration and other miscellaneous articles should personally weigh all dietary articles received from co-operative societies or from contractors or from Government godowns;

ii. The scales and measures used in the godown and kitchen should be of standard weights and measures duly stamped;

iii. 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 in-charge officer, especially appointed for the purpose by the Chief Superintendent or Superintendent of Prison. 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.

iv. The Chief Superintendent or Superintendent of Prison shall, however, be responsible for ensuring that the correct weight and quality of the ration is issued. The quality of these items should be regularly checked by the Medical Officer.

320. **Issue of Rations;**

The Store Keeper or the in-charge officer of the ration store shall arrange to get prepared daily indents for the dietary articles required to be issued to the prisoners on the basis of the number of prisoners unlocked and according to the different classes. The indent should be properly checked by him and he should satisfy himself that the quantities arrived at are correct and based on the number of prisoners to be actually dieted. The issue of ration to kitchen should be as per the indent prepared on the above lines.

321. **Power to sanction change in diet;**

No change in the prescribed diet scales of various categories of prisoners shall be made without the sanction of Government. But the diet of individual prisoner may be modified on the recommendation of the Medical Officer.

322. **Extra diet;**

i. Extra diet or modified diet may be issued by the Medical Officer at his / her discretion on medical grounds. Such extra diet or modified diet prescribed to prisoners shall be entered in the sick register and an order to this effect shall also be made by the Medical Officer in his / her journal.

ii. Extra diet or modified diet issued to prisoners on Medical grounds shall not be ordered beyond a period of 30 days at a time;

iii. No reduction or alteration in the prescribed diet and scales shall be made except under special circumstances. If, on the recommendation of the Medical Officer, the Chief Superintendent or Superintendent of Prison 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.

323. **Food ration;**

Every prisoner shall have three meals a day according to the scales prescribed by the Government from time to time,

i. A light meal (Breakfast) in the morning before the hour of work between 7:15 a.m. to 8:30 a.m.

ii. A mid day meal in afternoon between 11:00 a.m. to 11:30 a.m.;

iii. An evening meal before prisoners are locked up for the night between 5.15 p.m. to 5:45 p.m.

324. **Instruction for ingredients;**

i. Grain and pulses shall be well cleaned before issue and the same should be cooked properly;

ii. Dal and pulses should be free from husk and issued in the curry and not separately;

iii. The oil shall be tempered and mixed with the curry in the presence of a in-charge officer of the kitchen who shall ascertain by weighment that the quantity of oil is correct;

iv. The allowance of vegetables shall be calculated after stalks, skims and refuse have been separated, and only good succulent vegetables shall be issued;

v. Similarly the allowance of tamarind shall be issued free from husk and seed, in place of tamarind, amchur or cocum may be issued provided prisoners like it.

325. **Cleaning, storage and issue of food items;**

i. Care should 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;

ii. Rice should be separated from husk, dust or other articles before issuing for cooking;

iii. Where chapati/bread is given to prisoners, the same should be prepared in prescribed weights for different classes of prisoners and cooks should be informed before hand of the prescribed weights;

iv. Dal should be husked and un husked grains properly cleaned out before cooking;

v. Vegetables issued shall be free from stalks and leaves and shall be cut for cooking before being weighed and delivered to the cooks. All vegetables should be examined daily by the Medical Officer or his subordinates;

vi. Anti scorbutics in the requisite quantity shall be issued daily with the mid day and evening meals to all prisoners. There should be standing instructions for the preparation and issue of different kinds of antiscorbutics which are commonly available;

326. **Food to be cooked in the main kitchen;**

i. All food except that specially prepared for prisoners in hospitals, Class I prisoners, civil prisoners, shall be cooked at the main kitchen.

ii. However in small Prisons, wherever kitchen and facility are not available the cooked food from outsource shall be served to the prisoners as per the prescribed diet.

327. **Cooks;**

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.

328. **Selection of cooks;**

i. Civil prisoners shall be allowed to cook for themselves. For all other prisoners, convict cook in the proportion of one cook for every 20 prisoners shall be selected;

ii. The selection of cooks shall be made by the Chief Superintendent or Superintendent of prison due regard being paid to the health of the prisoners so employed. The cooks should occasionally be changed.

329. **Duties of Cook;**

i. The work of cleaning the grains shall not be done by the cooks. They shall however wash the rice and prepare the vegetables. Short termers shall clean the cooking vessels and keep that portion of the kitchen clean and tidy;

ii. The cooks shall be required to keep the kitchen clean and tidy and also the cooking vessels, moulds, trays, etc. They shall also distribute food to prisoners;

iii. Inmates undergoing imprisonment for six months or less, wherever available, may be employed for works like cleaning rice, peel and cut vegetables, cleaning of cooking utensils and also keep the kitchen clean and hygienic.

330. **Distribution and service of food;**

i. Timing for serving the breakfast / meals in the prison shall be morning, mid-day and evening.

ii. Meals should be served fresh and hot. The receptacles used for carrying food shall be provided with well fitting lids. All food shall be carefully protected from flies and other insects;

iii. Fifteen minutes before the distribution of each meal, a bell may be sounded. Prisoners should 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 in-charge prison officer. They shall see that food issued to any prisoner is not taken away by another or is otherwise wasted;

iv. After serving of food at least twenty minutes time shall be allowed for the prisoners to eat the food;

v. 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;

vi. 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 left 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;

vii. The floors and platforms shall be cleansed immediately after the prisoners finish their meals.

331. **Cooking Vessels;**

i. Stainless steel or Copper bottom stainless steel vessels shall be used for cooking. Cooked ragi flour shall be moulded on stone slabs or on tables. Trays for carrying food shall be made of metal with handles. Food while being carried shall be covered. All food shall be carefully protected from flies;

ii. All cooking utensils must be kept clean and shinning and the kitchen and eating area too must be clean and hygienic;

iii. Special care shall be taken to ensure that all vessels in which milk is kept/stored are perfectly clean. All vessels should be cleaned with boiling water immediately after use and must not be left un cleaned;

332. **Diet Chart;**

i. The diet chart of infants and children age between 0-6 months, 6-12 months, 1-3 years and 3-6 years shall be provided as per existing diet chart, subject to the modifications from the Government from time to time.

ii. Additional diet chart shall be provided for all pregnant and lactating women prisoners as per existing diet chart, subject to the modifications from the Government from time to time.

iii. The diet chart of different types of breakfast from Monday to Sunday for all prisoners shall be provided as per existing diet chart, subject to the modifications from the Government from time to time.

iv. All the prisoners shall be provided early morning breakfast with Coffee or Tea as per existing diet chart, subject to the modifications from the Government from time to time.

v. The diet chart of mid-day meals and evening meals for labour and non laboring adult prisoners of respective Ragi, Wheat, Rice and Jower diet shall be provided as per existing diet chart, subject to the modifications from the Government from time to time.

vi. All non vegetarian prisoners shall provided male sheep boneless mutton meals and chicken weekly once in every first Friday of the month is mutton and second week of Friday is chicken and similarly

third week of Friday mutton, fourth week of Friday is chicken and cycle will continue as per existing diet chart, subject to the modifications from the Government from time to time.

vii. The coastal districts prisons of Uttar Kannada, Dakshin Kannada and Udupi, prisoners are provided with every first Friday of the month is mutton and second week of Friday is Fish and similarly third week of Friday mutton, fourth week of Friday is fish and cycle will continue as per existing diet chart, subject to the modifications from the Government from time to time.

viii. The vegetarian prisoners shall provide with Sweets as per required special ingredients as per existing diet chart, subject to the modifications from the Government from time to time.

ix. All the prisoners shall provide with boiled egg for non vegetarians or Banana for vegetarians once in a week on every Tuesday during evening meals as per existing diet chart, subject to the modifications from the Government from time to time.

x. All the prisoners shall provided special feeding for special days (Festivals) as per existing special feeding diet chart, subject to the modifications from the Government from time to time.

xi. Boiled water may be provided for prisoners on the recommendation of Prison medical officer/visiting medical officer of the District hospital;

xii. Class–A and Class–B prisoners diet will be given as per the Karnataka Prison Rules 1974; subject to the modifications from the Government from time to time.

333. **Fuel Consumption Chart;**

Fuel should be provided for cooking as per following fuel chart, subject to the modifications from the Government from time to time.

Sl. No.	Number of Prisoners	Quantity of fuel per prisoner in grams.
1	1 – 100	120
2	101 – 300	115
3	301 – 1000	110
4	1001 – 2000	105
5	2001 and above	95
6	Additional gas consumption about 20 grams is allowed in Madikeri Prison due to climate conditions.	
7	On recommendation of medical officer for sick prisoners about 10 grams of additional gas consumption is allowed.	

334. **Milk and butter milk;**

i. Milk at 60 ml. is to be issued to each prisoner daily. For this purpose milk should be converted into curds and butter milk prepared after adding water in the proportion of 1:3 and distributed to the prisoners at 200 ml. each at the time of morning or evening meals;

ii. 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 toned 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 should not be accepted;

iii. Milk shall be stored in properly cleaned vessels and in well-ventilated place. Milk shall be issued to prisoners on special/medical diet only after boiling. Boiling should 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;

iv. In preparing curds no water should be mixed with the milk before boiling.

335. **Daily inspection of food;**

The Chief Superintendent or Superintendent of Prison and Medical Officer 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 subordinates. The inspecting officer shall especially see that the vegetables issued are of good quality. He shall bring to the notice of the Chief Superintendent/Superintendent of prison any defects in quality detected during such inspections;

336. **Inspection of cooked food;**

It is highly important that the food is properly cooked and that it reaches the prisoners in prescribed quantities. 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 Chief Superintendent/Superintendent of prison and the Medical Officer. They shall record the result of their inspection in their journal.

337. **Fasting Days;**

i. The following days have been fixed as fasting days for Hindu prisoners.–

a) Mahashivaratri;
b) Ramanavami;
c) Krishna Janmashtami;
d) Ekadashi (Ashada first);
e) Last Saturday in the Month of Shravan;
f) Ekadashi (Kartikie-first);

ii. Such of the Hindu prisoners who observe fast shall be given sweet potatoes, ground nut seeds, jaggery, plantains in lieu of daily food within the cost of the usual daily rations;

iii. Muslim prisoners may be permitted to observe fast if they choose to do so during the month of Ramzan, provided the Medical Officer certificates that they may be so permitted without impairing their health. Muslim prisoner observing fast in the month of Ramzan shall be permitted to receive the whole of their daily ration at evening meal and retain the same in their barrack for consumption during the night or the following early morning.

338. **Hospital diet;**

Prisoners shall be provided with hospital diet on the advice of medical officer as and when required as per prescribed in Karnataka Prison Rules 1974, subject to the modifications from the Government from time to time.

339. **All cooked food should be kept covered until it is distributed;**

i. The Chief Superintendent or Superintendent of Prison 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;

ii. Measuring equipment used for issuing ration to the mills, and that used in the kitchen, shall be checked by the Chief Superintendent or Superintendent of Prison at least once a month if not more often;

iii. Cooks found tampering with food or scales shall be severely punished.

340. **Complaint about food;**

Any complaint regarding food shall be enquired into on the spot by the concerned prison 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 Chief Superintendent/ Superintendent of prison. If the complaint is valid and is due to the

fault of any prison official / staff, the Chief Superintendent or Superintendent of prison shall take such action as he deems fit and shall record his orders. Any prisoner making false or malicious complaints shall be punished;

341. **Disposal of complaint by prisoner;**

If any complaint is made by a prisoner regarding the quantity, quality, and preparation of food, it shall be at once inquired by the in-charge officer of the kitchen and made note of in his report book. 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.

342. **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. Pregnant and nursing women need about 3100 calories every day.

343. **Power to sanction change in diet;**

i. The Government may direct a change in the diet, prescribed by the convicting Courts, in the case of individual prisoner change in the prescribed diet shall be made only in unavoidable circumstances when the prescribed food items are not available.

ii. When a prisoner is hospitalized, his diet may be changed or modified by the Chief Superintendent or Superintendent of Prison on the recommendation of the Medical Officer.

344. **Control of hospital diet;**

The control of diet of a prisoner in hospital shall be the responsibility of the Medical Officer and he may order such extras, as he considers necessary, while doing so he shall also keep in mind the costs involved which should not be excessive.

345. **Food from Outside;**

Food, Clothing, bedding, writing materials, books, news paper and others necessaries from outside the Prison shall be regulated as per the section 30, 31 and 32 of the Karnataka Prison Act 1963.

346. **Prison holidays;**

The following days has been considered as Prison Holidays, subject to the modifications from the Government from time to time.

1.	New Year's Day;
2.	Republic Day;
3.	Mahashivaratri;
4.	Lunar New year Day (Ugadi);
5.	Ramjan Eid;
6.	Independence Day;
7.	Ganesha Festival;
8.	Bakrid;
9.	Gokulastami;
10.	Mahatma Ghandhiji's Birthday;
11.	Mahalaya Amavasya;
12.	Ayudha pooja day;
13.	Last day of Moharam;
14.	Kannada Rajyothsava.
15.	Deepavali/Balipadyami;
16.	Christmas;

CHAPTER - 22

Prison Labour and Prison Industries

347. **Statutory Provision;**
Under Section 34 of The Karnataka Prisons Act, 1963, no prisoner shall be kept on labour for more than 8 hours a day, the Medical Officer shall examine them at least once in a fortnight and record the prisoners weight and health in the history ticket. A prisoner whose health suffers from employment of any kind or class, can be given on the advice of the Medical Officer some other labour.

348. **Work should not be repressive;**

i. Punitive, repressive and afflictive work in any form should not be given to prisoners. Work should not become drudgery and a meaningless activity.

ii. Work, Skill development programs, Personality development programs, Fine arts development programs and training should be treated as means for their vocational training and social adjustment and thus help in their ultimate rehabilitation in the free community.

349. **Objectives of work programs and Vocational Training;**
Vocational training and all other work programs should be treated as essential features of the correctional programs. The objective of such programs should be.

i. Imparting discipline and work culture among inmates;

ii. Developing right attitudes towards work and dignity of labour;

iii. Promoting.–

a) Physical and mental well-being of inmates;
b) Proper development of mind through intelligent manual labour;
c) Spirit of fellowship and a cooperative way of living;
d) A sense of group adjustment;

iv. Developing capacity for sustained hard work;

v. Building habits of concentration, steadiness, regularity and exactness in work;

vi. Imparting and improving work-skills;

vii. Awakening the self-confidence and self-reliance of inmates;

viii. Training and preparing inmates for achieving lasting social readjustment and rehabilitation;

ix. Imparting an occupational status and thus creating a sense of economic security among inmates;
x. Preventing idleness, indiscipline and disorder amongst them;
xi. Keeping inmates usefully employed in meaningful and productive work;
xii. Maintaining a good level of morale amongst them and thus promoting a sense of self-as well as institutional discipline among them.

350. **Policy of the Government;**
The employment and production policy in prison should be designed to cater to the needs of prisoners coming from both rural and urban areas. The emphasis should be on the kinds of skills and jobs that would ensure employment, or self-employment when the inmate is released from prison.

351. **Classes of Labour;**
All Prison labour shall be classified under three main heads;
i. Hard;
ii. Medium;
iii. Light;

352. **Common forms of Labour;**
i. The following classification of labour is laid down only for guidance. Classifications of work other than those indicated below as hard, medium and light to be determined by the Chief Superintendent or Superintendent of Prison according to the nature of work and the task exacted.–

Hard	Medium	Light
i	ii	iii
Fabrication of readymade garments, Maintenance of electrical and electronic equipments, all kind of automobile servicing and repairing, etc.,	Leather Work, Driving, Dairy, Poultry, Floriculture Pottery Typing, computer operating, Handicrafts, Stenography, Cloth printing, Embroidery, Hosiery, Bakery, Napkin making, Sewing machine repair, Food processing, etc.,	Candle and Toy making, Agarbatti Making, etc.,

ii. For purposes of employment work and training of inmates the following avenues should be kept in view.–

a)	Essential service unit;
b)	Maintenance Unit;
c)	Small industries;
d)	Cottage and Village Industries;
e)	Mechanised Industries;
f)	Electronics and computer industries;
g)	Computer software and hardware industries;
h)	Yoga and physical training instructions;
i)	Music and other fine arts;
j)	Handicrafts;
k)	Agriculture, Horticulture and Animal husbandry.

353. **Labour not exacted on certain days prisoners to be locked;**

i. On days on which labour is not exacted from convicts, those not employed on domestic or other duties connected with the management of the Prison shall be locked inside wards or cells;

ii. The Director General of Prisons and Correctional Services may with the previous sanction of Government exempt all or any particular class of prisoners from labour on any day or days other than the prison holidays.

354. **Watch on the work after assignment;**

After the assignment of work, the prisoners conduct and work shall be closely watched by the Instructor/Factory Manager/in-charge officer and record made in register in the appropriate place. For this purpose, he may secure information from the subordinates in addition to his own. The sheet of every prisoner shall be scrutinized by the work allotment committee once in three months so that any change of work or treatment could be effected, if necessary.

355. **Allowance of reasonable time to learn work;**

Every prisoner on being assigned work shall be allowed reasonable time to learn it. The time which is necessary to enable a prisoner to learn his work and produce full task will differ according to the Industry. Care shall be taken in estimating a prisoner's progress that due allowance is made for difference in intelligence and physical strength.

356. **Factors to determine standard task;**

While fixing standard task, the following factors should be taken into account.–

i. Condition of equipment, tools and implements of production;
ii. Type and quality of raw material;
iii. Content and analysis of the product or job;
iv. Specification, pattern and quality of the product;
v. Labour and skills required for the product or job;
vi. Break up for separate operations involved in the product or job;
vii. Determination of needs of each operation;
viii. Estimate of number of man hours needed for each operation;
ix. The average ability of a prisoner should be taken in assessing standard task rather than the average ability of a worker outside. Charts should be displayed in workshops indicating the prescribed task, for the guidance of the prisoners and staff members.

357. **Wages;**

i. Prisoners have no right to wages. Wages are incentives granted to prisoners for the performance of prescribed quantum of work in the prescribed manner and time satisfactorily. Prisoners may be paid wages in accordance with rates fixed by the Government from time to time;
ii. Wages should be fair and equitable and not merely nominal and paltry. These rates should be standardized keeping in view the minimum wages given as notified by the Government from time to time;
iii. With a view to keep the wage system in prisons in harmony with that in the free community, the wages should be reviewed once in every three years and revised whenever necessary.

358. **Eligibility for Wages;**

i. Prisoners who are put on labour are eligible for earning wages;
ii. Prisoners begin to earn wages on the day they started working;
iii. Prisoners put on labour are required to undergo training for which necessary instructions and facilities will be given. The prisoners are expected to attain the required necessary

standards of work performance during this period of training and apprenticeship to be considered as eligible for earning wages. Prisoners not conforming to these requirements should not be given wages;

359. **System of wages manufactory section;**
Prisoners put on remunerative labour like Prison industrial section may be classified as Highly skilled, Skilled, Semi skilled and unskilled are to be paid wages as prescribed by Government from time to time.

360. **Maintenance section;**

i. Prisoners put on work in the kitchen as cooks shall be paid wages as prescribed by Government;
ii. Prisoners doing maintenance and cleaning work shall be paid wages;
iii. The cooks, convict watchmen and maintenance and cleaning works prisoners shall be paid wages from the day they are put to labour in their respective work. They should be paid wages throughout the period of their work inclusive of prison holidays and Sundays as they are required to work even on holidays;
iv. Convict watchmen shall be paid wages for their services as convict watchmen. They are also eligible for wages in prison factory whenever they work according to tasks performed by them;
v. Prisoners put on maintenance work under gardening and barbering should be paid wages. Other prisoners employed in prison service shall also be paid wages.

361. **Review of work;**
The Work Allotment Committee shall conduct a test from among the unskilled workers regarding their proficiency in trade and fitness for being promoted as skilled workers, before classifying them as skilled workers. The result of the test should be recorded in the Chief Superintendent or Superintendent of Prison diary.

362. **Wages for additional extra work;**
Prisoners working in factory who do over and above the task prescribed shall be paid proportionate wages for the extra work turned out by them. This will not only serve as an incentive for prisoners but also result in increased production.

363. **Maintenance of wages record;**
The Chief Superintendent or Superintendent of Prison should satisfy

himself that wages paid to the prisoners put on remunerative and prison maintenance services are doing prescribed task and legitimate work for which they are paid wages. Proper record and muster rolls should be maintained under his signature.

364. **Payment of wages;**

i. Wages shall be paid to the prisoners for his work done as early as possible, but not later than the first week of every month.
ii. Wages shall be paid as per the provisions of Khajane-2 and Karnataka financial code.
iii. If wages are not paid within the stipulated period, suitable disciplinary action to be initiated against the concerned Superintendent of Prisons.
iv. The sanctioned budget grant for the wages shall be utilized for the payment of prisoners wages only.
v. Prisoners shall be paid wages in accordance with the rates fixed by the Government from time to time.
vi. The prisoner shall be informed about the wages credited to their account once a month.
vii. At the time of release of prisoner on parole / bail / release, the prisoner shall be informed regarding total wages earned in the prison.

365. **How to use money for personal use in Prisons;**

i. The amount utilized by a prisoner for his personal use in Prison shall not be given in the form of cash but shall be given in the form of coupons for making purchases from the Prison canteen;
ii. Wages to prisoners to be paid as per prescribed scale by the Government from time to time.
iii. Wages of the prisoner to be reviewed once in a three years.

366. **Debit of expenditure on wages;**

The wages payable to prisoners shall be drawn regularly every month from out of the sanctioned budget grants and credited to their respective Bank accounts.

367. **Forms and register accounting wages;**

i. The Director General of Prisons and Correctional Services shall prescribe the forms and registers for maintaining the account of wages earned by prisoners and may frame subsidiary to carry out the schemes.
ii. The amount on account of wages earned by prisoners shall be transferred to respective prisoners bank accounts.

iii. Acknowledgements should be obtained every time, when amounts are disbursed to prisoners.
iv. The prisoners should be informed of the balance of wages at their credit once a month under their signature;
v. The wages should be deposited in the prisoner's savings bank account and the passbook shall be kept with the prisoner concerned.

368. **Employment of convicts with free labour;**
Prisoners shall not be employed in association with free labourers provided that this rule shall not prohibit the employment of skilled workers as foremen or instructors or public work or in other industries.

369. **Minimum number to be employed in Prison industries;**
i. The Chief Superintendent or Superintendent of Prison shall make adequate provision so that the Prison industrial sections should suffer no interruption. The convicts that remain over and above the number required for such industries shall be available for extra mural labour;
ii. The Chief Superintendent or Superintendent of Prisons shall see that prisoners employed on un tasked labour for prison services shall be in absolute minimum number required for the purpose;
iii. Prison servants like cooks, sweepers, hospital attendants, etc., shall ordinarily not exceed fifteen per cent of the prison population except with the Director General of Prisons and Correctional Services sanction.

370. **Restriction on extra mural employment of prisoners;**
i. No convict shall at any time be employed on any labour outside the Prison or be permitted to pass out of the Prison for the purpose of being so employed except with the written orders of the Chief Superintendent or Superintendent of Prison;
ii. Unless with the special sanction of Government, the employment of convicts on local roads/tanks or municipal roads or works or any other form of work except such as is performed on the prison premises and for prison services, is prohibited;
iii. Hiring out prison labour to private persons, contractors or firms shall be prohibited;
iv. Hiring of prison labour to Government departments such as public work department, Government press, horticulture department etc., shall be permitted with the prior sanction of Government;

v. Well behaved convict prisoners can be participate in state and national level cultural activities with a sanction of Director General of Prisons and Correctional Services with a suitable arrangements.

371. **Task for women, young offenders and convicts attending school;**

i. Women prisoners shall ordinarily be employed in cooking, grain cleaning or in the preparation of articles of food such as pounding husk or sifting grains. They may also be employed for file board or envelope making, tailoring, embroidery, soft toy making, incense stick making, bread making and weaving. The task fixed on any woman shall not exceed three fourth of the task for hard labour prescribed for adult male convict.

ii. In estimating the task for young offenders and other convict prisoners attending school, the time occupied in instruction and physical training, shall be deemed to be occupied in labour for purposes of Section 34(1) of Karnataka Prisons Act, 1963.

372. **Restrictions on extra mural employment of convicts;**

i. In every case in which a convict is employed on any labour outside the walls of the prison or is permitted to pass out of the Prison for the purpose of being so employed, it shall be subject to the condition that the Chief Superintendent or Superintendent of Prison has sanctioned his employment outside the prison, and recorded the fact of his having done so in the prisoner's history ticket.

ii. When there are more prisoners eligible for employment outside the Prison than are actually required, casual and persons with the shortest unexpired terms should be selected in preference to others.

373. **Extra mural prisoners to work in gang;**

Isolated employment of prisoners while on extra mural labour is strictly prohibited. Prisoners working on extra mural work must work together in gangs. The Official in-charge shall be responsible to ensure that they are subject to the same discipline as when employed inside the prison.

374. **Convict oversee to assist staff in-charge of out gang;**

i. There shall be at least one convict watchman in every out gang of ten prisoners to assist the prison staff. No outgang shall consist of more than ten prisoners for each prison staff.

ii. The convict watchman shall be equally responsible with the prison staff for the safe custody of the convicts of the gang.

375. **Duties of Prison staff in-charge of extra mural gang;**

i. Every prison staff in-charge of an extra mural gang shall keep his convicts well in view at all times. On no pretext a convict is to be allowed to straggle away from his gang;

ii. If any convict shows urgency to use rest room the gang shall be marched to the nearest rest room. A convict shall not be allowed to separate himself from his gang for this purpose. If there is no rest room outside the Prison walls where he can be properly watched, the whole gang shall be marched to the interior of the Prison;

iii. The Chief Superintendent or Superintendent of Prison shall pay surprise visits to the out gangs at least once a month and satisfy himself that the rules are duly complied with and shall record the fact in the diary.

376. **Arrangement when the number of extra mural gang is large;**

When the number of convicts in an extra mural gang is large or several gangs are working at one place or closely a separate guard shall be posted in addition to the prison staff in-charge.

377. **Necessary duties to be performed by convicts;**

All other necessary duties in the prison shall, as far as possible be performed by convicts. However convict should not employ to sensitive office works and also should not appoint as personnel assistant to the Prison officers.

378. **Sweepers for official quarters;**

i. A small number of convict sweepers and water carriers which shall in no case exceed ten with a convict watchman guarded by prison staff may under the written orders of the Chief Superintendent or Superintendent of Prison be detailed to maintenance work and keep clean and to assist in supplying water to the quarters occupied by subordinate Prison officials residing on Prison premises.

ii. The duties performed by this gang shall be restricted to;
   a) Sweeping the compound;
   b) Removal of waste material;
   c) Supply of water;

iii. The Chief Superintendent or Superintendent of Prison shall be responsible to see that the number of Convicts under clause (i) of this rule is fixed at the minimum requisite number and that the

employment of them is restricted to such definite hours of duty as are absolutely necessary for the performance of the work.

379. **Employment of prisoners in Office;**

i. Prisoners may be employed to write appeals of prisoners and letters in a verandha or tower or other suitable place to be decided by the Chief Superintendent or Superintendent of Prison;

ii. The Chief Superintendent or Superintendent of Prison is entitled to two or three male prisoners to work in the garden attached to his official quarters and for keeping the premises clean.

380. **Disposal of manufacture;**

i. The first object to which Prison industries shall be devoted is the supply of Prison requirements. When these are satisfied, Prison industries shall be adapted as much as possible to meet the requirements of other government departments and these departments are bound to obtain supplies which they require from Prison industrial sections;

ii. It is only when these sources of employment are exhausted that Prison Industries should be devoted to producing articles for general sale to the public;

iii. Consuming departments of government shall make it a standing rule to intimate their requirements sufficiently in advance at the beginning of the official year and also to enter into contracts with Prison for definite terns of supply;

iv. In selecting industries for adoption in Prisons care shall be taken to choose such industries which have employment prospects outside.

381. **Selection of industries;**

The main object of prison labour should be the reformation of the prisoner. Hence purposeful and productive forms of labour should be provided. The interests of prisoners and of vocational training must not be subordinated to the purpose of making a financial profit from an Industry in the prison. Production and vocational training should be properly balanced. Prison employment programmes must be constructive from the point of view of the welfare of prisoners as well as the welfare of society.

382. **Labour to supply Prison needs;**

Every possible advantage shall be taken of convict labour in executing repairs or new works connected with a prison and no articles of prison use, which the prisoners can manufacture shall be purchased as far as possible in the local market.

383. **Vocational Training;**

Vocational training programmes, in self employing trades and occupations, should be organized in every Central and District Prison for employing convicts and under trial prisoners.–

i. Such programmes be open to under-trial prisoners who volunteer to undergo such training;
ii. The help of local industrial training institute could be obtained in training the prisoners;
iii. The prison should have adequate staff for efficient organization of various training projects. It should be properly equipped with training aids and classrooms for conducting multifarious projects to suit the training needs of its inmates;
iv. The prison should have a properly defined organization for training projects in terms of formation of homogeneous groups and setting down routine and time schedule of projects;
v. The cost incurred in the training projects, expenditure on staff, equipment and material, should be treated as essential investment for the purpose of training and resettlement of offenders;
vi. Special emphasis should be given to vocational training of Young Prisoners, young adult offenders, and others who may derive benefit from the training projects;
vii. Qualified technical personnel should be appointed in adequate numbers in every production unit and for every programme of vocational training. Such personnel could be posted in the prison on a transfer-cum-deputation basis from the Industrial Training Institutes of the State;
viii. Vocational training programmes should be designed to suit the needs of prisoners sentenced to short, medium and long term imprisonment;
ix. Liaison should be established with the Department of Technical Education, Directorate of Industries (including Cottage Industries), Department of Skill Development, Department of Labour, Industrial Training Institutes, Polytechnics, Vocational Training Institutions as

well as any reputed institution, interested individual organizations or any other relevant groups to develop vocational training programmes on a practical and pragmatic basis.

384. **Employment of prisoners;**

i. Apart from convicts, under-trial prisoners, who volunteer to work, should also be employed on work programmes and be given vocational training.

ii. The under-trial prisoners employed in prison industry, Kitchen or agriculture, should be given fair and equitable wages on the same scale as prescribed for convicts.

iii. No criminal prisoner sentenced to labour, or employed on labour at his own desire, or under-trial doing labour, shall, except in an emergency, and with the sanction in writing of the Chief Superintendent or Superintendent of Prison, be made to labour for more than eight hours in a day;

iv. The medical officer 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;

v. When the medical officer is of the opinion that the health of a prisoner suffers from 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;

vi. Prisoners sentenced to medium and long terms of imprisonment should be given training in multiple skills so that they are able to compete for employment after their release from the prison;

vii. The planned employment of inmates, the following factors should be taken into consideration while organizing work and 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;

viii. Prisoners also should be employed in prison maintenance services, gardening, work-centers and work camps etc;

ix. Prisoners should also be employed in production and agricultural and animal husbandry activities.

385. **Prison industries and work programmes;**

i. Prison industries should be organised on business cum commercial basis. Preference to prison products, while purchasing articles for office use, should be given by the various government departments;

ii. The work programmes should also include essential institutional maintenance services like culinary, sanitary and hygienic services, prison hospital, other prison services, repairs and maintenance services;

iii. 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 Chief Superintendent or Superintendent of Prison or subject to his control the factory manager or in-charge prison officer, shall note the task the prisoners begins, and every subsequent progress, in his history ticket;

iv. Every inmate should be given training and work experience in the use of hand tools in different services, jobs and production units;

v. 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 prison regarding the employment of prisoners;

vi. A standard list of equipments, tools, accessories and spare parts, which each production unit must always have, should be prepared and maintained;

vii. In every prison there should be a separate and properly organised maintenance workshop to repair the machinery and equipment in time and to prevent breakdown;

viii. Products manufactured by Prison Industries should be varied/changed depending on market trends and demands;

ix. The organisation of accounts and inventory should be modernized on business lines.

386. **Standardization of Products;**

i. Various products of prison industries should be standardised. A handbook containing details of standardisation, and the manufacturing process of various production units, should be prepared for the guidance of personnel;

ii. Catalogues of standardised products of prison industries should be prepared for securing orders from the market for various production units;

iii. Technical supervision should be improved and a system of quality control introduced at every stage of production, so that market competitiveness can be maintained;

iv. Costing of prison products should be done on a rational basis taking into account various limitations and handicaps of prison management the percentage of profit should not be the motive behind production by prison industries;

v. Showrooms may be opened in prison campus outside the prison gates, and at other places away from the Prison for promoting sale of products of prison industry. A brochure should also be kept in which information is provided to the public about the products being sold along with their rates.

387. **Targets of production for prison industries;**

i. The targets of production for each unit for the ensuing year should be fixed in accordance with the employable inmate population and production potential of the unit. These targets should be communicated to the respective institutions in advance. The unit's production, according to the target, should be reviewed on a monthly basis;

ii. It should be the responsibility of the Chief Superintendent or Superintendent of Prison to meet the targets of production as set above;

iii. The task sheet of each prisoner should be correctly maintained by the technical personnel in-charge of the production units.

388. **Safeguards for prisoners engaged in work;**

i. The following facilities should 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) Urinals and latrines;
e) Washing facilities;
f) First-aid facilities;
g) Fire extinguisher and other firefighting equipment;
h) Sufficient ventilation and lighting;
i) Safety equipment and accident prevention measures.

ii. The standards adopted in outside factories in this respect should be adopted in prison factories. These should be fixed in consultation with the instructor of factories.

389. **Medical Examination of prisoner before work allotment;**
Periodical medical examination of prisoners, working in production units having hazards of occupational diseases, should be carried out; A daily time schedule should be worked out for each prison;

390. **Women prisoners not to work outside women enclosures;**
No woman prisoner shall, under any pretext, be employed outside the women enclosure of any prison.

391. **No prisoner to be employed for private work;**
No prisoner shall, at any time, be employed by any officer of the prison, or any other person, for any private work or service of any kind whatsoever.

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

393. **Agriculture;**
Following infrastructural facilities in terms of agriculture should be made available to the prisoners.–

i. Agriculture, agro-based industries and other allied activities should be given high priority in the planned development of work programmes and vocational training in correctional institutions;

ii. The land available with an institution should 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 should be taken in this regard;

iii. Each new prison building in rural areas should have a properly fenced farm wherever land for this purpose is available;

iv. It should be ensured that proper irrigation facilities are available at the farmland;

v. The required building structure should be constructed on each farm and internal roads should be laid;

vi. All required farming equipment and spare parts should be made available at each farm. A maintenance shop should also be set up in large farms;

vii. Prisoners detailed for labour at agricultural farms should be distributed at various places in the farm by forming groups, with a leader nominated for each group;

viii. The subsidy available to the farmers for purchasing fertiliser, equipment and electricity should also be made available to prison farms;

ix. Adequate funds should be provided for development of agriculture and allied activities and its accounts should be maintained separately;

x. Requisite security personnel should be provided at each agricultural unit and their duties and responsibilities should be clearly laid down;

xi. The farm products should be first consumed in the prison and the remaining should be sold to the government departments and in the open market;

xii. The efficiency of each unit should be evaluated annually in terms of the targets fixed and achieved;

xiii. Prison personnel should be imparted training in various aspects of agricultural and allied activities;

xiv. Bio-gas plants, windmills, solar-cooking ranges, etc., should be introduced in the prison farms;

xv. Costing of agricultural and other produce should be done on strict commercial basis;

xvi. Open agricultural institutions, and institutions having attached agricultural farms, should diversify work programmes according to cropping schemes such as mixed farming, irrigated crops, dry farming, etc. In some open prisons work can be diversified into agricultural activity, industrial units and agro based production units.

394. **Dairy and Poultry Farms;**

i. Dairies should be developed on open prison farms on commercial lines under proper technical guidance;

ii. Poultry farms should also be organised at open farms. These should be run on commercial lines under proper technical supervision.

CHAPTER - 23

The Manufacturing Department

395. **Duties of Store Keeper;**

In Prisons, the raw materials required for manufacturing, manufactured articles, all books and registers and accounts shall be in-charge of an official known as the Store Keeper, or other official entrusted with the duties of store keeper, who may have one or more assistants to help him.

396. **Purchase of raw materials;**

All purchases of raw materials shall be made through the contractor on tender basis or through the Government rules framed from time to time. As regards timber required by the Prisons and Correctional Services Department the same should be obtained from the Forest Department if necessary.

397. **Indent forms;**

Work order sheets shall be bound together in books of a certain number which shall be noted on the cover. Each work order sheet and counterfoil shall bear a serial number and the counterfoil shall be carefully preserved by the instructor in-charge of the workshop.

398. **Record of manufactured articles;**

i. As manufactured articles are received from the workshops, the store keeper shall enter their quantity, weight, size or number on a portion of the work order sheet until the whole of the raw materials issued is accounted for.

ii. The store keeper shall also at once enter particulars of the articles received in the stock book of manufactured articles, reference being given in like manner to the page of the work order sheet.

399. **Register of orders;**

i. The store keeper shall maintain a register for registration of orders in which shall be recorded all orders including articles to be manufactured for stock and for general sale. It shall be produced for the Chief Superintendent or Superintendent of prison initials whenever fresh entries are made therein. Extract from the register shall be hung up in the workshops so that the instructor may know what orders he has to complete;

ii. The Chief Superintendent or Superintendent of prison shall examine this register at short intervals and shall satisfy himself that no undue delay occurs in the execution of orders and that they are carried out as far as possible in the order in which they are received;

400. **Agreement upon sample;**

i. The contract for the supply of articles to Government Department shall be accepted only after approval of the samples and acceptance of rates;

ii. It is always safe that before manufactured articles are dispatched to Government Department they are examined and checked by a in-charge official of the purchasing department as to the quality, quantity etc., at the prison stores.

401. **Sale of manufactured articles and its accounting;**

i. No manufactured article sold or supplied should be passed out of the Prison gate except on a gate pass issued by the store keeper duly signed by the Chief Superintendent or Superintendent of prison or in-charge officer;

ii. The gate keeper shall check the articles as per the gate pass before the articles are passed through the gate and make an entry in gate register and retain one copy of gate pass with him noting therein the page No. of gate register. The gate passes should be filed properly by the gate keeper date-wise; at the end of month the same should be bundled up and given to the record;

iii. A day book of sales (Sales Journal) shall be maintained in which the salesmen shall enter all sales of manufactured articles sold either by cash, credit or by transfer credit noting the value of articles sold under respective columns separately;

iv. Entries of articles sold, should be posted to the stock register of manufactured articles daily;

v. Sales Journal should be closed daily by totaling the days sales; total cash realized should be handed over to the cashier daily at the end of the day under his acknowledgement. The amount should be accounted for in the factory cash book;

vi. All credit sales should be posted to the individual ledger books and bills for the same should be issued and amount settled promptly. There shall be two separate individual ledgers one for individuals and the other one for departments to whom supply is made on transfer credit basis.

402. **Cash purchases;**

Amount required for petty purchases of raw materials and others shall be taken from the cashier with the permission of the Chief Superintendent or Superintendent of Prison in writing whenever required and the account thereof rendered at the close of the day.

403. **Factory cash book;**

There shall be a separate cash book for manufacturing section. All cash transactions connected with manufacturing like permanent advance, all drawls, payments, receipts on account of cash sale, realisation of outstanding dues etc., shall be accounted for in this register under the respective columns. Cash book with connected records shall be verified by the Chief Superintendent or Superintendent of Prison every day to satisfy himself that the transactions are correctly accounted for and balance in the cash book is correct.

404. **Drawal and payment;**

All drawings of cash for the manufacturing section and payments shall be as laid down in the Karnataka Financial Code and as per Government rules.

405. **Entry receipts;**

All receipts shall be divided into two classes those received in cash and those received by transfer credit. In the financial and other returns the total of the transactions falling under these sub-heads will be the entries under the various detailed heads of account.

406. **Payments to be receipted;**

Receipts in the prescribed form shall be issued whenever payments due to manufactory are received. The receipt shall be signed by the Chief Superintendent or Superintendent of Prison.

407. **Payment by transfer credit;**

i. Payment for work done or supplies made, for other Prisons or for Government Departments shall be made by book adjustments. The supplying Prison shall forward to the officer supplied as soon as possible after or along with the goods an invoice in triplicate in the prescribed form showing therein the Head of Account to which amount is to be credited.

ii. The supplied office will present a bill at the treasury for the cost of supplies or services along with the accepted invoice and a challan in quadruplicate indicating the designation of the supplying officer, Invoice Number and date and the Head of Account to which the amount claimed is to be paid by transfer credit.

iii. The treasury officer will check the head of classification noted in the challan with that noted by the supplying officer in the invoice and pass the bill for payment by transfer credit to the above Head of Account debiting the amount to the Head of Account indicated in the bill by the supplied officer;

iv. After the adjustment the treasury officer will retain the original copy of the challan and send the duplicate and the triplicate to the supplied officer who will keep one for his office record and send the other to the supplying officer. The treasury officer will attach the fourth copy of the bill for being sent to the accountant general with the paid voucher;

408. **Adjustment of transactions;**

Instead of making the adjustment of book transactions between one Prison manufactory to another Prison manufactory is done through cheque or cash. Between Prison manufactory and civil stores of the same prisons or different prisons, supplies to other government department is done through cheque, demand draft or Cash transfer through bank account.

409. **Stock verification;**

i. Stock verification should be conducted twice in a year in June and December as per Rule 5(d) of Karnataka Prison Rules, 1974. Before taking stock, raw materials shall not be issued from the stores for some time (say from 10th to 15th and the stock of raw-materials in the workshops and in the process of manufacture shall be worked up and the manufactured articles brought into store for inclusion in the stock taking.

ii. Any materials remaining in the work sheds at the end of the year shall be brought back into store and accounted for in the stock books before the annual accounts are closed, reissue taking place on and after the 1st April. Out standings due to and by the Prison as far as possible be adjusted before the close of the year.

iii. During the period of stock taking convict labour may be employed in cleaning the workshops, repairing looms and machinery etc.;

iv. After stock taking a statement showing variation in stock and

depreciation in the value of raw materials or manufactured articles or loss from any cause shall be reported to the Director General of Prisons and Correctional Services with particulars of the circumstances and the value of the articles.

410. **Stock book of tools and plant;**

A Stock book of tools and plant shall be maintained and the provisions of deduction towards depreciation at five (5%) per cent per year on original value shall be reduced from the value of each articles. When the full value has been deducted, the article will still be retained on the register until finally condemned and written off under orders of the Director General of Prisons and Correctional Services but no value will be shown against them.

411. **Labour and wages;**

The Chief Superintendent or Superintendent of Prison and the technical assistant of the factory manager, the officer in-charge of the Prison factory section shall on the basis of annual turnover and need in each section, fix up the number of skilled, unskilled and trainees required for each section.

412. **Stock and store account;**

i. At the end of the Financial year, the Chief Superintendent or Superintendent of Prison of all Prisons in the state shall submit the stock and stores account in the prescribed forms separately for the civil and manufactory sections to the Director General of Prisons and Correctional Services for consolidation and forwarded to the Accountant General. The figures in the statement should be supported by the necessary schedule and necessarily be accompanied by a certificate that the stocks have been duly verified by the Chief Superintendent or Superintendent of Prison;

ii. The following certificates should be furnished in the statements of stores and stock accounts.–

a) Stock on hand in respect of all the articles was not in excess of the requirements;

b) Certified that the stock was verified by me from time to time in accordance with rules laid down in the manual and stock verification statement submitted to the Director General of Prisons and Correctional Services;

c) Certified that all the issues were made on authorised indents;

d) Certified that articles of manufacture enumerated above are in good condition and are really saleable. They represent realisable assets to Government;

e) Certified that the articles of raw material enumerated in the statement are in good condition and fit for use in manufactory process. The articles represent realisable assets to Government;

f) Certified that the excesses and shortages accounted for in stores and stock account as shown in the statements have been taken to respective registers and accounted for in quantity and value.

iii. The Chief Superintendent or Superintendent of Prison should ensure that all the articles are properly verified as to their condition and certificate recorded. Furnishing of certificates should not be treated as a routine matter;

iv. The Chief Superintendent or Superintendent of Prison should obtain certificate from the Medical Officer of the hospital duly recorded either in hospital statement of medicines or separately to the effect that the articles of medicine noted in the statement of medicines have been verified and found correct as shown in the statement and that there are no time barred medicines; if there are any time barred medicines a list of such time barred medicines should be obtained. The list of time barred medicines should contain details as to the date of purchase, quantity purchased, utilised balance, date when time barred etc.;

In the statement of stores and stock account articles to be shown

v. In the column "received from other Prisons and supplied to other Prisons" only such of the articles received or transferred for which no adjustment is carried out under Prison to Prison supply should be shown viz. R.M. or M.A. transferred from the Prison factory to other Prison factory or articles supplied from civil section of one Prison to civil section of other Prisons. In such cases Heads of Account do not change hence bills of adjustment are not preferred such entries should only be brought under the above cited columns. Rest of receipts and supplies from one Prison to other Prison should be shown under receipts and disposal columns respectively;

vi. In regard to excesses and shortages accounted for the statements, the number and date under which sanction is accorded should he noted at the bottom of the statement. If the total excesses and shortages shown in the statement is sanctioned in more than one reference number and date and total amount of each sanction order be

furnished. If there is still any excess or shortages for which sanction is not obtained stock verification statement in duplicate for such variation should be submitted along with the statements of stores and stock accounts according sanction. A note to this effect should also be made in the statement concerned;

vii. The above instructions should be followed rigidly and stores and stock account submitted in time without fail.

CHAPTER - 24
Show and Sales Room

413. **Show room;**
Show rooms may be opened in such Central or District prisons, where industries are functioning, to exhibit and market prison made articles.

414. **Place of show room;**
Showrooms should be opened outside the prison gates, and at other places, for promoting sale of products of prison industry. A brochure should also be kept in which information is provided to the public about the products being sold along with their rates.

415. **Sales man;**
Show room shall be in-charge of a sales clerk. The clerk/sales man is responsible for stock of articles in show room and its accounting. Necessary security is taken from salesman as per prison manual rules.

416. **Articles to be drawn from stores;**
Articles required for display and sale at show room should be issued by the store keeper once a week or more often if required. Regular gate pass should be issued for the articles sent to show room and acknowledgement for the receipt of articles should be obtained from the salesman and kept on record. The articles so issued should not be debited from stock register when issued to show room.

417. **Subsidiary Registers;**
Store keeper should maintain a subsidiary register for noting the articles issued to show room and watch its account.–

i. The salesman should also maintain a stock register for receipt and disposal of articles in the show room. A separate cash gate pass book should be issued to the show room for being used for show room sales;
ii. A separate sales journal shall be maintained by the salesman in-charge of show room. Day to day sales should be recorded and totaled up and the register sent to the cashier/store keeper along with the daily amount of cash sales for incorporation in the main accounts and ledgering of articles sold in main stock register;
iii. a) All sales in the show room should be on cash only. Monthly abstract should be drawn at the end of each month in the sales journal of show room as under.–

1) Opening balance of stock held in show room
2) Total value of articles received during the month
3) Total cash sale
4) Closing balance

b) Amount of closing balance should tally with the total value of articles as per stock register of show room.

c) Abstract of show room sales should be shown in the main sales journal and daily total worked out at the end of the day;

d) All articles sold from sales room and show room as detailed in the sales journal should be posted to the stock register of manufactured articles daily;

iv. The store keeper / factory manager / in-charge officer are primarily responsible to see that show room account is correctly maintained. Store keeper should check up the stock monthly and satisfy that the stock held in show room is correct as per show room stock register and it agrees with the subsidiary register kept with him;

v. Chief Superintendent or Superintendent of prison or senior in-charge officer should verify the stock in the show room once a month and satisfy that the show room accounts are correctly maintained by the salesmen. Result of such verification should be recorded in the stock register of show room;

a) Manufactured articles sent to other Prisons for exhibition and sale should be debited from the main stock register once for all, while sending the articles detailed list with value together with an invoice in duplicate should be sent to the Prison concerned for acceptance and acknowledgement obtained should be kept on record for audit. The receiving Prison should take the articles as transfer receipt to the stock register and realizations of sales credited to treasury under its Prison accounts;

b) This is intended to avoid expenditure on transporting the articles unsold back to the Prison concerned and also to watch sales account in both dispatching and receiving Prisons;

c) In the statistical returns the receiving Prisons should show articles actually manufactured and articles received on transfer separately. So also the dispatching Prisons should show actual sales and articles transferred for exhibition separately.

CHAPTER - 25

Classes of Convicted Prisoners and their Treatment

418. **Classification of convicted prisoners;**

Convicted prisoners are divided into two classes as Class I(Class-A) and Class II(Class-B).–

i. Prisoners will be eligible for Class I(Class-A) if.–

a) They are non-habitual prisoners of good character;

b) They by social status, education and habit of life have been accustomed to a superior mode of living; and

c) They have not been convicted of.–

1) Offences involving elements of cruelty moral degradation or personal greed;

2) Serious premeditated violence;

3) Serious offence against women and children;

4) Serious offences against property;

5) Offences relating to the possession of explosives, fire arms and other dangerous weapons with the object of committing an offence or of enabling an offence to be committed;

6) An offence under the suppression of immoral traffic Act;

7) Abetment or incitement of offences ;

ii. Class II(Class-B) will consist of prisoners who are not classified as ClassI(Class-A)

iii. Notwithstanding anything contained in any person convicted of an offence involving gross indecency or exhibiting gross depravity of character may not be placed in Class I(Class-A).

419. **Classification to be ordered by Government;**

i. If the convicting authority is the High Court, or Sessions Judge or Additional Sessions Judge, District Magistrate or Additional District Magistrate and any Courts is of opinion that any person convicted either in an original case or in an appeal or in a revision by him should be included in Class I(Class-A) Class II(Class-B), he shall submit recommendations to Government;

ii. If the convicting authority is a Magistrate subordinate to the District Magistrate he should make the recommendation through the District Magistrate, who will submit the same to the Government.

iii. Government shall decide the classification of Prisoner so recommended.

420. **Revision of classification;**

The state government shall be competent at any time to alter revision of a convicted prisoner for such reasons as it considers sufficient.

421. **Military prisoners;**

In the case of military prisoners, convicted by military Courts and not classified but requiring higher classification. The Chief Superintendent or Superintendent of Prison shall inform the District Magistrate of the District where the Prison is situated. The district magistrate after making such enquiries as may be necessary shall make recommendation for classification to the state government by whom the recommendation would be confirmed or reviewed.

422. **Application of general rules;**

i. Except as provided in this manual the rules in The Karnataka Prison Rules shall apply to Class I(A) convicts also;
ii. Class I (Class-A) prisoners shall be kept separate from Class II (Class-B) prisoners. Class I(Class-A) prisoners, where such accommodation is available, be kept in cells or association barracks specially set apart for them;
iii. Except when this is imposed as a prison punishment, the imprisonment in no case involves anything of the nature of separate confinement;
iv. It shall not be necessary to keep Class I (Class-A) convicts separate from ordinary class convicts in factories or at times when he is not required to be in his cell or barrack.
v. Sick prisoners in hospital or prisoners requiring assistance or supervision at night may at any time on the recommendation of the medical officer be placed in association wards.

423. **Diet;**

i. Class I prisoners shall be given the scale of diet as prescribed in on "Dietary" Chapter, Class I (Class-A) Prisoners shall be allowed to buy at their own "expense or get from relatives and friends provisions like fruits, biscuits, Cocoa (Chocolate), Ovaltine, Horlicks etc., subject to medical examination.
ii. The food so allowed from the outside should be in simple, the concession should not be made an excuse for getting luxuries. Cooked food shall in no case be allowed to prison from outside;

424. **Clothing;**

i. Class I (Class-A) prisoners may be allowed to wear their own clothing, but this concession should not cover the wearing of political symbols. Additional clothing may with the approval of the Chief Superintendent or Superintendent of Prison be obtained from time to time, at the expense of the prisoner;

ii. When Class I (Class-A) prisoners do not provide their own clothing, Prison dress same as that of the ordinary prisoner, shall be provided;

425. **Bedding;**

Prisoners of Class I (Class-A) shall be allowed to use their own bedding. Bedding supplied at Government expense shall be as provided in the rules under the chapter on prisoner clothing and bedding including the mosquito net.

426. **Facilities for reading books and news papers;**

i. Class I(Class-A) prisoners may be allowed to read books, news papers and periodicals in the Prison library, suitable books and magazines may be permitted at the cost of the prisoners subject to the approval of the Chief Superintendent or Superintendent of Prison.

ii. Class I(Class-A) prisoners may be allowed to get news papers and magazines not supplied to Prison but in the approved list of news papers and periodicals to the Prison at their own cost;

iii. Maximum number of books (whether from Private or from the Prison library) allowed to Class I(Class-A) prisoner shall not exceed twelve at a time.

iv. One English news paper, and one news paper in the regional language and one periodical or magazine in the prison approved list shall be supplied at Government cost;

v. No news paper or periodical which is not in the approved list shall be supplied to Class I(Class-A) prisoners;

427. **Letters and interviews;**

Letters and interviews permissible to Class I (Class-A) prisoners shall be provided as per the provisions prescribed in Manual.

428. **Furniture;**

Class I (Class-A) prisoners shall be provided with a table, a chair and a common mirror fixed in frame attached to wall.

429. **Other amenities;**

i. Class I(Class-A) prisoners shall be allowed to use soap, hair oil, tooth paste or tooth powder, tooth brush at their own cost;

ii. Class I (Class-A) prisoners subject to the discretion of the Chief Superintendent or Superintendent of Prison be permitted to use their own safety razors provided they are kept with the Prison authorities when not in use;

iii. Class I (Class-A) prisoners shall be permitted to use their own shoes or slippers.

430. **To keep their barracks clean;**

Class I(Class-A) prisoners shall keep their cells, utensils, clothing and bedding, clean and neatly arranged. They shall also be required to take their food in their dormitory or Barrack.

431. **Exercise and games;**

i. When there is a small number of Class I (Class-A) prisoners, they shall be allowed walking or some other exercise daily in open air;

ii. But when the number is large, out-door games volley ball and badminton may be allowed, Indoor games like carom and chess may also be permitted. Indoor and outdoor games shall be permitted to prisoners at Government cost.

432. **Security prisoners;**

Security prisoners detained in Prison and Security prisoners detained under the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974. (Central Act 52 of 1974) are governed with regards to their maintenance, facilities, food, clothing and other amenities as per conditions and detention orders issued under Government Notification, dated 19th December, 1974 and its amendments issued by Government from time to time.

CHAPTER - 26

Women Prisoners

433. **Statutory provision;**

i. Under Section 26 of The Karnataka Prisons Act, 1963, in the prisons confining women as well as men prisoners, women prisoners shall be confined in a separate building or separate enclosure of the same building so as to prevent any connection with men prisoners;

ii. Under section 26(3) of The Karnataka Prisons Act, 1963, unconvinced criminal women prisoners shall be kept separated from convicted women prisoners.

434. **Classification and Separation of woman Prisons;**

Women prisoners shall be classified and kept separately as under.–

i. Under-trial prisoners shall be kept completely separated from convicted Prisoners;

ii. Habitual prisoners shall be separated from casual offenders;

iii. Habitual offenders, sex workers and brothel keepers must be confined separately;

iv. In no circumstances should adolescent girls be confined with adult women prisoners;

v. Political and civil prisoners shall be kept separately from convicts and under trial prisoners.

Notes:

a) Mental illness women prisoner should not kept in the prison;

b) Those currently they shall be immediately transferred to appropriate mental health institutions;

c) No classification of prisoners shall be allowed on grounds of socio-economic status, caste or class.

435. **Register;**

A register shall be maintained in every place of imprisonment with numbered pages where the following details of women prisoners shall be entered.–

i. Information concerning their identity;

ii. The reasons for their imprisonment and the authority ordering such imprisonment with full details of such order;

iii. The day and hour of their admission and release.

436. **Restriction on women prisoners;**

i. No woman prisoner shall, on any pretext, leave or be removed from the female enclosure except for release, transfer, interview or attendance to Courts or under the order of the Chief Superintendent or Superintendent of Prison for other legitimate purposes;

ii. Every female prisoner authorized to leave her enclosure will ordinarily be accompanied by a women officer / women Prison staff from the time she leaves till she returns.

437. **Exclusion of Males;**

i. No male shall be permitted to enter the female ward / enclosure of any prison, at any time, unless he has a legitimate duty to attend therein.

ii. No adult male shall enter it at all by night except in an emergency, and even then only along with the woman staff / woman 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;

iii. Male prison staff, acting as escort to women visitors and officials, shall remain outside the enclosure;

iv. If at any time, a male prison officer or staff or prisoner enters or attempts to enter any ward or portion of a prison reserved for female prisoners without proper authority it shall be reported to the Chief Superintendent or Superintendent of Prison forthwith.

438. **Locks of women enclosures;**

The locks of enclosure and barracks, where women are confined shall be different from those in use in other parts of the prisons, so that there is no possibility of keys for locks of other enclosures being misused for opening enclosures for women prisoners.

439. **Photography and Fingerprints;**

Photographs, foot-prints, finger-prints and measurements of women prisoners shall be done in the presence, and with the assistance of women prison officers or women staff.

440. **Night inspection;**

Night inspection rounds shall be made by women officers and women staff. Reports of such night inspections shall be recorded in the report book immediately on completion of such inspection.

441. **Prisoners requiring mental health care;**

Women prisoners needing treatment for mental issues shall not be admitted in prison. They shall be kept in separate enclosures for female patients at the mental health hospital or institution under the supervision of a lady medical officer.

442. **Custody of the women enclosure;**

i. There shall be round the clock duty of women prison staff in the female enclosures;
ii. The admission rules for under trial and convicted prisoners in the prison manual shall be applicable to under trial and convicted women prisoners also.

443. **Search of women prisoners on admission;**

Women prisoner shall be searched by female prison staff only in the presence of other senior women personnel/women officer with due regards to consideration of privacy and decency.

444. **Quarantine on admission to Prison and Medical Aid;**

i. Women prisoners on admission to prison shall be medically examined and, if the examining Woman Medical Officer deems it necessary, kept separately in the women enclosure on medical grounds for the period prescribed by the medical officer;
ii. After admission to prison, 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;
iii. Part-time woman medical officer of the District Government Hospital shall be engaged for medical examination of women prisoners on admission. Only lady medical officer shall look after the medical care of women prisoners during their stay in prison;
iv. Every woman prisoner shall be examined by a woman medical officer /Staff. Such examinations shall also be conducted on readmission after bail or parole;
v. In case a woman officer/woman staff, suspects a prisoner to be pregnant, the woman prisoner shall be sent to the District Hospital for detailed examination and report.

445. **Pregnancy;**

i. When a woman prisoner is found, or suspected, to be pregnant at the time of admission or later, the woman medical officer shall report the fact to the Chief Superintendent or Superintendent of Prison;

ii. Gynecological examination of the female prisoner shall be performed in the District Government Hospital. Proper pre-natal and ante-natal care shall be provided to the prisoner as per the advice of qualified medical officer.

446. **Child birth in prison;**

i. Arrangements will be made to enable a woman prisoner to deliver child outside Hospital. Only when there is high security risk in the case of any particular woman prisoner, the facility to deliver child outside the prison shall be denied;

ii. Births in prison shall be registered at the local birth registration office. The fact that the child has been born in prison 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 rights of the child born in a prison shall be extended to the mother or father.

447. **Property of women prisoners;**

i. All money, jewellery, articles and clothing, received with or found on the person of a woman prisoner on her admission to the prison, 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 in-charge officer or officer on duty.

ii. A list of all such articles shall be entered in the admission register and in the prison warrant and read over to the prisoner in the presence of the Chief Superintendent/ Superintendent of prison who shall countersign the entries in the register and in the warrant.

iii. Method of storing the prisoner's money, etc., shall be according to the general rules laid down in the Prison Manual.

448. **Certain ornaments to be allowed to women prisoner;**

i. Women prisoners shall be allowed to retain in moderation certain ornaments of small value such as mangalsutras, bangles and toe rings.

ii. The Chief Superintendent or Superintendent of Prison may, however,

at his discretion, refuse to allow the retention ofthese ornaments in any particular case for disciplinary/security reasons.

449. **Treatment of Hair;**

i. Women prisoners shall be supplied with a comb each and sufficient quantity of coconut oil daily for dressing the hair.
ii. They shall also be allowed use of one or two mirrors being provided for the purpose in each ward/dormitory;
iii. They shall be permitted to obtain toilet soap at their cost;
iv. They shall be provided with 50 grams of gingerly oil or coconut oil and 50 grams of soap nut powder or 10 ml shampoo per week for washing and dressing their hair.

450. **Personal hygiene;**

i. Women prisoners shall be required to keep their personal clean, and to this end they shall be provided with sufficient water and toilet articles necessary for maintaining health and cleanliness;
ii. 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. Even then it shall not be cut any shorter than required.

451. **Amenities;**

i. All valuable ornaments should be removed from women in custody and should be safely deposited. They should be permitted to retain their mangalsutra, bangles and toe-rings;
ii. Clothing and linen provided to women should include undergarments, upper and other clothes, towels and socks in cold climates. Adequate quantity of toilet and washing soap should be provided to them;
iii. Each adult woman prisoner shall be supplied suitable number of sanitary napkins for use during menstruation;
iv. Women prisoners shall be provided kumkum according to their custom, sufficient quantity of hair oil and a comb. Sufficient number of mirrors should be fitted in their barracks.

452. **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;

453. **Labour and Works;**

i. Women prisoners shall ordinarily be employed on light labour like repair of clothing, cleaning grains, binding, tailoring etc., They may be given instructions in housekeeping, needle work, knitting and other domestic industry. They shall not be employed on irksome labour.
ii. Regular adult education classes should be conducted for the benefit of illiterate women prisoners;
iii. Prisoners shall be paid equitable wages for their work and no disparity in wages shall accrue on account of gender differences;
iv. The system should 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;
v. 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;
vi. Unless medically advised not to work, all prisoners shall be engaged in work and activity in the prison, for which they will be paid proper wages.

454. **Education;**

i. Every woman prisoner should be offered a suitable educational programme during her stay in prison.
ii. Education shall be a compulsory activity in prisons for at least one-hour every day.
iii. It shall aim to enhance their functional capability.
iv. Every prison should organise adult education, social, moral and health education, family welfare programmes, and training in various skills for making women self-reliant;
v. For interested prisoners, appropriate facilities for formal and advanced education shall also be provided.

455. **Cleanliness of women enclosure;**

i. All parts of the women's enclosure in a prison shall be properly maintained and kept scrupulously clean at all times;
ii. No necessary duties, or maintenance work, connected with the women's enclosure shall be carried out by the women prisoners. Specific staff for this purpose shall be employed;
iii. Women prisoners shall attend to the cleanliness of their enclosure. They shall at the prescribed hour under the supervision of the woman prison staff, outside the women enclosure any removal by male convicts.

iv. If women prisoners suitable for the conservancy work are not available one or more selected male convict sweepers may be employed at specified hours under the constant supervision woman prison staff.

456. **Recreational and cultural programmes;**
Programmes and games like simple outdoor games, bhajans, music, folk dance, drama, TV and film shows may be organised for women prisoners. Facilities for meditation and yoga may also be provided for the benefit of their mental and physical health.

457. **Bar to fetters;**
No woman prisoner shall be awarded any form of corporal punishment under any circumstances whatsoever.

458. **Discipline and Punishment;**
i. Discipline and order shall be maintained with firmness but with no more restriction than is necessary for safe custody and well ordered institutional life;
ii. No woman prisoner shall be punished in the prison 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.

459. **Sending of cooked food to the women enclosure;**
Cooked food shall be brought to the women enclosure by convict cooks accompanied by a prison staff and placed outside the enclosure gate from where it shall be taken inside by the women prison staff or women prisoners.

460. **Diet;**
i. Management of kitchen or cooking food on caste or religious basis should be totally banned in prisons for women;
ii. Adequate and nutritious diet should be given to nursing women and to children accompanying women prisoners;
iii. Food articles should be of a good quality;
iv. Pregnant and nursing women prisoners should be prescribed a special diet;
v. Women prisoners should get special diet on festivals and national days, as may be specified by the government from time to time;

vi. Medical Officer should ensure that food is cooked under hygienic conditions and is nutritious;

vii. Some women staff should be given special training in management of diet and kitchen and such trained staff should supervise the kitchens and cooking in prisons for women;

viii. Chief Superintendent or Superintendent of Prison or senior officer, must supervise every aspect of the prison diet system, that is issue of rations, management of kitchen and distribution of food;

ix. There should be a separate kitchen for women prisoners if necessary;

x. Women prisoners should not be allowed to have their own mini kitchens inside the prison barracks;

xi. Clean drinking water should be supplied to prisoners and it should be tested periodically.

461. **Woman Prisoner to receive diet according to scale;**
Every women prisoner shall be entitled to receive every day food at prescribed times and according to the scale laid down.

462. **Special or extra diet on medical grounds;**

i. Where the woman 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;

ii. Rules relating to diet of prisoners, those on specific medical advice for expectant and nursing mother or and infants and children, shall be scrupulously observed.

463. **Release of women prisoners;**

i. Before a woman prisoner is released, sufficient advance notice shall be given to her relatives or friends to be present at the prison and receive her.

ii. If no relative appears on the day of her release, she shall be sent to her home under the charge of women escort. An in-charge officer shall record in her report book about arrangements made for the safe release and escort of woman prisoner to her home.

464. **Provision of conveyance;**
Women prisoners who are released from prison shall be provided with conveyance for where the distance to be travelled by them exceeds one mile. Conveyance may also be provided for shorter distance in cases in

which for reasons of health or custom or other valid reason, failure to make such provision would cause undue hardship to them.

465. **Children of Women Prisoners;**

i. A child shall not be treated as an undertial / convict while in Prison with his/her mother. Such a child is entitled to food, shelter, medical care, clothing, education and recreational facilities as a matter of right.

ii. A child up to six years of age shall be admitted to prison with its mother if no other arrangements, for keeping him with relatives or otherwise, can be made. Children born in prison may remain with their mother 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 prison for the purpose of this provision;

iii. No child shall be admitted into or retained in prison if he/she has attained the age of six years. The Chief Superintendent or Superintendent of Prison shall inform local officers of Social Welfare Department about all the 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 or father is released or the child attains such an age as to be able to earn his/her own livelihood;

iv. Children kept under protective custody in a certified home of the Department of Social Welfare shall be allowed to meet their mother or father at least once in a week. The Social Welfare Department will ensure that such children are brought to the prison on the dates fixed for this purpose by the Chief Superintendent or Superintendent of Prison;

v. In the event of the nobody coming forward to take the child of above 06 years he/she shall be kept under the supervision of the District Child Protection Unit (DCPU) established by the State Government under Section 62-A of the Juvenile Justice (Care and Protection of Children) (Amendment) Act, 2006.

vi. The Chief Superintendent or Superintendent of Prison should ensure that all the provisions and rules to be implemented regarding children in the prison.

vii. The Deputy Inspector General of Prisons are required to regularly monitor the functioning and the teaching quality in the Anganawadi

Schools and also the care taken with regard to the children who are in the age group of 1-6 years.

466. **Welfare of the children of women prisoners;**

i. There shall be a crèche and a nursery school attached to a prison for women where the children of women prisoners shall be looked after. Children below three years of age shall be allowed in the crèche and those between three and six years shall be looked after in the nursery school. The crèche and nursery school shall be run by the prison administration preferably outside the prison. Children in prison shall be provided with adequate clothing suiting the local climatic requirements. For this the State Government shall lay down appropriate scale. Scale of diet for children shall be decided keeping in view the calorie requirements of growing children as per medical norms and climatic conditions;

ii. Children shall be regularly examined by a Lady Medical Officer to monitor their physical growth who shall also be vaccinated for various diseases as per medical protocol in this connection. Extra clothing and diet shall be provided as per the provisions and also written recommendations of the Medical Officer.

iii. Ensuring the rights of children of women prisoners and provide access to Right to Education.

iv. Clean drinking water must be provided to the children and water must be checked periodically.

467. **Education and recreation for children of women Prisoners;**

The children of women prisoners living in the prison shall be given proper education and recreational opportunities. While their mother or father work in prison, the children shall be kept in crèches/nursery school under the charge of female prison staff.

468. **Keys of woman's enclosure;**

The woman prison staff shall have custody of the keys of the wards and enclosures in which women prisoners are confined during the day. After locking up, she shall deliver the keys to the in-charge prison officer who shall lock them up in the key chest. The in-charge prison officer shall hand over the keys again to the female prison staff in the morning at the time of unlocking.

469. **Clothing;**

i. Women prisoners sentenced to six months imprisonment or below should be issued two sarees, two blouses, two petticoats, a towel and two sets of customary inner wear;

ii. Women prisoners sentenced to more than six months of imprisonment should be issued three sarees, three petticoats, three blouses, two towels and three sets of customary inner wear;

iii. Adequate warm clothing according to local conditions and change of seasons shall also be provided;

iv. Children allowed to stay with women prisoners should be given suitable clothing similar to what is normally used by children in the local community;

v. Every women prison should maintain a repair unit where prisoner's clothing can be repaired;

vi. Sterilised sanitary pads should be issued to women prisoners as per their requirements;

vii. Clothing of prisoners should be sterilised at government cost once in two months;

viii. Prisoners should be allowed to get their clothes washed through prison laundries at their own cost;

ix. All clothing shall be cleaned and kept in a proper condition. Inner wear shall be changed and washed as often as necessary for maintenance of hygiene.

470. **Bedding;**

i. Every woman prisoner shall be provided with a sleeping berth and sufficient bedding in accordance with local standards; these shall be clean when issued; kept in good order and changed often to ensure their cleanliness;

ii. Women prisoners should be given one pillow with pillow cover and woolen blankets according to climatic conditions;

iii. Women prisoners shall be provided two cotton bed sheets for every six months;

iv. All articles of prisoners bedding, clothing and other equipment should be inspected by a women officer at least once a week to ensure that proper standards are maintained.

471. **Accommodation;**

i. 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;

ii. 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;

iii. 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;

iv. Sleeping berths in the women's barracks shall not be at a height beyond the comfortable reach of women prisoners;

v. There should be sufficient number of rest rooms and that should be maintained in a clean and decent state;

vi. Adequate number of baths or 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 (subject to availability of water), for maintaining general hygiene according to season and climate;

vii. All parts of the institution regularly used by prisoners shall be properly maintained and kept scrupulously clean at all times.

472. **Interview;**

i. The number of interviews for convicts and under trial woman prisoners should be same as other convict and under trial male prisoner;

ii. There should be no limit on incoming letters of women prisoners. Illiterate or semi-illiterate prisoners should be provided help in writing letters;

iii. A waiting room for visitors should be provided at each prison for women;

iv. Every newly admitted prisoner shall be allowed facilities for seeing or communicating with her family, relatives, legal advisors, with a view to

facilitate preparation of an appeal or revision petition or for procuring bail.

v. She shall be allowed to have interviews with or write letters to her relatives more often, if the Chief Superintendent/ Superintendent of Prison considers it necessary, to enable her to arrange for the management of her property and other family affairs.

473. **Vocational Training;**

i. As far as possible women prisoners shall be imparted training suited to their aptitude and background, making them economically self-reliant.

ii. Vocational training in useful trades shall be provided to women prisoners.

iii. 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.

iv. 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. Typing; 19.Computer training; 20.Beautician's work; 21.Telephone operation and secretarial practice; 22.Agricultural, horticultural, dairy projects; 23.Poultry; 24.Sericulture; 25.Fishery; 26.Mushroom cultivation; 27.Fruit preservation; 28.any other relevant vocational training.

474. **Medical Facilities;**

Women prisoners suffering from mental disorders, anxiety, drug addiction or sex perversion should get proper medical treatment and psychotherapy.

475. **Legal Aid;**

Assistance of women members of the district legal aid committee shall be made available to women prisoners to help them with their procedural and legal problems;

476. **Facilities for Foreign Nationals;**
Women prisoners who are foreign nationals shall be allowed reasonable facilities to communicate with their diplomatic and consular representatives.

477. **Probation of Offenders Act, 1958;**
Probation of Offenders Act, 1958, shall be extensively used in case of women prisoners to provide suitable non-institutional corrective treatment to them.

478. **Transfer of women convicts to women prisons;**
Women prisoners sentenced for three or more months of imprisonment shall be transferred to convict women's prison to facilitate their rehabilitation.

479. **Escort of Insane Women;**
When transferring an insane women prisoner to a mental home and back to the prison, a female staff shall accompany the police escort, provided to such prisoner, wherever possible. The families of such prisoners shall be traced and informed of the prisoner's whereabouts and health status.

480. **When a female Prisoner dies and leaves behind a child;**
When a female prisoner dies and leaves behind a child, the Superintendent shall inform the District Magistrate concerned and he shall arrange for the proper care of the child.

481. **Requests and Complaints;**

i. During the weekly parades, every woman prisoner shall have an opportunity of making requests/complaints to the Chief Superintendent / Superintendent of Prison who in turn, shall promptly deal with such complaints/requests;

ii. A complaint box shall be fixed at a prominent place in the woman's enclosure which shall be opened in the presence of the Chief Superintendent/Superintendent of Prison at least twice a week. Every complaint or request found in it shall be registered and properly dealt with in accordance with rules/law and replied to without undue delay. The prison social welfare and legal aid counseling staff or literate prisoners shall be utilised to assist illiterate prisoners in recording their complaints.

iii. All such complaints shall be received and tackled in an understanding manner without the risk of retribution to the complainant.

482. **Protection of Transgender and intersex persons in Prison;**

i. 'Transgender Persons (Protection of Rights) Act 2019' shall be followed in letter and spirit.

ii. Transgender prisoners should be kept separately from other prisoners.

iii. Ensure that there is no discrimination and abuse in the process of incarceration of transgender and intersex persons in Prison.

iv. Ensure equal access to healthcare services along with other gender sensitive health services including the availability of specialist doctors and regular checkups inside the Prison.

CHAPTER - 27

Prisoners with Mental Illness

483. **Statutory provision;**

i. Section 39(I) of The Karnataka Prisons Act, 1963 contemplates Chief Superintendent / Superintendent of Prison to send prisoners requiring special treatment in Mental Health Institute or to such an institution subject to such conditions and rules as may be made by Government in this behalf;

ii. Section 9 of The Karnataka Prisons Act, 1963, empowers the State Government by a warrant to remove a prisoner of unsound mind detained or imprisoned in a Prison to a mental health institute or other places of safe custody or for remanding such a prisoner to the prison after the prisoner has become of sound mind or order him to be discharged;

484. **Classes of persons with mental illness;**

i. Prisoners with mental illness may be broadly classified into the following categories.–

a) Prisoners who have become insane after their conviction and admission into prison;

b) Prisoners incapable of making their defense owing to unsoundness of mind and detained under Section 330 of the Code of Criminal Procedure pending transfer to a Mental Health Institute;

c) Prisoners who have been tried for a criminal offence and found to have committed the act alleged but who have been acquitted on the ground of being insane when the act was committed and who are detained under Section 335 of the Code of Criminal Procedure either permanently or pending transfer to a Mental health Institute;

d) Recovered Prisoners with mental illness remanded from a Mental Health Institute to a prison with a view to ultimate release;

ii. Every person supposed or found to be mentally ill whether detained or confined in a Prison, shall be kept separately from other prisoners.

485. **High risk prisoners with mental illness;**

High risk prisoners with mental illness are those who by reason of their insanity are prone to cause injury to themselves or to those coming in contact with them. Whenever a prisoner with mental illness is found to be highly risky, he shall be confined in a separate cell and he shall be visited by the Medical Officer regularly.

486. **Records;**

In every Prison where prisoners with mental illness are confined there shall be maintained.–

i. A nominal roll;

ii. A medical history sheet to record the health issues and the treatments given chronologically.

487. **Instructions regarding High Risk mentally ill prisoners;**

In order that the chances of high risk prisoners with mental illness causing injury may be eliminated, the following instructions should be carefully observed.–

i. Every prisoners suffering from mental illness should be considered as risky or highly risky until the Medical Officer decides that he is harmless;

ii. Every high risk prisoners with mental illness shall as far as considered necessary be kept separately from other prisoners and a strict watch shall be kept over him particularly at times when the symptoms of violence aggravate;

iii. The Visiting Medical Officer or the Prison Medical Officer shall visit him at least once daily and make a careful note of any sign or signs of violence;

iv. The Medical Officer from time to time shall, give such directions as may be necessary for appropriately guarding the patient with mental illness and shall caution the Prison officer of any symptoms which necessitate greater watch on the patient;

v. Whenever a civil prisoner with mental illness is sent by a Court to the Prison for observation the Court shall, either at the time of authorizing the temporary detention or as soon thereafter may be practicable furnish a medical history sheet in the prescribed form giving all the available information regarding the person sent.

488. **Scale of diet;**

Prisoners with mental illness shall be issued diet as per scale of non labouring prisoners and clothing if required provided as per the scale of prisoners of the class to which the prisoners belongs.

489. **Prisoners who become mentally ill after conviction and admission to prisons;**

If any convict becomes mentally ill after admission to Prison /

conviction, a report shall immediately be submitted to the Director General of Prisons and Correctional Services for moving the Government to get an order for his removal to a Mental Health Institute under Section 9(i) of the Karnataka Prisons Act, 1963.

490. **Documents accompanying the report to Government;**
The Chief Superintendent or Superintendent of a prison in submitting a case for orders of the Government shall forward the following documents.–

i. The Nominal Roll of the prisoner;
ii. A copy of the warrant under which he is confined (in duplicate);
iii. Medical Officer's Certificate in the prescribed form;
iv. A Medical History Sheet in the prescribed form;
v. A copy of the Judgment.
vi. The following information shall be noted in the last column of the Nominal Roll.–
   a) The date of admission in prison;
   b) Date on which the convict first showed signs of insanity;
   c) Date on which he was placed under Medical observation;
   d) Date on which he was declared as metal illness by the Medical Officer.

491. **Transfer to Mental Health Institute;**
i. On receipt of a warrant issued by Government under Section 9 of the Karnataka Prisoners Act, 1963, the Chief Superintendent or Superintendent of Prison shall forward the prisoner with mental illness to the Mental Health Institute specified in the warrant together with the following documents.–
   a) Nominal roll;
   b) A copy of the warrant;
   c) Medical Officer's certificate in the prescribed form;
   d) The Medical History sheet;
   e) Medical officer's fitness certificate for travel;
ii. In addition to the above documents, the Chief Superintendent/ Superintendent of Prison shall also send a letter to the Superintendent of the Mental Health Institute requesting for the reception to the prisoners and stating the class to which he belongs and shall indicate the following.–
   a) Sentence already spent in Prison;
   b) Remission earned in Prison;

c) The date if any, when the Advisory Committee examined his case;

d) The date when the Advisory committee has directed the prisoner's case to be brought before the Board.

492. **Precaution on transfer;**

i. No prisoner with mental illness shall be transferred to any Mental Health Institute unless he is certified by the Medical officer to be in a fit state to travel;

ii. Every precaution shall be taken to secure that the prisoners is properly cared for on the journey and that proper escort is sent with him. Due arrangements are also to be made regarding his clothing, bedding and food. Fetters shall not be used unless absolutely necessary.

493. **Procedure in case of illness en-route;**

The escort shall be specifically instructed that if the prisoners falls ill or refuses food en-route he shall be taken to the nearest hospital for treatment.

494. **Female staff to accompany woman prisoner with mental illness;**

Every woman prisoner with mental illness when sent to the Mental Health Institute shall be accompanied by a female staff or relative in addition to the usual escort.

495. **Property of mentally ill prisoner;**

When a prisoner is sent to Mental Health Institute, all property in the Prison belonging to him/her shall be sent with and a receipt for the same obtained.

496. **Return of Warrant to Court;**

The warrant under which the prisoner was confined in prison shall be returned duly endorsed to Court that issued it, immediately after the prisoner is transferred to the Mental Health Institute.

497. **Prisoners under certain provisions of Cr.P.C. how dealt with;**

Prisoners confined under Section 335 of the code of Criminal Procedure shall be dealt with in accordance with the orders which Government or the Court as the case may be, may pass on their cases. Under Section 336 of The Code of Criminal Procedure, the Government may empower Chief Superintendents or Superintendents of prisons to discharge all the functions imposed on the Director General of Prisons and Correctional Services by Section 337 or 338 of the Code.

498. **Certificate under Section 337 Cr. P.C.;**

When a prisoner confined in a Prison under section of the Code of Criminal Procedure, is certified to be capable of making his defence, the certificate made under section shall be sent, together with a medical history of the case, which should include information as to his conduct while in Prison to the Court before which he is to be tried, so that the Court may fix a date for trial.

499. **Period spent in transit and in Mental Health Institute to count for the sentence;**

Under Section 9(3) of The Karnataka Prisons Act, 1963 the time during which a prisoner is confined in a Mental Health Institute as well as the period of transit shall be reckoned as part of the term of imprisonment which he may have been ordered or sentenced by the Court. It is therefore not necessary to issue a fresh warrant in such cases. The original warrant which is not fully executed and which has been returned to the Court may be recalled by the Prison authorities. This warrant and the warrant issued by Government for his re-transfer to Prison shall be the authority for the detention of the prisoner in full, as the period spent in the Mental Health Institute counts for sentence; the prisoner shall be released taking the time spent in the mental health institute and also transit period.

500. **How to treat a recovered prisoner;**

i. Whenever a prisoner recovered from mental illness is received into a Prison from a Mental Health Institute his name shall be entered in the Prison Register and the period of probation he has to serve according to Government order shall also be entered;

ii. Recovered prisoners shall if they are not fit for employment be employed on some light labour. They shall wear prison clothing and be treated in all respects as ordinary convicts.

501. **Recommendation for release of prisoners recovered from mental illness;**

When it is proposed to recommend a recovered prisoner for release, the case shall be brought before the Visitors Committee at a quarterly meeting so that they may have an opportunity of recording any remarks they may consider necessary. The recommendation together with the remarks shall then be submitted to the Director General of Prisons and Correctional Services with a view to forward the same to Government.

502. **Particulars to be furnished in case of release;**

When submitting a case under the preceding rule, a nominal roll of the prisoner recovered from mental illness shall be submitted under 3 covering letters to the Director General of Prisons and Correctional Services and the following information shall be furnished.–

i. Date of committal to Mental Health Institute;
ii. Mental Health Institute from which received;
iii. Number and date of Government;
iv. Date of arrival in the Prison;
v. Conduct of prisoner in Prison; and
vi. Work on which employed in Prison.

503. **The Mental Healthcare Act, 2017;**

The State Government may make such general or special order as it thinks fit directing the removal of any prisoner with mental illness from the place where he is for the time being detained, to any mental health establishment or other place of safe custody in the State or to any mental health establishment or other place of safe custody in any other State with the consent of the Government of that other State.

CHAPTER - 28

Convict Watchman

504. **Statutory Provisions;**
Under Section 22 of The Karnataka Prisons Act, 1963, prisoners can be appointed as convict watchman.

505. **General Principles;**

i. The appointment of prisoners as convict watchman is for encouragement of good conduct and industry in Prisons. This will apply to all male and women prisoners coming under the remission system.

ii. As convict watchman are employed for the convenience of Prison administration, such employment can never be claimed as a right and always conditional on the prisoner being physically fit and good conduct to perform the duties required of him;

iii. If any convict watchman becomes permanently incapable of performing those duties he shall be reverted;

iv. Prisoners placed in 'A' Class shall not be employed as convict watchman;

v. There shall be convict watchmen for Central Prison and District Prisons;

vi. Convict watchman should not be employed to guard civil prisoners.

506. **Eligibility;**

i. Only convicts on the remission register are eligible for the posts of convict watchmen. Military prisoner may be appointed only as convict watchman and appointed inside the barracks but should not be permitted to work on the main wall.

ii. A convict prisoner may he appointed as a convict watchman if.–

a) He has earned 60 days remission;
b) He has proven his good conduct and industry;
c) He is in good health and physically fit to undergo extra hours of duty in addition to his ordinary duty;
d) He has not been convicted of any offences mentioned in Rule 146(2) of Karnataka Prisons Rules, 1974;
e) He is a person of proved merit, conduct and intelligence;
f) He has completed one half of his sentence of imprisonment including remission. In the case of life convicts, the period of sentence will be taken as 14 years for this purpose only and he is eligible to be

appointed as a convict watchman, if he has completed 7 Years of imprisonment including remission.

g) On appointment as a convict watchman, an entry shall be made in the remission register and in the history ticket.

507. **Authority to appoint;**
Chief Superintendent or Superintendent of Prison is empowered subject to the rules herein laid down, to appoint convict watchmen.

508. **Simple imprisonment;**
Convict watchman required for employment in wards or barracks reserved for Prisoners sentenced to simple imprisonment shall as far as possible, be drawn from the ranks of simple imprisonment prisoners.

509. **Habitual prisoners;**

i. Habitual prisoners may be employed as convict watchman in barracks reserved for habitual prisoners only;
ii. Provided that no habitual prisoner with more than two convictions shall be appointed as convict watchman.

510. **Appointment of woman as convict watchman;**
Women convicts are eligible for appointment as convicts watchman only in accordance with rules. They shall not be employed outside the women barrack.

511. **Duties of convict watchman;**
The duties of convict watchman are as follows.–

i. To take night watch inside the barracks;
ii. To maintain order and discipline in the ward, barrack, squad and workshop;
iii. To prevent prisoners leaving their allotted berths, to keep silence in the ward/barrack and to take care that all prisoners are present;
iv. To prevent all attempts to escape, *etc.*, and in bringing to the notice of the sentry and rounds officer, or other Prison Officer any matter requiring attention such as lights in the ward have gone out, any prisoner is ill, any prisoner is misbehaving, *etc.*;
v. To keep a careful watch over any prisoner who visits the night restroom (toilet) and to acquaint himself with the behavior of all dangerous prisoners in the barrack and keep a special watch on them;

vi. To patrol up and down the barrack and keep an alert throughout his period of duty;

vii. To count prisoners frequently to satisfy himself that all are present;

viii. Generally to assist Prison guards in the discharge of their duties;

ix. To assist the prison staff of their gangs in superintending the prisoners at work, conducting them to parades, maintaining discipline and silence and keeping them in safe custody;

x. The duty of guarding the wards by inside patrolling at night and be responsible for the efficiency of the watch, the safe custody of prisoners and the maintenance of discipline in the wards at night;

xi. To escort individual prisoner in the Prison and to take them to Prison hospital when necessary;

xii. To count frequently the prisoners made over to them, to see that the number is correct and to search them and to prevent them from receiving or retaining prohibited articles;

xiii. To give notice of, any breach of rules, plots, conspiracies that may come to his knowledge, whether amongst prisoners of their own or other gang;

xiv. To see that the prisoners industriously perform their task and do not leave their proper places, or communicate with each other in an irregular manner and that they keep in file when moving from place to place and not waste materials and to take care that all tools are properly and carefully returned to the storeroom;

xv. To report all cases of sickness, to see that the prisoners properly fold up and arrange their beddings in the morning before the wards are opened;

xvi. To see that the prisoners wash themselves and their cloths and keep their surroundings clean, that they do not barter, alter or damage their clothing;

xvii. To assist in quelling any out-break and to defend any Prison official and staff in case of assault;

xviii. To perform such duties in the matter of guarding and the like as may at any time be assigned to him during day and night and report all infringements of Prison rules and take all lawful measures to prevent them and shall render assistance to the officials in authority over him. The above are in addition to his daily allotted labour and task during the day.

512. **Special duty of patrolling by Convict Watchman;**

i. The Chief Superintendent or Superintendent of Prison should utilize the services of well behaved convict watchman for doing patrolling duty outside the sleeping barracks but inside the Prison at night time. This duty should be confined to only those convict watchman who are reliable and whose conduct has been good;

ii. The night patrolling duty should be confined to the inner circle of the prison. The main wall and the outer barrack should always be guarded by the Prison guarding staff.

513. **Privileges of convict watchmen;**

i. Convict watchmen shall take their meals separately from other prisoners;

ii. Convict watchmen shall be parade separately;

iii. Convict watchmen shall wear a brass badge on the right arm with the words N.W. engraved, he is also exempted from wearing the ankle rings;

iv. Every convict watchmen shall be provided with a brass number and shall wear it on his head dress (turban) and also with a brown leather belt with buckle, a whistle, chain and a button;

v. Convict watchmen is allowed to live and sleep separately from ordinary prisoners;

vi. Convict watchmen shall receive elementary instructions in physical training exercise;

vii. Convict watchmen on duty when they are exposed to the inclemency of weather shall be provided with umbrellas to protect themselves from rain;

viii. Convict watchmen may have their clothes washed in the Prison dhobi section at Government cost;

ix. Convict watchmen shall be issued with one pair of chappals (sandals) per year at Government cost;

514. **Payment of wages to convict watchmen;**

Convict watchmen shall be paid wages at the rates prescribed by State Government from time to time.

515. **Punishment to convict watchmen;**

i. Every privilege to which a convict watchman is entitled, under these Rules is subject to good conduct and may be forfeited for misconduct;

ii. Convict watchmen should ordinarily be punished by loss of privileges, forfeiture of remission unless he commits serious breach of Prison discipline or instigation like assault when he should be treated on par with other prisoners;
iii. Privileges to convict watchmen can be reduced to ordinary prisoner as a punishment by Chief Superintendent or Superintendent of Prison;
iv. If convict watchman escapes or assists or connives in the escape of other prisoners, he shall be permanently reduced to ordinary prisoner besides any other punishment by Chief Superintendent or Superintendent of Prison.

516. **Wages when convict watchman dies in a prison;**
In the case of death in a prison of a convict watchman, any wages due to him may if he has expressed a will regarding its disposal can be dealt with as desired by him, otherwise it shall be sent to his family. That is wife or husband as the case may be, major children or parents if their address is known and acknowledgement obtained. If not, the amount may be made over to the Judicial Magistrate who convicted the convict watchman for disposal.

517. **Appointment of unqualified convicts as convict watchman;**
If in prison, a sufficient number of convicts eligible for employment as convict watchmen are not available, convicts who are not fully eligible may be so employed and permitted to earn the concession including extra remission given to qualified prisoners subject to the following conditions
i. Each case shall be submitted for the sanction of the Director General of Prisons and Correctional Services;
ii. Convict who most nearly comply with the conditions laid down in the foregoing rules shall be selected;
iii. Such convict must be of having good conduct.

518. **Clothing and Bedding;**
Clothing and Bedding of convict watchmen as per the provisions.

519. **How to draw Wages;**
Wages may be drawn on D.C. bills furnishing full details. Wages shall be posted quarterly in the remission register and total wages earned shall be paid at time of release or transfer from the prison.

CHAPTER - 29
Attendance of Prisoners before Courts

520. **Statutory Provision;**

The Prisoners (Attendance in Courts) Act, 1955 (Central Act 32 of 1955) lays down the procedure to be followed by any Civil or Criminal Court when it requires the appearance of prisoners to give evidence or answer a charge.

521. **Production before Court;**

i. Prisoners shall be produced before the Courts, on the due date of hearing, in person or through video conference;

ii. These entries should be made daily by the officials concerned and should be supervised daily by the Officer-in-charge of the section;

iii. The duty of ascertaining the time at which a prisoner committed to the Sessions is to be produced before the Sessions Court and of providing the necessary escort for this purpose rests with police, if in case of physical production;

iv. The Head of Prison should be make arrangements for the production of prisoners in Court at the appointed date who is committed to Sessions or is remanded pending a Magisterial inquiry or trial, he shall make suitable arrangements with the police for providing the necessary escort in case of physical production;

v. For this purpose, Court diary shall be maintained in which all relevant entries of production before various Court shall be made. These entries should be made daily by the concerned officials and should be daily supervised by the in-charge officers where such posts are in existence;

vi. On the basis of the Court diary requisition for police escort should be sent sufficiently in advance, in a case of physical production. Information about women adolescent, young offenders, under trial prisoners, and as far as possible about violent, dangerous and notorious under trial prisoners, should be sent to the police authorities while requisitioning the escort. The acknowledgement shall be obtained in a register from the senior police officer of the escort;

vii. Whenever a release order of the prisoner is received from a Court directing the release on bail of an under trial prisoner, he shall at once be released and his property shall made over to him.

522. **Sick prisoners;**

If any prisoner is sick and the Medical Officer certifies the prisoner's inability to attend the Court, he/she should not be produced before the Court. In such an event, the medical certificate should be forwarded to the Court.

523. **Feeding;**

Before prisoners are sent to the Court, the usual morning meal should be served.

524. **Articles allowed to be taken while going to the Court;**

While going to the Court, the prisoner should return all prison articles except clothes on his personnel and papers pertaining to his case. The prisoner shall not be allowed to carry any other prison articles with him. In case the prisoner wants to take his cash for legal purposes, the same should be forwarded to the Court through the police escort. This amount may be utilised by the prisoner under orders of the Court for purpose like legal defense, cost of copies, *etc.* The disposal of this amount should be certified by the police and the prisoner in the appropriate column of the register prescribed for such purpose. Under no circumstances, should the prisoner be allowed to carry cash or valuable, if any, on his person.

525. **Search;**

Before being sent to the Court and after having been received back from the Court, all prisoners shall be thoroughly searched.

526. **Transport;**

For transporting prisoners to and from the Court and other destinations, necessary arrangements for conveyance should be made by the police authorities. If a separate conveyance is not provided for women and adolescent prisoners, the common conveyance should have separate compartments for women and adolescent prisoners.

527. **Procedure to obtain prisoners before Courts as witness of accused;**

i. Any Criminal Court may, if it thinks that evidence of any person confined in a prison is material in any matter pending before it or if a charge of an offence against such person is made or pending, make an order under Section 267 CrPC, direct to the Officer-in-charge of a Prison provided that if such a Criminal Court is inferior to the Court of Magistrate of the first class, the order shall be submitted to and

countersigned by the District Magistrate/District Sessions Court to which Court such Criminal Court is subordinate;

ii. Similarly a Civil Court may if it thinks that the evidence of any person confined in any prison is material in any matter pending before it, make an order in the prescribed form direct to the Officer-in-charge of the Prison, provided that such an order shall have effect only if it is countersigned by the District Judge to which the Court is subordinate.

528. **Custody when confined in another Prison;**
If the prisoner is taken to a Central or District or Taluk Prison, the Prison or police establishment guarding shall be responsible for the safe custody of the prisoner.

529. **Use of hand-cuffs;**

i. Hand cuffing of prisoners is not to be ordinarily resorted to and it is governed by the Hon'ble Supreme Court of India decision in Citizens for Democracy v/s State of Assam and others reported in 1996 Criminal Law Journal 3247 (SC);

ii. Prisoners not normally Handcuffed except following categories of Prisoners.–

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.

530. **Strength of police guard;**

a) The minimum strength of the police guard may be subject to the rules prescribed in the police department;
b) A woman constable shall only accompany a woman prisoner along with male Constable for security purpose;
c) When prisoners are of desperate character or are likely to escape or when the number to be escorted exceeds ten, the strength of the guard shall be increased at the discretion of the Officer-in-charge of the police guard.

531. **Register of prisoners attending Courts;**
A register showing the prisoners sent under the attendance in Court Act, 1955 shall be maintained by the Chief Superintendent or Superintendent of Prison, wherein details such as UTP/CTP number, case number, name of prisoner sent, name of the Court to which the

prisoner is sent, date on which sent, date of Court order and disposal should be recorded to watch the disposal of the case.

532. **Court premises;**

i. Only underwritten orders of the Court, prisoners may be granted interviews for legal aid purposes by the Officers in-charge of police escort on the Court premises. Proper record of such interviews should be maintained at the Courts concerned and intimation sent to prison authorities in the prescribed form;

ii. Prisoners shall not be allowed directly to receive any cash or valuable articles while being escorted or while in the Court premises. Such cash or articles should be credited to Prisoner account;

iii. The police escort shall not allow any eatables or prohibited articles to prisoners during their journey between the Court and back to the prison or in the Court premises;

iv. Prisoners should be thoroughly searched before being taken into the Court room.

533. **Return to the prison;**

i. As soon as the Court work is over, such prisoners as have been remanded to prison custody should be brought back to the prison;

ii. On return of an prisoner from the Court to the prison gate, if any unauthorized article is found or a special circumstance or an irregularity is noted by the prison officer on duty, he shall forthwith report the matter to the senior officer on duty and if necessary, to the concerned police station for action. Such cash as is brought by the police escort should be recorded in the register and deposited in the prison office under intimation to the prisoner.

534. **Production of prisoners in other States;**

When an prisoner is required to be sent to another State for trial, the State from where the prisoner is sent should arrange for the escort. Travel and other incidental expenses of the escort and of the prisoner should be borne by the requisitioning State Government. Permission order is necessary from the remanding Court to produce the prisoner to other States and also the prisoner is to be returned on the same escort after the production is over.

535. **Production of prisoners before Court in civil suit proceedings;**

Unless ordered by the District Judge/Judicial Magistrate, no prisoner shall be produced before Court for civil suit proceedings.

536. **Additional Cases;**

i. When additional case/cases are pending against a prisoner, the following action should be taken;

a) Entries of additional cases in red ink on the remand warrant in appropriate columns of register and Court diary should be made;

b) Intimation to the Court/Courts concerned about pending cases stating whether the prisoner is on bail or not in connection with that case or those cases should be sent;

c) Intimation to police escort in the prescribed form should be sent;

d) When an prisoner is wanted for trial in another case/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 prison authorities;

e) When an prisoner confined in a prison is required for another case/cases for which he is on bail, the Court concerned will duly intimate the prison authorities;

f) In the case of an prisoner having two cases pending against him, for which he is not on bail, an endorsement in red ink should be made each time he is sent to the Court;

g) It is the duty of the concerned police officer to produce the body warrant of prisoners on the next day without delay, if the prisoner is required or not. The remand warrant shall be brought from the Court to the prison showing judicial custody on the next date of hearing *etc.*;

ii. As per the Hon'ble High Court of Karnataka, Bangalore Letter No: LCA-I/478/93, dated 21-7-1993 all the presiding officers of the subordinate Courts in the state are directed to address the concerned sub-inspector of police for the production of the prisoners before the Courts for trial in the event of non-production by the Prison authorities and discontinue the issue of show cause notice to the Prison authorities for the non production of the prisoners.

CHAPTER - 30

Transfer of Prisoners

537. **Statutory Provision;**

i. Under Section 8 of The Karnataka Prisoners Act, 1963, the power of removing convicted prisoner or a person confined in prison in default of giving security for keeping the peace or for maintaining good behavior from one Prisons to another within the State vests with Government and subject to its order under the control of the Director General of Prisons and Correctional Services;

ii. Section 25 of The Karnataka Prisons Act, 1963, requires that all prisoners before to transfer shall be examined by the Medical Officer who shall certify that they are free from any illness rendering them unfit for removal.

538. **Reasons and Circumstances for transfer;**

i. Prisoners may be transferred from one prison to another for the following reasons;

a) For custody and treatment in a suitable institution;

b) For attendance in Court for the purpose of standing trial or giving evidence;

c) On medical grounds;

d) On humanitarian grounds, in the interest of their rehabilitation;

e) For providing essential services;

f) On grounds of security, expediency;

g) To be nearer to his/ her home district;

h) On disciplinary grounds;

i) For other special reasons, if any.

ii. No prisoner who is in hospital shall be transferred except for the benefit of his health;

iii. The Chief Superintendent or Superintendent of Prison shall on requisition in writing of the Medical Officer, supply extra diet, clothing and bedding to prisoners about to be transferred. Medicines with instructions for their use shall if necessary, be supplied to the Officer-in-charge of the escort together with the medical case sheet prepared by the Medical Officer.

539. **Powers of Director General of Prisons and Correctional Services;**
Director General of Prisons and Correctional Services has following powers.–

i. The Director General of Prisons and Correctional Services is authorized to sanction transfer of prisoners (except those under sentence of death), from one prison to another within the State;
ii. The powers to transfer any prisoner under sentence of death from one prison to another shall rest with the State Government.

540. **Transfer of convict watchman;**
No convict watchman shall be transferred to any other prison without the special sanction of the Director General of Prisons and Correctional Services which shall be obtained before the transfer is affected.

541. **Transfer during epidemics;**
Prisoners shall not be transferred while any epidemic is prevailing in either the transferring or receiving Prison or in the localities of such Prisons.

542. **When Director General of Prisons and Correctional Services sanction is not necessary;**
The sanction of the Director General of Prisons and Correctional Services however will not be necessary for transfer of prisoners in the following cases, where the Chief Superintendent or Superintendent of Prison can order such transfer.–

i. Transfer of prisoners required to give evidence or to undergo trial for an offence in another State;
ii. Transfer of prisoners enroute;
iii. The fresh convicted prisoner convicted by the Court, he may be transferred to their jurisdiction central prisons for undergoing sentences. Copy of the transfer list may be submitted to Director General of Prisons and Correctional Services for information.
iv. Copy of Intimation regarding the transfer of a prisoner in the above two circumstances shall, however, be submitted to the Director General of Prisons and Correctional Services immediately.

543. **Transfer of habitual prisoners;**
The Chief Superintendent or Superintendent of Prison may apply to the Director General of Prisons and Correctional Services for transfer of a habitual prisoner from the prison on the ground that the prisoner

is familiar with the locality and surroundings because of previous imprisonment there or otherwise. However, the Director General of Prisons and Correctional Services 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.

544. **Transfer of sick prisoners;**

i. Prisoners may be transferred from one prison to another prison on following grounds.–

a) When the Medical Officer is of the opinion that the transfer of a sick prisoner to another prison 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 Chief Superintendent or Superintendent of Prison, mentioning the prison to which a transfer is desirable;

b) The Chief Superintendent or Superintendent of Prison shall thereafter submit the case to the Director General of Prisons and Correctional Services for his orders;

ii. The Chief Superintendent or Superintendent of Prison shall, on a requisition in writing from the Medical Officer, supply extra food, medicines, clothing and bedding to prisoners during such journeys with instructions for their use, shall if necessary, be supplied to the officer escorting such prisoner;

iii. The Medical Officer shall be responsible to ensure that the medical case sheet of a prisoner is up-to-date mentioned at the time of his/her transfer;

iv. No prisoner, who is incapable of ordinary hard labour on account of his/her age, sickness or infirmity, shall be recommended for transfer except under special circumstances.

545. **Police to escort prisoners;**

Police escort to the prisoners is given on following grounds.–

i. The responsibility of escorting prisoners rests with the police. The Chief Superintendent or Superintendent of Prison 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 prison of destination on any of the recognized holidays for prisons. If such a contingency is likely to arise due to unavoidable circumstances, the Chief Superintendent or Superintendent of the

transferring prison shall forward a written request to the Chief Superintendent or Superintendent of Prison of the receiving prison.

ii. The Chief Superintendent or Superintendent of Prison receiving prison shall, however, entertain such admission on holidays even in the absence of any such request, but bring the irregularity to the notice of the Director General of Prisons and Correctional Services;

iii. The authorities at the transferring prison 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.

iv. Hon'ble Supreme Court of India directed that there should be no hand cuffing except in special circumstances. As a rule it shall be the rule that hand cuffing or other fetters not be forced on prisoners while lodged in the prison.

v. While transporting or in transit from the one prison to another or from the prison to Court and back. The police and the prison authorities on their own shall have a authority without obtaining orders from the magistrate to direct the handcuffing of any inmates of a prison;

546. **Application for escort;**

When prisoners are to be transferred, the Chief Superintendent or Superintendent of Prison shall apply to the Superintendent of Police of the district and local police authorities, where the Prison is located, sufficiently well in advance for the requisite guard, intimating the number of prisoners and the date and hour of their intended dispatch and the station to which they are being transferred to.

547. **Provision of Woman Prison Staff / Woman Police Staff;**

When a woman prisoner is transferred, a woman Prison staff / Woman Police Staff shall accompany with prisoner.

548. **Grounds of retransfer;**

When a prisoner has been already transferred for any special reason by the Director General of Prisons and Correctional Services, the Chief Superintendent or Superintendent of Prison shall when proposing his retransfer, bring to notice the special reason for which the original transfer was made.

549. **Intimation to police;**

i. Full details of the following classes of prisoners shall always be supplied before handing over to the police by the Chief Superintendent or Superintendent of Prison of the transferring Prison;
ii. Prisoners with sentence of 3 years and above;
iii. Prisoners whose conduct in Prison is bad or who have been found to be dangerous like terrorists, dacoits, habituals, high risk prisoners, death sentenced prisoners *etc.*;
iv. Prisoners sentenced under Section 224 of I.P.C. and those who are known to have escaped or attempted to escape at any time under Section 225-B of IPC;
v. Prisoners involved in similar serious offences and prisoners who are mentally ill.

550. **Intimation of prisoners transferred to be given;**

The Chief Superintendent or Superintendent of Prison 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 Chief Superintendent or Superintendent of Prison of the receiving prison, along with the probable date of their arrival well in advance, and if necessary, by advanced electronic media.

551. **Procedure prior to transfer;**

The Chief Superintendent or Superintendent of Prison 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.

552. **Search of prisoners before escort;**

All prisoners prior to transfer shall be carefully searched and handed over to the Officer-in-charge of the escort who shall then take charge of the prisoners with a list of property. The Officer-in-charge of the escort shall then be entirely responsible for the safe custody of prisoners until they are made over to the in-charge officer of other receiving prison who shall grant him a receipt for the same. The prisoners shall be given a meal before transfer.

553. **Prisoners to be searched before dispatch;**

Every prisoner shall be searched in the presence of the in-charge officer of other prisons and escort party before dispatch.

554. **Documents to accompany prisoners;**

i. The following documents relating to each transferred prisoner shall be given to the Officer-in-charge of the escort to be delivered to the Chief Superintendent or Superintendent of the receiving prison namely.–

a) Prisoner 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) Prisoner history ticket, if any;
e) Prisoner remission sheet, if any;
f) Prisoner medical case sheet, if any;
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;
i) Any other relevant documents, if any;

ii. The total amount of remission earned by every transferred prisoner up to the end of the preceding month shall be endorsed on his/her history ticket, remission sheet and on the warrant, and the entries shall be signed by the Chief Superintendent or Superintendent of Prison. The in-charge officer of the transferring prison shall be responsible that the above information is duly and correctly supplied and that all documents to accompany the prisoners are enclosed.

555. **Supply of food and clothing on journey;**

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 shall, on transfer, be provided with civilians clothing at Government cost.

556. **Duty of the escorting officer;**

i. 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 private clothing;

ii. If any breach or neglect of duty on the part of the Officer-in-charge of escort is noticed, the Chief Superintendent or Superintendent of the receiving prison shall send a report to the Director General of Prisons and Correctional Services for further action and also to concern escort office.

557. **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 local hospital, or to any place where there is a public dispensary for treatment by a Local Doctor/Medical Officer. A report of the circumstances shall immediately be made available to the Chief Superintendent or Superintendent of Prison of the dispatching prison and of the prison to which the prisoner was being moved in.

558. **Procedure in case of death of a prisoner in transit;**

i. When a prisoner dies in transit, the Officer-in-charge of the escort shall at once report the circumstances to the nearest police station, who in turn will inform the concerned judicial magistrate, the judicial magistrate shall enquire into the case and submit his report directly to the Director General of Prisons and Correctional Services.

ii. The officer in-charge of escort shall admit the prisoner to the nearest hospital for preservation of the dead body in cold storage and for post mortem and inquest examination and *etc.*, and obtained the certificate of the death before the disposal of the body;

iii. The Officer-in-charge of the escort shall also intimate the death of a prisoner to the Chief Superintendent or Superintendent of the prison to which the prisoner was being transferred, and the Chief Superintendent or Superintendent of prison of the transferring prison immediately;

iv. The latter shall inform the deceased prisoner's relatives, Director General of Prisons and Correctional Services, Range DIG of Prisons, the Government, and the State Human Rights Commission, of the death of the prisoner.

559. **Procedure if prisoner escapes;**

If, during transit, a prisoner escapes, complaint 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 Chief Superintendent or Superintendent of the prison to which the prisoner

was being taken and of the transferring prison, shall also be informed of the escape, and the latter shall take the prescribed measures for the prisoner's re-apprehension. On recapture such a prisoner shall be sent to the prison from where he was originally being transferred.

560. **Admission of transferred prisoners;**
On arrival at the receiving prison, the usual procedure for the admission of prisoners shall be followed. The Chief Superintendent or Superintendent of Prison shall satisfy himself that the correct number of prisoners has been received and verified that they have been properly fed up and cared for during transit.

561. **Verification of lists accompanying prisoners;**
When the authorized prison officer of the receiving prison 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 prison.

562. **Transfer to be intimated to sentencing Court;**

i. If a prisoner whose appeal is not decided or who has been committed to prison in default of payment of fine or in default of furnishing security, be transferred to a prison other than that specified in warrant, intimation of the transfer should be given to the sentencing Court;
ii. Transferring prison should send all reference like appeal orders, payment of fine in Court, revised warrant, annulment or modification of sentence *etc.*, received in respect of any prisoner after his transfer to the prison to which the prisoner is transferred, without delay.

563. **Responsibility of in-charge officer of Prison;**

i. The total amount of remission earned by every transferred prisoner up to the end of preceding month shall be endorsed on his history ticket and remission sheet and on the warrant and the entries shall be signed by the in-charge officer;
ii. The in-charge officer of the transferring Prison shall be responsible that the above information is duly and correctly supplied and that all documents to accompany the prisoners are correctly sent.

564. **Dispatch of prisoners property;**
Prisoner's property is.–

i. On the transfer of a prisoner, the in-charge officer of the dispatching prison shall get a list of the prisoner's property prepared in triplicate, as entered in the register, and obtain the signature of the Officer-in-charge of the escort for the property on the counterfoil as a token of receipt.

ii. The duplicate and triplicate forms, the former signed by the in-charge officer of the dispatching prison, together with the property, shall be given to the Officer-in-charge of the escort to be handed over to the receiving prison, where the duplicate list shall be retained and filed. The triplicate shall be signed by the in-charge officer of the receiving prison and handed over to the Officer-in-charge of the escort;

iii. If it is found that there is any discrepancy in the cash, jewellery or property, immediate notice of the same shall be brought to the Chief Superintendent or Superintendent of prison the dispatching prison who shall begin an enquiry into the matter.

565. **Transfer by rail;**

i. Prisoners shall ordinarily be transferred by rail where facilities for travel by rail exist. The fares of prisoners and of the prison staff, if any, shall be included in the railway warrant. The accommodation to be provided shall be of the lowest class;

ii. 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 make suitable arrangements with the railway authorities for their safe custody in transit, and for the provision of necessary accommodation.

566. **The class of accommodation and the scale of subsistence allowance;**

i. When travelling by train, the class of accommodation to be provided shall be II Class for A and B Class Prisoners;

ii. Subsistence allowance shall be given at rates, prescribed by Government from time to time.

567. **Transfer by road;**

Whenever prisoners are transferred by the road the line of route and place of halts if any for each day shall be laid down before handing over by the Chief Superintendent or Superintendent of Prison. If the place is connected by the bus warrants shall be issued.

568. **Transport and diet charges to be borne by the transferring Prisons;**

i. The expenditure for transferring prisoners and their cost of diet in transit shall be borne by the transferring prison;

ii. The prisoners may be permitted to utilize towards road expenses reasonable amounts from their private cash and the officer-in-charge of the escort shall furnish proper accounts to the receiving prison authorities with the acknowledgement of the prisoners for the expenditure.

569. **Transfer of Prisoners convicted by the civil Courts of criminal jurisdiction on reciprocal basis;**

i. Every prisoner convicted by a Court of criminal jurisdiction in a State other than the State of his origin not being a native of the State in which he is undergoing imprisonment may be transferred to his state of origin if his unexpired portion of sentence is not less than three months at the time of his transfer either to the prison in the district to which he belongs or to the prison nearest to his native place;

ii. In the case of any such prisoner to be transferred to his State, the Commissioner of Police / Superintendent of Police of the district to which the prisoner belongs shall be addressed regarding the nativity of the prisoner as per the declaration of the prisoner;

iii. In the case of any such prisoner transferred to another State, the Chief Superintendent or Superintendent of the concerned prison in Karnataka State, where such prisoner is confined, shall send immediately after the appeal if any is disposed of or after the appeal time is over, the nominal roll and written declaration of the prisoner in duplicate which shall contain detailed and correct address of the prisoner and his relatives in the other State *viz.*, the State of origin to the Director General of Prisons and Correctional Services, Karnataka, Bengaluru who will after ascertaining from the Head of prisons of the other State the name of the prison in the state of origin to which the prisoner has to be transferred, issue order for the transfer of the prisoner.

CHAPTER - 31

Interviews and Communication

570. **Facilities for seeing and communication with Family, Friends and legal advisers;**

i. Every newly admitted prisoner shall be allowed reasonable facilities for seeing or communicating with his family, friends or legal advisors with a view to preparing of an Appeal or Revision or procuring bail or payment of fine *etc.*;

ii. He shall also be allowed to have interview with or write letters to family, friends or legal advisors to enable him to arrange for the management of his property or other family affairs;

iii. Every prisoner committed to the prison in default of payment of fine or failure to furnish security shall be allowed to communicate by letter and to have interviews at reasonable time with his relatives or friends for purpose of arranging for payment of fine or for furnishing of security;

iv. 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.

v. 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 Chief Superintendent or Superintendent of prison.

vi. The prisoners shall not be allowed to misuse such privileges.

vii. 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 prison to another. This shall be in addition to the letters allowed to them,

viii. Ex-prisoners and habitual prisoners, who apply to see their friends lodged in a prison, may not be permitted such interview by the Chief Superintendent or Superintendent of Prison unless and until there exist a genuine reason for such an interview;

ix. These privileges of interviews with visitors, writing and receiving letters, are contingent to good conduct. These privileges may be suspended or withdrawn by the Chief Superintendent or Superintendent of Prison on grounds of bad conduct;

x. Every prisoner shall be given the option of informing his/her family of his/her committal to the prison immediately on his/her admission, he/she shall be provided with a post card or inland letter or phone call for this purpose;

xi. A letter for merely arranging an interview shall not be counted as a letter for the purpose of this rule;

xii. A prisoner may substitute a letter with a reply for an interview or *vice versa* with the permission of the Chief Superintendent or Superintendent of Prison;

xiii. Prisoners shall not be allowed to correspond with prisoners in other prisons. If, however, a prisoner has got his/her relatives in another prison, he/she may be permitted to write to them, subject to the restrictions contained in these rules.

571. **Prisoners Allowed to Sign a Power of Attorney;**
Every convicted prisoner may at the discretion of the Chief Superintendent or Superintendent of Prison be permitted to sign and attest a power of attorney or other statements/ conveyances concerning his/her properties before Notary. Each such transaction shall be treated as an interview.

572. **Search before and after Interview;**
Every prisoner shall be carefully searched before and after an interview.

573. **Powers to refuse an interview;**
The Chief Superintendent or Superintendent of Prison 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 prison Chief Superintendent or Superintendent of Prison shall record his reasons for such refusal in his journal.

574. **Under mentioned facilities may be granted to the any prisoners;**

i. All prisoners shall be granted reasonable facilities to interview or write letters to their family members, relatives, friends and legal advisors;

ii. Every interview between an prisoner and his legal advisor shall take place within sight, but out of hearing, of a prison official. A similar concession shall be allowed by the Chief Superintendent or

Superintendent of Prison in the case of an interview with any close relative of prisoner;

iii. When any person desires an interview with an under trial prisoner in the capacity of the prisoner's legal advisor, he shall apply in writing, giving his name and address and specifying the purpose of the interview. He must satisfy the Chief Superintendent or Superintendent of Prison that he is the *bona fide* legal advisor of the prisoner with whom he seeks interview and that he has legitimate business with him;

iv. Any bona fide written communication prepared by an prisoner as instructions to his legal advisor may be caused to be delivered personally to such legal advisor, or to his authorized nominee, by the head of prison. If such communication is confidential it shall be delivered without being previously examined;

v. All prisoners may see their family members, friends, relations and legal advisors at such time, and under such restrictions, as the Chief Superintendent or Superintendent of Prison may decide and the presence of a prison officer shall not be necessary. No such visitor shall, however, be allowed to take eatables into the visitors room of prison without the permission of the Head of the prison.

575. **Censorship of letters of prisoners;**

i. Prisoners shall not be allowed to correspond with inmates of other prisons. However, if a prisoner has his/her relatives lodged in another prison he may be permitted to send letters to them informing them of his/her welfare;

ii. The Chief Superintendent or Superintendent of Prison shall have the right to not allow letters to prisoners for reasons of security and discipline or during periods of emergencies, if he considers it necessary. For the purpose of these rules applications sent by prisoners should not be treated as letters;

iii. No letter written in a secret language shall be allowed. The Head of Prison 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 prison concerned, it shall be sent to some other officer for translation.

576. **Criteria for withholding of letters of prisoners;**

Prisoners may be allowed to write letters only to their family members, relatives and close friends. In case it is found that the 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 should be informed of such action without divulging the contents of the letters received. If necessary, they may also be warned in this regard. There may be no limit on the number of incoming letters to a prisoner. However, reasonable restrictions may be placed on the letters sent or received by security prisoners.

577. **Interview during the hunger strike;**

When a prisoner is on hunger strike no interviews shall be granted.

578. **Letters and interviews allowed to prisoners;**

i. Letters.–

a) A and B Class convict prisoners;

1. To write 4 letters a month at Government cost and two at his own cost;
2. No limits for legal matters

b) U.T. Prisoners (special class as well as ordinary Class).–

1 Four letters in a month out of which two at Government cost and two at his own cost and also letters for matters like defence, bail, security *etc.*;

2 No limits for legal matters;

c) Letters received for the above class of prisoners the same may he issued as and when received duly censored provided that on being censored they are found to be not objectionable;

d) A prisoner may retain any letter which has been delivered to him under due authority;

ii. Interview.–

a) Interview A and B Convict Class prisoners.–

1 One interview with his/her family, relatives and friends once in a week excluding Legal Advocates on discretion of Chief Superintendent and Superintendent of Prison;

2 Special Interview can be granted by Chief Superintendent or Superintendent of prison on emergency and special circumstances;

b) Interview of UT Prisoners both Ordinary and Special Class.–

1 Two interviews with his/her family, relatives and friends once in a

week excluding Legal Advocates on discretion of Chief Superintendent or Superintendent of Prison;

2 Special Interview can be granted by Chief Superintendent or Superintendent of Prison on emergency and special circumstances;

c) A letter for merely arranging an interview shall not be counted as letter for the purpose of this rule;

d) A prisoner cannot be allowed to use his monthly interview for the purpose of transacting business;

e) When communication is doing through Government facilitated telephone/ video voice call shall be treated separately as per the provision.

579. **Chief Superintendent or Superintendent of Prison discretion to grant privileges at shorter intervals;**

If he considers that special or urgent grounds exist for such concession, the head of prison 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 long 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 urgency such as the death of a relative may also be communicated at any time to the Chief Superintendent or Superintendent of Prison who will, if he thinks it expedient, inform the prisoner about it.

580. **Chief Superintendent or Superintendent of Prison permission for interviews required;**

i. No prisoner shall be allowed to have an interview without the permission of the Chief Superintendent or Superintendent of Prison. Such permission shall be recorded in writing;

ii. 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.

581. **Interview with prisoners in the same prison or in hospitals outside the prison;**

i. Subject to the provisions of the above rules, the Chief Superintendent or Superintendent of Prison shall also 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 prison;

ii. The Chief Superintendent or Superintendent of Prison shall permit a prisoner other than a condemned prisoner to see a prisoner in a hospital outside the prison 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) If the prisoner is admitted at outside hospital for treatment the concerned escort officers shall take the permission for interview from the concerned Chief Superintendent or Superintendent of Prison;
d) The prisoner is sent under adequate escort as the head of prison decides. The prisoner shall return to the prison immediately after seeing the prisoner in the hospital.

582. **Time for Interviews;**

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

583. **Interviews on holidays;**

Interviews shall not ordinarily be granted on Sundays and other Government holidays. The Chief Superintendent or Superintendent of Prison may, however, under exceptional circumstances, grant interviews on these days. The reasons for granting such interviews on Sundays or holidays shall be recorded by the Chief Superintendent or Superintendent of Prison in the report book.

584. **Petition for an interview;**

Petition for interviews by visitor shall be written on plain paper or if orally, the Chief Superintendent or Superintendent of Prison may authorize persons at the gate for writing petition for interviews in case of illiterate persons.

585. **Petition Box;**

All petitions shall be deposited in a petition box kept in a conspicuous place at the main gate of the Prison. All such applications for interviews shall be submitted for the orders of the Chief Superintendent or Superintendent of prison. No interview shall take place with any prisoner except with the written orders of the Chief Superintendent or Superintendent of prison when the prisoner is not entitled for interview as per rules.

586. **Place of interview;**

i. Every interview shall take place in a special part of the prison appointed for this purpose. If possible such a place should be at or near the main gate to ensure the safety and security of prisoners. A model interview room could have fiber glass partition with intercom facilities, so that the prisoners can have a peaceful interview. The interview room shall be divided into cubicles and should have sound-proofing materials covering its walls and ceiling.

ii. If a prisoner is seriously ill, the Chief Superintendent or Superintendent of Prison shall permit the interview to take place in the prison hospital. A condemned prisoner shall ordinarily be interviewed in his cell. The Chief Superintendent or Superintendent of Prison may, however, for special reasons to be recorded in writing, permit an interview to take place in any other part of the prison.

587. **Interviews with women prisoners shall, if practicable, take place in the female enclosure;**

A woman in-charge officer or woman prison staff shall be present when women prisoners are interviewed in a separate enclosure.

588. **Interview to take place in the presence of a prison officer;**

i. Every interview with a prisoner shall take place in the presence of an prison officer, who shall be positioned at a place from where he can see and hear what passes between the prisoner and his interviewer and he shall prevent any article being passed between the two parties.

ii. Every interview with a terrorist or militant, whether serving a sentence or kept as an under-trial prisoner or a prisoner detained under Preventive Detection Laws, shall take place in the presence of an prison officer during interviews. Relatives and friends of such prisoners, who desire to interview them, shall produce a authenticated identity documents like a family ration card, voter identification card,

driving license or Aadhaar card or passport *etc.*, Such a prisoners interview shall be properly monitored.

589. **Duration of Interview;**
Ordinarily, the time allowed for an interview shall not exceed 30 minutes. However, this may be extended by the head of the prison at his discretion.

590. **Scope of interview and termination of interviews;**
The conversation at the interviews shall be limited to private and domestic matters and there shall be no reference to prison administration and discipline to other prisoners or to politics.

591. **Number of persons at an interview;**
The number of persons permitted to be present at an interview shall not ordinarily exceed five but in the case of near family and relatives of a prisoner, may be extended to six persons *viz.*, husband, wife, father, mother, children, brothers and sisters. Children below 6 years are excluded from the number.

592. **Interview with civil prisoner;**
Civil prisoners may see their friends and relatives at such times and under such restrictions as the Chief Superintendent or Superintendent of Prison may prescribe and presence of a prison officer shall not be necessary. The exercise of his privilege shall be contingent on good conduct in Prison and may be withdrawn or postponed by the Chief Superintendent or Superintendent of Prison for bad conduct. No visitor shall be allowed to take within the Prison any eatables without the express permission of the head of the prison.

593. **Termination of interview;**
An interview may be terminated at any moment if the prison 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 prison officer present in the prison.

594. **Deposit of article or cash at interview;**

i. In case the friend or relations interviewing a prisoner wish to make over any articles or cash for the use of the prisoner either in Prison or on release, they shall deposit them at the main gate with the permission of the officer supervising the interview.
ii. Any article or cash so deposited shall be brought to the notice of the

Chief Superintendent or Superintendent of Prison for his orders.

iii. The prisoner shall be allowed to use while in Prison only such articles as he is allowed to have under rules.

iv. The introduction of any articles or cash into prison except in accordance with this rule or with written sanction of the Chief Superintendent or Superintendent of Prison is prohibited and declared to be an offence under The Karnataka Prisons Act, 1963.

595. **Supply of writing materials and other facilities;**

i. Writing material, including service post cards, shall be supplied in reasonable quantities to any prisoner, who has permission to write letters.

ii. All letters by prisoners shall be written at such time and place as the Chief Superintendent or Superintendent of Prison 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.

iii. Prisoners shall be allowed to purchase writing material at their own expense.

iv. All notebooks provided to them should have their pages numbered to keep a check on their misuse and to prevent secret correspondence.

596. **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 prison, he shall be liable to be prohibited from such privileges and may be subjected to other restrictions as the Chief Superintendent or Superintendent of Prison may consider necessary facilities to be granted to prisoners for interviews and for writing and receiving letters.

597. **Interviews in cases of emergencies and disciplinary cases;**

In case of dangerous prisoners or prisoners who present disciplinary or custody risks interviews shall be necessarily granted in a room where appropriate precautionary barriers have been installed. Prisoners may not be granted interview for reasons of security or discipline or during periods of emergencies. The discretion of the Chief Superintendent or Superintendent of Prison shall prevail in such matters.

598. **Interview with police officers;**

No police officer shall be permitted to interview any prisoner except in so far as may be necessary for identification of such prisoner without any orders in writing from the appropriate Court.

599. **Interview register;**

A register should be maintained for recording the entries of interview. The in-charge officer entrusted with the work of interview shall record all the interviews granted with detailed Particulars such as name of prisoner name of interviewer with other members and their relationship; place of residence with address and valuable contact number with proof of identity card and signature in register whether eligible *etc.*, each entry should be signed by the in-charge officer and the Chief Superintendent/ Superintendent of prison.

600. **Waiting rooms;**

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

601. **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. The prohibited articles shall be prevented by use of modern methods like CCTV, body scanner and Metal detector *etc.*

602. **Foreign National Prisoners;**

i. If any foreign national is committed to prison, or to custody pending trial, or is detained in any other manner, the Chief Superintendent/ Superintendent of prison shall immediately inform the Director General of Prisons and Correctional Services.

ii. If any foreign national is committed to prison, or to custody pending trial, or is detained in any other manner, the Chief Superintendent/ Superintendent of prison shall immediately communicate to Ministry of External Affairs and Ministry of Home Affairs, Government of India.

iii. Representative of any foreign Mission or Embassy approaching the State or Prison authorities for consular access to any foreign prisoner is to be advise to contact Ministry of External Affairs, Government of India, New Delhi.

iv. The request of any foreign national prisoner in prison addressed to Consular access shall be forwarded to the Ministry of External Affairs, Government of India without undue delay. Such communication shall be subject to scrutiny / censorship as per rules. The consular access

is to be granted only on receipt of permission letter of Ministry of External Affairs, Government of India.

v. The Prison authorities should not contact the foreign diplomatic missions / Embassies directly.

vi. In the case of emergency, an electronic copy of permission letter shall be issued by the Ministry of External Affairs, Government of India to the diplomatic missions / Embassies with copy to Prison authorities concerned, in case of any doubt Prison authorities can check the veracity of documents with the Ministry of External Affairs, Government of India.

vii. Prison authorities should send quarterly or six months reports about foreign nationals in the Prison to The Ministry of External Affairs, and Ministry of Home Affairs, Government of India.

viii. The particulars of incoming and outgoing letters of a foreign national, if found objectionable shall be censored and also furnished to the Government;

ix. Foreign national women prisoner having a child, the Prison authorities have to follow the guidelines of the Hon'ble Apex court laid down in the Upadhyaya's Case in additions to provisions under the Karnataka Prisons Act, Rules and Manual.

x. The foreign national prisoner is convicted by the Court and any application on the parole is made, The Prison authorities have take in to the consideration, the conditions enumerated under section 4 of the Foreigners Act, 1946, in addition to the Karnataka Prisons Act, Rules and Manual.

603. **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 the Chairman of the House of which he is a member, or to the Chairman of Committee 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 Chief Superintendent or Superintendent of prison 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.

604. **Telephone and Video Conference facilities;**

i. At the discretion of the Chief Superintendent or Superintendent of prison a prisoner may be allowed the use of telephones, voice, e-Mulakath and video call to contact his family and lawyers, from time to time, wherever such facility is available. The prisoner can use this facility under the supervision of a prison officer to be designated by the Chief Superintendent or Superintendent of prison while permitting a prisoner the use of telephone or video conference.

ii. The Chief Superintendent or Superintendent of prison shall ensure that such permission is not given to prisoners who have a record of unruly behaviour and bad conduct.

CHAPTER - 32
Appeals and Petitions

605. **Statutory Provision;**
Under Section 63(x) of The Karnataka Prisons Act, 1963, Government is empowered to make rules for regulating the transmission of appeals and petitions from prisoners.

606. **Facilities for appeal shall be explained;**
All relevant rules about appeals, and the facilities available in the prison for preparing and sending appeals, shall be explained to the prisoners at the time of their admission or in any time by the prison officer.

607. **In-charge officer shall record the desire of the prisoner to prefer an appeal;**
The In-charge 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 in-charge officer and the Chief Superintendent or Superintendent of Prison at the time of the prisoner's physical verification and collect the copy of the judgment and given to the prisoner under Section 363 of Cr P.C. free of cost.

608. **Chief Superintendent or Superintendent of Prison to forward petitions of appeal;**
Under Section 383 of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974), an appellant, who is in prison, may present his petition/appeal, and the documents accompanying it, to the Chief Superintendent or Superintendent of Prison 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.

609. **Application for copy of judgment;**
i. If the copy of the judgment is not received by the prisoner, the Chief Superintendent or Superintendent of Prison 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 prison 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 acknowledgement thereof from the prisoner.

ii. If, before the receipt of the transcript of the judgment, the prisoner had been transferred to another prison, or to the custody of any other officer, the transcript of the judgment shall on receipt, be forwarded without delay to the Chief Superintendent or Superintendent of such prison or such officer, as the case may be.

iii. Till such time as the copy/transcript of the judgment is received by the prisoner, the Chief Superintendent or Superintendent of Prison shall ensure that a reminder for sending a copy of the judgment is sent to the concerned Court every week.

iv. If the copy of the judgment is not received within 1 month of forwarding the application to the Court, the Head of Prison shall detail a prison officer to visit the Court personally and collect a copy of the judgment and have it delivered to the prisoner;

v. After filing the appeal against the conviction and sentenced to death, imprisonment for life or imprisonment of any period, the prisoner appellant dies during pendency of appeal later on it is abated. Any of his relative may within 30 days apply to continue the appeal as per under Section 394 of Cr.P.C. if prisoner is filed appeal in the capacity of the complainant. This matter must be informed to the relatives for taking further steps.

610. **Exclusion of time taken in obtaining copy of judgment;**

i. 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 judgment 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);

ii. The period allowed under the Limitation Act, 1963 (Central Act 36 of 1963) for filing of appeals to different Courts shall be followed;

iii. In order to enable the appellate Courts to calculate the period of limitation prescribed for criminal appeals under the Limitation Act, 1963 (Central Act 36 of 1963), every appeal petition shall be endorsed and signed by the Chief Superintendent or Superintendent of Prison;

iv. The period requisite for obtaining a copy of the order appealed against

to be excluded from the period of limitation under Section 12 of Limitation Act, 1963 (Central Act 36 of 1963), Calculate the days of delay and mention in the open space.

611. **Delay in preparing petition to be noted;**

i. The Chief Superintendent and Superintendent of Prison shall make sufficient provisions to file Prison appeals immediately after conviction of prisoners. This has to be made by appointing Panel Advocates appointed under Section 304 of Cr. P.C. or through Legal Counsel appointed by Legal Service Authority.

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

612. **Record of the result of appeal;**

i. In every case in which a sentence is modified or reversed on appeal, the Chief Superintendent or Superintendent of Prison 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 in-charge officer and the head of prison;

ii. In every case in which a sentence is confirmed on appeal, the Chief Superintendent or Superintendent of Prison shall receive information and judgment to this effect from the appellate Court. The confirmation of sentence or appeal shall be entered in the history ticket and other connected records and attested by the in-charge officer.

613. **Prisoners to be assisted in preferring appeals;**

i. Where the prisoner seeks help to file an appeal or revision petition, every facility for the excise of this right shall be provided to the prisoner by the head of prison. 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;

ii. If a prisoner can write, the District/State Legal committee attached to the Court premises shall prepare his/her appeal petition. The Chief Superintendent or Superintendent of Prison 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.

iii. 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. Returned forms of appeal petitions shall be prepared and used by the law officer or the advocate appointed by the State / District Legal Aid committee as the case may be.

614. **Authentication and admission;**

Every petition for clemency drawn up by a prison officer or by another convict shall be read over, and if acknowledged correct, signed or marked by the prisoner concerned in the presence of the Chie Superintendent or Superintendent of prison or the officer in-charge who shall certify accordingly.

615. **Petitions couched in improper language;**

i. All petitions, memoranda, letters *etc.*, addressed by prisoners confined in prisons to The President or The Prime Minister of India or The Governors of States or other Ministers of the Central or State Government shall be forwarded to the Government by the Chief Superintendent or Superintendent of Prison, through the Director General of Prisons and Correctional Services.

ii. If it is written in discourteous or offensive language or if contains statements which are untrue and which the prisoner refuses to amend or alter, it shall be at the discretion of the Director General of Prisons and Correctional Services to forward any such petition to Government with his/her remarks thereon *i.e.* whether the prisoner is a professional criminal, *etc.*

616. **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 authorised to apply. His/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 Headquarters of the concerned Armed Force for disposal.

617. **Communication of appellate orders;**
On receipt of an order disposing of an appeal, the order shall be communicated to the prisoner concerned in the presence of the Chief Superintendent or Superintendent of Prison 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 head of the prison in which the prisoner is confined.

618. **Petition to Government from prisoners;**

i. There is no objection to prisoner signing and submitting on his own a petition drafted for him by his agent or friend provided that he understand its contents. The in-charge officer is responsible for seeing that the prisoner understands contents before signing it. Every petition from a prisoner must be submitted through the Chief Superintendent or Superintendent of Prison and not through the prisoners agents or friends;

ii. If his relatives or friends wish to petition Government against sentenced passed on him, they may send their petition directly or through Prison authorities;

iii. No petition from a prisoner will be considered by the State Government or forwarded to the President of India or Supreme Court, unless signed by the prisoner and submitted through the head of the prison.

619. **Special leave to appeal;**

i. The procedure governing the submission of petitions of special leave to appeal is contained in Rules 1, 2, 3 and 4 of Order XIII and Rules 1 and 4 of Order XVIII read with Rule 2 of Order XXI of the Supreme Court Rules of 1950.

ii. The Chief Superintendent or Superintendent of Prison shall communicate a list of eligible prisoners 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 of legal aid and assistance to them;

a) Under-trial prisoners who are old and infirm, including women who

are pregnant or have babies to be nourished or under-trials who have spent more than three months in prisons desires, he/she may interview the prisoner with regard to these matters;

b) 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 under Section 432(5)(a) and 433 of Cr.PC for power to suspend or remit or commute sentences by the appropriate Government. Such petitions may be presented through Officer-in-charge of Prison.

620. **Maintenance of appeals register by the in-charge officer;**

i. The in-charge officer shall maintain an appeal register in prescribed manner. He shall cause the register to be placed before the Chief Superintendent or Superintendent of prison 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 Chief Superintendent or Superintendent of Prison or this would include dates on which requisition for judgment copy is sent, the date of the receipt of judgment copy; the date of delivery of the judgment copy to the prisoner or other nominated party, and date of receipt of appeal from the prisoner;

ii. The in-charge officer shall ensure that there is no delay in the process of disposing of appeals/petitions. After forwarding the appeals/petitions, the Chief Superintendent / Superintendent of prison shall send reminders to the Clerk/Registrar of the appellate Court.

621. **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 prisoner who shall affix his/her signature or left thumb impression has token of receipt of such notice. The notice shall then be attested by the Chief Superintendent or Superintendent of Prison or in-charge officer and returned to the concerned Court.

622. **Personal appearance of the prisoner in the appellate Court;**
When notice to show-cause why a prisoner's sentence should 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 Chief Superintendent or Superintendent of Prison 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.

CHAPTER - 33

Visitors to Prisons

623. **Board of visitors;**

i. There shall be a Board of visitors for each Prison who are appointed as prescribed under Rules 186 and 187 of The Karnataka Prisons Rules, 1974;

ii. The Board shall consist of.–

a) Ex-Official Visitors;

b) Visitors appointed by Government;

iii. The Board of visitors shall comprise the following official Members for Central Prisons and District Prisons;

a) The District Deputy Commissioner - Chairman;

b) The District Sessions Judge;

c) The District Superintendent of Police;

d) The Director of Public Instruction or his Nominee;

e) The Director of Health and Family Welfare officer;

f) The Chief Medical Officer or Medical officer of the prison;

g) The Superintendent of Engineer or District PWD Executive engineer;

h) The District Education Officer (DDPI) dealing with literacy Programmes;

i) The District Social welfare Officer;

j) The District Employment Officer;

k) The District Agricultural Officer;

l) The District Industrial Officer;

m) The District Surgeon;

n) Concerned Prisons Chief Superintendent or Superintendent of Prison;

iv. The concerned Deputy Commissioner shall be the chairman of the board of visitors and shall convene meeting of the board of visitors once in a every quarter during the month of January, April, July and October;

v. The non-official visitors to the central and district prison shall be.–

a) The Mayor of the Municipal Corporation or the President of Municipality;

b) Three Members of the Legislative Assembly of the State from the district in which prison jurisdiction;

c) Six persons to be nominated by the Government of which.–

1 A nominee of the State Human Rights Commission;

2 atleast not less than two woman members;
3 Other members shall be from various field;

vi. District Visitors Board for the Central Prisons or District Prisons shall be act as a Board of visitors for the respective taluka prisons comes under the jurisdiction of the concerned district.

624. **Appointment of Non-official visitors;**

i. The Government may, on the recommendation of the Deputy Commissioner of the District in which the prison is situated, appoint non-official visitors for the prisons;

ii. The appointment of non-official visitors shall be made for a term of two years, from the date of his appointment to the board;

iii. All appointments made under this rule shall be notified in Gazette and members are eligible for reappoint;

iv. State Government retains the right to cancel appointment of any non-official visitor at any time;

v. 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.

625. **The task of the board of visitors;**

The task of the board of visitors shall include;-

i. Monitoring the correctional work in prisons, with special attention to the degree and quality of training and the effectiveness of infrastructure/ facilities in the prisons;

ii. Suggesting new avenues leading to improvement in correctional work;

iii. Going into individual or collective grievances of prisoners and providing redressal in consultation with the prison authorities;

iv. The board of visitors shall meet in the office of the Chief Superintendent or Superintendent of Prison atleast once in every quarter;

v. The minutes of every meeting of the board of visitors shall be recorded in the visitors' minute book, and the same shall be forwarded to the Director General of Prisons and Correctional Services with comments of the Chief Superintendent or Superintendent of Prison. A copy of the minutes shall also be dispatched to every member of the board of visitors.

vi. When a non-official member of the board of visitors visits a prison he shall be accompanied by atleast one more member (official or non-

official). The chairman of the board of visitors shall make a monthly roster of visits to be made by the members of the board to the prison, in consultation with the Chief Superintendent or Superintendent of Prison;

vii. The roster shall be made in such a manner as will envisage atleast one visit by a member in every month;

viii. Every non-official visitor is expected to interest himself in the upkeep of prisoners and visit the prison of which he is a visitor, once a month or often, if possible. Intimation of the intended visit need not be given;

ix. During visits the 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 prison well within sight of a prison 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 Chief Superintendent or Superintendent of Prison;

x. Any observations/comments made in the visitors' minute book, by any member of the Board, shall be forthwith brought to the notice of the Director General of Prisons and Correctional Services by the Chief Superintendent or Superintendent of Prison, 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;

xi. The members of the board of visitors shall specially attend to the quality and quantity of prison diet, condition of the kitchen and hospital, availability of medicines, hospital management, medical treatment of the prisoners, sanitary arrangements, aspects of vocational training, literacy program and library facility for the prisoners;

xii. The Chief Superintendent or Superintendent of Prison shall present before the visiting member/members of the board of visitors any paper/document pertaining to correctional work, recreation and training of prisoners, prison diet/medicines, grievances of prisoners and follow redressal of such grievance, if it is sought by a visiting member of the board;

xiii. The Chief Superintendent or Superintendent of Prison 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 Director General of Prisons and Correctional Services;

xiv. The Chief Superintendent or Superintendent of Prison 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 prison staff complained against;

xv. Following any such visits by member/members of the board of visitors, the Head of Prison shall inform the Director General of Prisons and Correctional Services regarding the details of the visit;

xvi. For the purpose of a meeting of the board of visitors one official visitor and two non-official visitors shall form a quorum;

626. **Time of Visit;**

Except for special reasons, which shall be recorded in the visitors book, No visitor shall inspect any prison;

i. On Sundays and Prison holiday;

ii. Between the hours of 6.00 p.m. and 8.00 a.m.

627. **Visitors list at the gate;**

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

628. **Escort to visitors and their visit;**

i. Immediately a visitor enters the main gate of the Prisons, the gate keeper shall arrange for providing escort to the visitors. No visitor shall be allowed to proceed further unless such escort is provided;

ii. Such escorts shall consist of (at the discretion of the Chief Superintendent or Superintendent of prison) one or more prison guards each armed with a baton provided for his use and shall accompany the visitor throughout his inspection.

629. **Powers and duties of Board of visitors;**

It is the duty of a visitor to satisfy himself that the law and rules relating to the management of the prison and prisoners are duty carried out in the Prisons, He/she may;

i. inspect the barracks, cells, wards work sheds and other buildings of the prison generally;

ii. ascertain.–

1 Whether consideration of health, cleanliness and security are attended

to;

2 Whether proper management and discipline are maintained in every respect;

3 Whether any person is illegally detained or is detained for an undue length of time in the prison while awaiting trial;

iii. Examine.–

a. The registers of convicted, under trial prisoners and also other registers except secret records and records pertaining to account.

b. The punishment book;

c. The cooked food;

iv. Hear and attend to all representations and petitions made by or behalf of prisoners;

v. He/She may if deemed advisable that any representation or petition presented to them may be forwarded to Government;

vi. Record his remarks after his visit in the visitors register noting the date and hours of visit;

vii. Visitors shall not visit prisoners on hunger strike. They shall also not have access to such prisoners as Government may from time to time specify. In such cases Government may appoint any person or persons as visitors. Government will issue instructions for the guidance of such visitors;

viii. No visitor may issue any order or instructions to any prison officer;

ix. A visitor shall sign in the gate Registers on arrival and departure;

x. Any visitor may see and question any prisoner out of hearing but not out of sight of a Prison officer;

xi. The board of visiting committee shall meet at the Prison every quarter at the date and time fixed by the chairman, inspect all buildings and prisoners, hear any complaints and petitions that may be preferred, inspect the prisoners food and see that it is of good quality and properly cooked and examine the punishment book;

xii. The board of visitors of a Prison may visit the women portion of the Prison collectively;

xiii. Proceedings of the board shall be recorded in the visitor's book;

630. **Suggestions made by the visitor;**

i. Any remarks made by a visitor under the preceding section should be limited to a statement and fair assessment of actual facts, which may come to his knowledge, and to such suggestions, as he may desire the

Chief Superintendent or Superintendent of prison or Director General of Prisons and Correctional Services to consider.

ii. Assessment should be confined to such aspects of the ordinary administration and management of the prison which, in the opinion of the visitor, can be improved.

iii. On no account the visitor should directly or indirectly reflect, either favorably or adversely, on the character or conduct of any of the prison staff. If the visitor wants to bring to notice the good or bad work of any prison official he should do so by a letter addressed to the Director General of Prisons and Correctional Services;

iv. The Director General of Prisons and Correctional Services may pass orders on any remarks made by a visitor, and shall, if any issue of importance requiring the orders of the Government, forward such record to the State Government;

v. A copy of any order passed by the Director General of Prisons and Correctional Services or by the State Government on any record made by a visitor shall be communicated to the visitor concerned through the Chief Superintendent/ Superintendent of prison;

vi. The visitors should record their remarks in the visitors' book after every visit. A copy of these remarks shall be forwarded to Director General of Prisons and Correctional Services who should pass such orders as he think necessary. A copy of the DG of Prison's order should be sent to the visitor concerned;

vii. All visitors shall be afforded every facility for observing the state of the prison and the management thereof, and shall be allowed access, under proper regulations, to all parts of the prison and every prisoner confined therein. They shall ordinarily not visit high security areas unless the instructions in this behalf are given by the Director General of Prisons and Correctional Services;

viii. Every visitor should have the power to call for and inspect any book, or other record, in the prison unless the Chief Superintendent or Superintendent of prison, for reasons to be recorded in writing, declines on the grounds that its production is undesirable. Similarly every visitor should have the right to see any prisoner and to put any question to him out of hearing of any prison officer;

ix. It shall be the duty of the Board of visitors to visit all the Prisons.

631. **Record of inspection;**

i. A record of the result of each visit and inspection made shall be made in a register to be maintained by the Chief Superintendent or Superintendent of Prison for this purpose;

ii. Every visitor shall, after he has completed his visit to the prison, 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;

iii. A copy of the remarks made by every visitor, together with Chief Superintendent or Superintendent of prison reply there to, or the action taken by the Chief Superintendent or Superintendent of Prison thereon, shall be forwarded to the Director General of Prisons and Correctional Services. In case the remarks relate to the long detention of an under-trial prisoner, a copy of such remark shall also be forwarded to the Principal District Sessions Judge.

632. **Admission of police officers and the interrogation of prisoners by them;**

i. Any police officer of not rank lower than the Deputy Superintendent of Police shall for any purpose connected with the discharge of duty as such Police Officer, be permitted enter the prison at any time between unlocking in the morning and lock-up in the evening.

ii. He shall not be permitted to investigate any prisoner under Cr.PC., without an order in writing from the concerned Magistrate or a Deputy Inspector General of Police or the Commissioner of Police, addressed to the Chief Superintendent or Superintendent of the Prison. Such officer may, however, take Inspectors or Sub-Inspectors with him for assistance, with the provision that the interview must take place in the presence of the Prison officer;

iii. Police officers of not rank lower than the Deputy Superintendent of Police who are in uniform shall be permitted to enter the Prison for the purpose of recognizing old offenders or for conducting operations for the identification of prisoners during working hours on any week day. The officer shall produce a written authority either from the district Superintendent of police or the commissioner of police;

iv. No police officer shall be permitted to interview any prisoner except as provided in this rule;

v. The Chief Superintendent or Superintendent of the Prison shall for the purpose of this Rule, produce any prisoner in his charge whom the

police are authorized to interview and shall afford every reason able facilities for this purpose;

vi. On the consent of the Chief Superintendent or Superintendent of the prisons, the Police may enter the Prison in the case of emergency incidents inside the Prison.

633. **Officers of Public Works Department (PWD) and Karnataka State Police Housing and Infrastructure Development Corporation Limited (KSPH & IDCL)**

The Executive Engineer, the Assistant Engineer and employees of PWD, KSPH & IDCL and other Departments/ Government Agencies during business hours shall have access to the Prison to the extent necessary for purposes connected with the discharge of the official duties.

634. **Visit to Prisons by Army Officers;**

An officer or officers of the Army of any branch, not below the rank of a Major, is allowed to visit the prisons where the Ex-army prisoners are lodged.

CHAPTER - 34

Parole

635. **Statutory Provision;**

i. Section 55 of the Karnataka Prisons Act, 1963 and Rule 191 of the Karnataka Prisons Rules, 1974 confers on State Government or any authority empowered by it the power to release prisoners temporarily;

ii. General Parole and Emergency Parole to inmates are progressive measures of correctional services. The release of a prisoner on leave not only saves him from the evils of incarceration but also enables him to maintain social relations with his family and the community.

iii. It also helps him to maintain and develop a sense of self-confidence. Continued contacts with family and the community sustain in him a hope for life.

iv. The provisions for grant of parole should be liberalized to help a prisoner to maintain a harmonious relationship with his family. The privilege of parole should, of course, be allowed to selective prisoners on the basis of well- defined norms of eligibility;

v. General and Emergency Parole cannot be claimed as a matter of right but it is a concession granted to the convicted prisoner;

vi. Director General of Prisons and Correctional Services reserves the right to debar or withdraw any prisoner or category of prisoners from the concession of any parole.

vii. The expense of journey to and from his place of stay for general parole or emergency parole shall be borne by the prisoner concerned;

viii. The period spent on general parole or emergency parole shall not count as sentence;

ix. The prisoner will be liable and recalled immediately to prison in case he violates any of the conditions by the Director General of Prisons and Correctional Services;

x. A register and separate file shall be maintained in Prison;

xi. A person can give surety for two or more prisoners.

636. **Objectives of Parole;**

i. To enable the inmate to maintain continuity with his family life and deal with family matters and settlement of life after release;

ii. To enable him to maintain and develop his self-confidence, constructive hope and active interest in life;

iii. Agricultural operations like sowing and harvesting;
iv. To make arrangements for admission of children in school/college/ technical education;
v. Construction and repair of home;
vi. To make arrangement or to participate in the family marriage;
vii. To save him from the evil effects of continuous long prison life;
viii. To help him remain in touch with the developments in the outside world;
ix. To enable him to overcome/recover from the stress and evil effects of incarceration;
x. To motivate him to maintain good conduct and discipline in the prison.
xi. To provide suitable option to woman prisoner to give birth to Child outside the Prison; if required.
xii. Any other extraordinary reasons on discretion of the head of the institution;

637. **Kinds of Parole;**
Parole shall be of two kinds.–
i. General Parole
ii. Emergency Parole.

638. **General Parole;**
General parole shall be granted subject to the conditions specified under provisions.
i. Eligibility for General Parole:
a) A prisoner who has been classified as habitual criminal for the purpose of these rules and who has had more than three conviction or against whom case / cases are pending before Courts for offences punishable with death or imprisonment for more than 7 years shall not be eligible for general parole;
b) At the time of release on parole the prisoner must have served one half of his sentence including remission, or a period of not less than two years of sentence including remission and includes under trial period, whichever is less;
c) There should be a gap of six months between two general paroles after surrender date of previous parole;
d) His conduct in prison has been good;

e) A prisoner who fails to return to the prison after general parole on the due date shall not be eligible for sanction of general parole in future period of imprisonment unless regularised by Director General of Prisons and Correctional Services for such unauthorized period.

ii. Procedure for the general Parole:

a) A Prisoner who desires to be released on general Parole shall submit his application in triplicate in Form No. IX to the concerned Head of the Prison;

b) After receiving the Parole application from the Prisoner, the concerned Chief Superintendent/Superintendent of Prison shall obtain report from Commissioner of Police / District Superintendent of Police where residence referred in his/her parole application;

c) The Chief Superintendent or Superintendent of Prison shall obtain the report from the concerned Commissioner of Police or Superintendent of Police, if no such report is obtained within 15 days, the Chief Superintendent or Superintendent of Prison along with his remarks shall forward prisoner's parole application to Director General of Prisons and Correctional Services for consideration of general Parole;

d) The Chief Superintendent or Superintendent of Prison after obtaining the report from the concerned Commissioner of Police and Superintendent of Police within 15 days, with adverse report not to release the prisoner on general parole. The Chief Superintendent or Superintendent of Prison shall forward prisoner's parole application along with nominal roll, details of prisoner, nature of work, wages earned, remission and behavior of the prisoner to the Director General of Prisons and Correctional Services for sanctioning/rejection of parole;

e) Prisoner shall deposit an amount of Rs.1,000/- (Rupees One thousand only) in cash and giving an undertaking before head of the prison institution on stamp paper of Rs.50/- value in Form X(A) that he will return to the prison before the expiry of the period of his general parole and that he will maintain good conduct during the period of parole release and he shall not associate with any bad elements or commit any offence punishable by any law. He shall also notify the place where he intends to reside during the period of general parole release;

f) One satisfactory surety for a sum of Rs.1,000/- (Rupees One thousand only) and giving an undertaking before head of the prison on stamp

paper of Rs. 50/- value in Form X, that prisoner will surrender to the prison on or before expiry of the Parole Leave;

g) In lieu of surety he shall deposit an amount of Rs.3000/- (Rupees Three thousand only) in cash giving under taking of return to the prison before the expiry of the period;

h) Before releasing the prisoner on general parole, the concerned head of institution shall get all the particulars of the concerned prisoner, including the names and addresses of his family members, their phone numbers along with valid identification card for his/her identity like Aadhar Card, Election Card (EPIC)*etc.*;

i) The release and surrender report shall be submitted by Chief Superintendent/ Superintendent of Prison to the Director General of Prisons and Correctional Services and a copy thereof sent to Executive Magistrate, Superintendent of Police/ Commissioner of police and concerned Court;

639. **Failure to surrender in time;**

i. If a prisoner released on general parole fails to surrender on completion of the parole period, the concerned Prison Head shall immediately file a criminal case against the prisoner and the surety holders in the police station, in whose jurisdiction the Prison is located. Further, action shall also be initiated against the prisoner under Karnataka Prisons Act, 1963. Copy of the same shall be forwarded to concerned Courts, Chief Judicial Magistrate, Director General of Prisons and Correctional Services, Commissioner of Police and Superintendent of Police concerned;

ii. In such cases, parole surety amount deposited by the prisoner and as well as by the sureties shall be forfeited unless regularized by the Director General of Prisons and Correctional Services for such unauthorized period. On conviction he is liable for punishment with imprisonment as per law in time.

640. **Maximum Period of General Parole and authority to grant general parole;**

i. General Parole shall be granted to the convict prisoner initially for a period of not exceeding 30 days which may be extended up to another 60 days but not exceeding total period of 90 days;

ii. Director General of Prisons and Correctional Services should be competent authority to grant the General Parole.

641. **The following categories of prisoners shall not be eligible for release on General Parole;**

i. Prisoner sentenced to till death or death;

ii. A prisoner who has been classified as habitual criminal for the purpose of these rules and who has had more than three conviction or against whom case / cases are pending before the Courts shall not be eligible for the parole;

iii. Prisoners convicted for the offence such as terrorism, NDPS Act, under Foreigners Act, serious prison violence like assault, outbreak, riot, mutiny, escape;

iv. The offence against any law relating matters to the executive powers of the Union Government extends unless approved by the Union Government.

v. any cases pending in any trial Court;

vi. A prisoner who fails to return to the prison after the general or emergency parole within the due date and time shall not be eligible for sanction of General parole in future period of imprisonment and unless regularized by Director General of Prisons and Correctional Services for such unauthorized period.

642. **Extension of Parole;**

If a prisoner released on general parole wants extension of the period he may apply before 10 days to the concerned Head of the Institution. If orders authorizing the extensions are not received before the expiry of parole release, the prisoner shall report back to the prison.

643. **Emergency Parole;**

i. Eligibility for emergency parole;

a) Death or Serious illness of his/her grandfather/grandmother/ father/ mother/spouse/own son/own daughter/own grandson/own granddaughter/ own brother/own sister;

b) Marriage of own son/daughter/brother/sister/grandson/granddaughter

c) If any convict prisoner under category of non eligibility of emergency parole mentioned under this rule shall be eligible for emergency parole only on the grounds of death of his/her grandfather/ grandmother/father/mother/spouse/own son/daughter/grandson/ granddaughter/brother/sisters.

d) Such a Convict prisoner shall be sent under police escort to attend the funeral last riots of the deceased and he/she has to return back to the

prison, the expenditure for the police escort shall be borne by the prisoner as per the prevailing rules;

e) A prisoner who fails to return the prison after the emergency parole on due date shall not be eligible for sanction of emergency parole in future period of the imprisonment, unless regularized by the Director General of Prisons and Correctional Services;

f) The number of releases allowed for visiting an ailing next of kin shall be limited to one in respect of the same next of kin;

g) His conduct in prison has been good.

644. **Maximum period and Authority to grant Emergency Parole;** Emergency parole shall be granted up to maximum period of 15 (Fifteen) days at a time by concerned Chief Superintendent or Superintendent of prison.

645. **Procedure for the Emergency Parole;**

i. A prisoner who desires to be released on emergency parole shall submit his application in Form No. XI in triplicate to the concerned Chief Superintendent or Superintendent of Prison;

ii. Each such application for emergency parole shall be accompanied by the certificate/report issued by the concerned jurisdictional native police station/Village Panchayat Office/Village Revenue Office/Head Master or Teacher of Government School/Elected representative of Gramapanchayat/Taluke/Zilla panchayat of concerned constituency regarding death or serious illness or marriage and the type of relationship with the prisoner;

iii. The concerned Chief Superintendent or Superintendent of Prison shall verify and send to concerned Police Station as well as Commissioner of Police / Superintendent of Police to know genuineness of certificates and obtain the report from the police station and Commissioner of Police / Superintendent of Police through wireless /e-mail or any other means of communication;

iv. If no report is obtained from the concerned police station, the concerned Chief Superintendent or Superintendent of Prison shall obtain geniuses of the certificate over telephone from the concerned police station in order to satisfy himself regarding the truth or otherwise, the grounds made out by a prisoner for his release on emergency parole;

v. Prisoner shall deposit an amount of Rs. 1,000/- (Rupees One thousand only) in cash and give an undertaking before head of the prison

institution on stamp paper value of Rs. 50/- in form X(A) that he will return to the Prison before the expiry of the period of his Emergency Parole and that he will maintain good conduct during the period of parole release and he shall not associate with any bad elements or commit any offence punishable by any law. He shall also notify the place where he intends to reside during the period of emergency parole release;

vi. One satisfactory surety for a sum of Rs.1,000/- (Rupees One thousand only) each and giving an undertaking before head of the prison institution on stamp paper value of Rs.50/- in Form X, that prisoner will be surrender to the prison on before expiry of the Parole Leave. In lieu of surety he shall deposit an amount of Rs.3000/- (Rupees Three thousand only) in cash giving under taking of return to the prison before the expiry of the period;

vii. Before releasing the prisoner on Emergency Parole, the concerned head of institution shall get all the particulars of the concerned prisoner, including the names and addresses of his family members, their phone numbers along with valid identification card for his/her identity like Aadhaar card, election card (EPIC) *etc.*;

viii. The release and surrender report shall be submitted by Chief Superintendent or Superintendent of Prison to the Director General of Prisons and Correctional Services and a copy thereof sent to Executive Magistrate, Commissioner of police, Superintendent of Police and concerned Courts;

646. **The following categories of prisoners shall not be eligible for release on emergency parole;**

i. Prisoner sentenced to till death or death;

ii. Prisoners convicted for the offence such as Dacoity, terrorism, kidnapping, smuggling, NDPS Act, under Foreigners Act, serious prison violence like assault, outbreak, riot, mutiny, escape and offence against any law relating matters to the executive powers of the Union Government extends unless approved by the Union Government;

iii. Other cases pending in any trial Court;

iv. If the prisoner in question is a habitual criminal or if he was convicted for offences mentioned in Chapters VI, VII and XV of the Indian Penal Code;

v. Offence under Chapter VI, VII and XV of IPC;

vi. However any convict prisoner under category of non eligibility of

emergency parole mentioned under this rule shall be eligible for emergency parole only on the grounds of death of his/her grandfather/grandmother/father/mother/spouse/ownson/daughter/grandson/granddaughter/brother/sisters.

vii. They shall be sent under police escort to attend the funeral last riots of the deceased and he/she has to return back to the prison, the expenditure for the police escort shall be borne by the prisoner as per the prevailing rules.

647. **Failure to surrender in time;**

i. If a prisoner released on emergency parole fails to surrender on completion of the parole period, the concerned Prison Head shall immediately file a criminal case against the prisoner and the surety holders in the police station, in whose jurisdiction the Prison is located. Further, action shall also be initiated against the prisoner under Karnataka Prisons Act, 1963. Copy of the same shall forwarded to concerned Courts, Chief Judicial Magistrate, Director General of Prisons and Correctional Services, Commissioner of Police, Superintendent of Police and concerned police station concerned;

ii. In such cases, parole surety amount deposited by the prisoner and as well as by the sureties shall be forfeited unless regularized by the Director General of Prisons and Correctional Services for such unauthorized period. On conviction he is liable for punishment with imprisonment as per law.

648. **Exemption from furnishing security;**

Exemption from furnishing the security shall be granted by the Government/Director General of Prisons and Correctional Services in very exceptional and rare cases when the prisoner is unable to furnish the security and the reason for the grant of parole leave is death or serious illness of a near relative, provided the Chief Superintendent or Superintendent of the prisons certifies that the prisoner is of a very good character and he has the full confidence that he would wholly abide by the condition on which he is released on parole.

649. **Parole for Foreign National Prisoners;**

The foreign national prisoner is convicted by the Court and any application on the parole is made, The Prison authorities have take in to the consideration, the conditions enumerated under section 4 of the Foreigners Act, 1946, in addition to the Karnataka Prisons Act, Rules and Manual.

FORMATS
General and Emergency Parole
Government of Karnataka
Prisons and Correctional Services Department

ಅರ್ಜಿ ನಮೂನೆ (IX)

Form No. IX

ಸಾಮಾನ್ಯ ಪೆರೋಲ್ ಅರ್ಜಿ

(General Parole Application)

ಕಾರಾಗೃಹದ ಹೆಸರು: ದಿನಾಂಕ:

Name of the Prison: Date:

1.	ಸಜಾ ಬಂದಿಯ ವಿವರಗಳು Details of Convict Prisoner	a.	ಸಜಾ ಬಂದಿಯ ಹೆಸರು: Name of the Convict Prisoner:	
		b.	ಸಜಾ ಬಂದಿಯ ಸಂಖ್ಯೆ: Convict Prisoner No.:	
		c.	ಬಂದಿಯ ವಯಸ್ಸು: Age of the Prisoner:	
		d.	ವಾಸಸ್ಥಳ ವಿಳಾಸ: Residential Address:	
2.	ಸಜಾ ಬಂದಿಯ ಕುಟುಂಬದ ವಿವರ: Family Details of Convict Prisoner	a.	ಸಜಾ ಬಂದಿಯ ತಂದೆ ಹೆಸರು, ವಿಳಾಸ, ದೂರವಾಣಿ ಸಂಖ್ಯೆ, ಮತದಾರರ ಚೀಟಿ ಸಂಖ್ಯೆ ಅಥವಾ ಆಧಾರ್ ಕಾರ್ಡ್ ಸಂಖ್ಯೆ: Father's Name, address, Telephone/Mobile No., Election ID No./ Aadhaar No.:	
		b.	ಸಜಾ ಬಂದಿಯ ತಾಯಿಯ ಹೆಸರು, ವಿಳಾಸ, ದೂರವಾಣಿ ಸಂಖ್ಯೆ, ಮತದಾರರ ಚೀಟಿ ಸಂಖ್ಯೆ ಅಥವಾ ಆಧಾರ್ ಕಾರ್ಡ್ ಸಂಖ್ಯೆ: Mother's Name, address, Telephone/Mobile No., Election ID No. or Aadhaar No.:	
		c.	ಸಜಾ ಬಂದಿಯ ಸಹೋದರರ ಹೆಸರು, ವಿಳಾಸ, ದೂರವಾಣಿ ಸಂಖ್ಯೆ, ಮತದಾರರ ಚೀಟಿ ಸಂಖ್ಯೆ ಅಥವಾ ಆಧಾರ್ ಕಾರ್ಡ್ ಸಂಖ್ಯೆ: Brothers Name of Prisoner, address, Telephone / Mobile No., Election ID No. or Aadhaar No.:	
		d.	ಸಜಾ ಬಂದಿಯ ಸಹೋದರಿಯರ ಹೆಸರು, ವಿಳಾಸ, ದೂರವಾಣಿ ಸಂಖ್ಯೆ, ಮತದಾರರ ಚೀಟಿ ಸಂಖ್ಯೆ ಅಥವಾ ಆಧಾರ್ ಕಾರ್ಡ್ ಸಂಖ್ಯೆ: Sisters Name of Prisoner, address, Telephone / Mobile No., Election ID No. or Aadhaar No.:	
3.	ಸಜಾ ಬಂದಿಯ ಪ್ರಕರಣದ ವಿವರ: Case details of convict Prisoner	a.	Case No. ಪ್ರಕರಣ ಸಂಖ್ಯೆ:	
		b.	ನ್ಯಾಯಾಲಯ: Court:	
		c.	Details of multiple cases ಹೆಚ್ಚುವರಿ ಪ್ರಕರಣಗಳಿದ್ದಲ್ಲಿ ವಿವರ:	

4.	ಪೆರೋಲ್ ವಿವರ: Details of parole:	a.	ಸಾಮಾನ್ಯ ಪೆರೋಲ್ ಹೋಗಲು ಕಾರಣ: Purpose of General Parole:	
		b.	ಸಾಮಾನ್ಯ ಪೆರೋಲ್ ಮೇಲೆ ಹೋಗುವ ವಿಳಾಸ: Address where prisoner will stay on General parole:	
		c.	ಈ ಹಿಂದಿನ ಸಾಮಾನ್ಯ ಪೆರೋಲ್‌ನಿಂದ ಹಿಂದಿರುಗಿದ ವಿವರ: Date of return from Previous General Parole	
		d.	ಪ್ರಸ್ತುತ ಸಾಮಾನ್ಯ ಪೆರೋಲ್ ಮೇಲೆ ತೆರಳುವ ದಿನಾಂಕ: Date on which prisoner intends to go on General Parole:	

ಸ್ಥಳ:
Place:

ಬಂದಿಯ ಸಹಿ/ಹೆಬ್ಬೆಟ್ಟು ಗುರುತು ದಿನಾಂಕ:
Signature/ Thumb impression of Prisoner

Date:

ಕಾರಾಗೃಹದ ಅಧಿಕಾರಿಗಳ ಪರಿಶೀಲನೆ ವಿವರ

Verification of Prison Authorities

1.	ಸಜಾ ಬಂದಿಯ ಹೆಸರು Name of the Convict Prisoner	
2.	ಸಜಾ ಬಂದಿಯ ಸಂಖ್ಯೆ Convict Prisoner No.	
3.	ಸದರಿ ಬಂದಿಯು ಸಾಮಾನ್ಯ ಪೆರೋಲ್ ಹೋಗಲು ಅರ್ಹನೇ? (ಹೌದು/ಇಲ್ಲ) ಇಲ್ಲವೆಂದಲ್ಲಿ ಕಾರಣ. Whether eligible for General Parole? (Yes/No), If 'No' reasons.	
4.	ಶಿಫಾರಸ್ಸು Recommendation	

ಸ್ಥಳ:
Place:

ಸಂಬಂಧಿಸಿದ ಕಾರಾಗೃಹ ಅಧಿಕಾರಿಯ ಸಹಿ ಮತ್ತು ಪದನಾಮ
Signature and designation of the concerned Prison Officials

ದಿನಾಂಕ:
Date:

Government of Karnataka

Prisons and Correctional Services Department

ಅರ್ಜಿ ನಮೂನೆ (XI)

Form No. XI

ತುರ್ತು ಪೆರೋಲ್ ಅರ್ಜಿ

(Emergency Parole Application)

ಕಾರಾಗೃಹದ ಹೆಸರು: ದಿನಾಂಕ:

Name of the Prison: Date:

1.	ಸಜಾ ಬಂದಿಯ ಹೆಸರು: Name of the Convict Prisoner:	
2.	ಸಜಾ ಬಂದಿಯ ಸಂಖ್ಯೆ: Convict Prisoner No.:	
3.	ವಾಸಸ್ಥಳ ವಿಳಾಸ: Residence Address:	
4.	ಬಂದಿಯ ವಯಸ್ಸು: Age of the Prisoner:	
5.	ಬಂದಿಯ ಪ್ರಕರಣ ಸಂಖ್ಯೆ ಮತ್ತು ಗೌ॥ ನ್ಯಾಯಾಲಯದ ವಿಳಾಸ, ಹೆಚ್ಚುವರಿ ಪ್ರಕರಣಗಳ ವಿವರ. Case No. and address of Hon'ble Court, details of multiple cases.	
6.	ಸಜಾ ಬಂದಿಯ ತಂದೆ ಹಾಗೂ ತಾಯಿಯ ಹೆಸರು, ವಿಳಾಸ ಮತ್ತು ದೂರವಾಣಿ ಸಂಖ್ಯೆ: Prisoner Father and Mother Name, Address and Contact No.:	
7.	ಸಜಾ ಬಂದಿಯ ಸಹೋದರ/ಸಹೋದರಿಯರ ಹೆಸರು, ವಿಳಾಸ ಮತ್ತು ದೂರವಾಣಿ ಸಂಖ್ಯೆ: No. of Brothers/Sisters Names, Address and Contact No.:	
8.	ತುರ್ತು ಪೆರೋಲ್ ಹೋಗಲು ಕಾರಣ: Purpose of Emergency Parole:	
9.	ತುರ್ತು ಪೆರೋಲ್ ಮೇಲೆ ಹೋಗುವ ವಿಳಾಸ: Address of Residence where prisoner stay on Emergency Parole:	
10.	ಈ ಹಿಂದಿನ ತುರ್ತು ಪೆರೋಲ್ ವಿವರ: Details of Previous Emergency Parole:	
11.	ಪ್ರಸ್ತುತ ತುರ್ತು ಪೆರೋಲ್ ಮೇಲೆ ತೆರಳುವ ಮತ್ತು ಹಿಂದಿರುಗುವ ದಿನಾಂಕ: Date on which prisoner intend to go on Emergency Parole:	
12.	ಬಂದಿಯು ಪೊಲೀಸ್ ಬೆಂಗಾವಲಿನಲ್ಲಿ ತುರ್ತು ಪೆರೋಲ್ ಹೋಗಲು ಇಚ್ಛಿಸುವನೆ? (ಹೌದು/ಇಲ್ಲ). (ಕೆಲವು ಪ್ರಕರಣಗಳಲ್ಲಿ ಮಾತ್ರ ಅನ್ವಯಿಸುತ್ತದೆ). Whether Prisoner intend to go on Emergency Parole through police escort (Yes/No) : (Applicable only in certain cases)	

ಸ್ಥಳ:
Place:

ಬಂದಿಯ ಸಹಿ/ಹೆಬ್ಬೆಟ್ಟು ಗುರುತು ದಿನಾಂಕ:
Signature/ Thumb impression of Prisoner

Date:

ಕಾರಾಗೃಹದ ಅಧಿಕಾರಿಗಳ ಪರಿಶೀಲನೆ ವಿವರ

Verification of Prison Authorities

1.	ಸಜಾ ಬಂದಿಯ ಹೆಸರು Name of the Convict Prisoner	
2.	ಸಜಾ ಬಂದಿಯ ಸಂಖ್ಯೆ Convict Prisoner No.	
3.	ಸದರಿ ಬಂದಿಯು ತುರ್ತು ಪೆರೋಲ್ ಹೋಗಲು ಅರ್ಹನೇ? (ಹೌದು/ಇಲ್ಲ) ಇಲ್ಲವೆಂದಲ್ಲಿ ಕಾರಣ. Whether eligible for Emergency Parole? (Yes/No), If 'No' resons.	
4.	ಶಿಫಾರಸ್ಸು Recommendation	

ಸ್ಥಳ:
Place:

ಸಂಬಂಧಿಸಿದ ಕಾರಾಗೃಹ ಅಧಿಕಾರಿಯ ಸಹಿ ಮತ್ತು ಪದನಾಮ
Signature and designation of the concerned Prison Officials

ದಿನಾಂಕ:
Date:

Parole Undertaking by Sureties
Form No.: X
(On Rs. 50 Stamp paper)

I.....S/o.....aged about.....years , Resident of .... and I hereby declare that myself give guarantee to Sri ..... confined at ..... Prison.

I hereby agree to deposit an amount of Rs. ..... In cash and myself give the guarantee that above prisoner will return to the prison before expiry of the Emergency/General parole period, during the period of parole he will maintain good conduct and will not associate with any bad elements or commit any offence punishable under any law during the parole period.
Further, I bind myself to produce the above said prisoner before the concerned prison authorities on or before the expiry of Emergency/general parole period. And also I agree to forfeit my deposit amount and file a criminal case against me as per the existing laws, if the above said prisoner fails to surrender to the prison before completion of the Parole Period.
Dated this ..... day ..... of.....

Signature of the Surety
and Contact No. Aadhaar
Card No./
Election ID card No.
(Xerox Copy must be
enclosed)

Signed by the surety holder before me
Concerned Prison Officer
(Sign and Designation)

Parole Undertaking by Prisoner
Form No.: X(A)

I ..... CTP No. ..... S/o. .....
Resident of .....have been sentenced to undergo imprisonment of .....years under IPC Section .....Whereas the Head of the Prison Institution ..... has recommended to release me on General Parole/Emergency Parole for a period between dated ..... to ..... total number of ..... days.

Hence, I hereby agree to deposit an amount of Rs. ..... in cash. Further I will maintain good conduct and will not associate with any bad elements or commit any offence punishable by any law during the parole period.

I intend to reside at ..... during the period of General Parole/Emergency Parole.
I bind myself to comply with all the aforesaid conditions during Emergency/General Parole and if in case of any failure to surrender before completion of Parole period. I agree to forfeit my deposit amount and file a criminal case against me as per the existing laws.
Dated this ..... day ..... of .....

Signature/Thumb impression
of Prisoner

Signed by the prisoner before me
Concerned Prison Officer
(Sign and Designation)

CHAPTER - 35
Emergencies in Prison

650. **Statutory Provision;**

i. Under Section 14 of The Karnataka Prisons Act, 1963, on the death of any prisoner, the Medical Officer shall record certain particulars so far as they can be ascertained, in a register and send to the Director General of Prisons and Correctional Services, the particulars recorded and also the nearest relatives of the deceased prisoner be informed of the death and details;

ii. Under Section 16 of The Karnataka Prisons Act, 1963, the in-charge officer should bring immediate notice of death of the Prisoner to the Chief Superintendent or Superintendent of Prison and the Medical Officer;

iii. Precaution against the Prisoners with apparently suicidal tendencies shall be carefully watched and not left alone in a cell.

651. **Custody of articles used for suicide;**

i. Guidelines of Hon'ble National Human Rights Commission (NHRC) on "Prevention of suicides in Prisons" shall be implemented in letter and spirit by the Chief Superintendent / Superintendent of Prison.

ii. Knives and tools used in work sheds, equipment used by barbers or tailors or any other tools shall be counted and locked by the prison staff every day. Ropes used for wells or otherwise 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 pieces of glass/wires/blades/sharp objects *etc.*, which can be used for suicidal purposes are left abandoned in the prison premises.

652. **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.

653. **Precaution against drowning;**

i. A strong rope and grappling irons shall be kept in the guard room of every prison, to be at hand in case of report of accidents in wells;

ii. When prisoners are employed in work of dangerous nature, it shall be the duty of the officer conducting the work to take every reasonable precaution to guard against accidents.

654. **Procedure when unnatural death occurs;**

i. Whenever a sudden or violent death or suicide takes place in a prison, immediate information shall be sent to the Chief Superintendent or Superintendent of prison or in-charge officer and the Medical Officer. The body shall be left untouched in the position in which it was found for inspection by these officers. If there are chances that the person is still alive, measures shall be taken at once for the prisoner's first-aid and treatment;

ii. 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 ground. All measures shall be taken to restore consciousness, without waiting for assistance, which however shall be called for without delay. In all event of death, the procedures laid down on death should be followed.

655. **Intimation of death of a Prisoner;**

i. On the occurrence of a sudden or violent death or a death from suicide or whenever there is any doubt or complaint or question concerning the cause of death of any prisoner. The Chief Superintendent or Superintendent of Prison and In-charge officer shall give immediate information for the following.–

a) Intimation to the concerned Commissioner of Police / Superintendent of Police,
b) Intimation to the concerned jurisdictional police station,
c) Intimation to the concerned range Deputy Inspector General of Prison,
d) Intimation to the Director General of Prison,
e) Intimation to Concerned Hon'ble Courts.
f) Intimation to deceased family,
g) Intimation to State Human Rights Commission,
h) Intimation to the State Government.

ii. The body of the deceased prisoner shall be kept for the inspection in the mortuary in the Government hospital and for video graphing of the inquest and Post Mortem is compulsory.

656. **Action regarding accidents;**
In the event of an accident resulting in an injury to a prisoner or a member of the staff on duty;

i. Medical attention to the injured should be taken and;
ii. Inquiry should he immediately held and statements of the injured prisoner or member of staff and other witnesses should be recorded.

657. **Report by Chief Superintendent or Superintendent of Prison;**
In case of every death from other than natural causes, a post mortem examination of the body shall be made by the Medical Officer and full report of the circumstances of the death shall be made by the Head of Prison without delay to the Director General of Prisons and Correctional Services and range DIG of Prisons. With this report shall be submitted the reports made by the Police and Magistrate, the nominal roll, copies of judgments, the report required under Section 14 of The Karnataka Prisons Act, 1963, and the deposition of witnesses for submission to Government.

658. **Medical Officer to report cases of death to the Head of Prison;**
The Medical Officer shall report to the Head of Prison about the happening of the natural death of a prisoner and see that the body is decently removed to the mortuary.

659. **Record to be maintained by the Medical Officer;**
In every case of illness which ends fatally, the Medical Officer shall see the body of the prisoner and shall record in the hospital register the following particulars.–

i. The day on which the deceased first complained of illness or was observed to be ill;
ii. The labour on which he was engaged on that day if any;
iii. The scale of his diet on that day;
iv. The day on which he was admitted to the hospital;
v. The day on which the Medical Officer was first informed of his illness;
vi. The nature of disease;
vii. When was the deceased last seen before his death by the Medical Officer;
viii. When actually the prisoner died;
ix. In case where a post mortem examination is made, an account of the appearances after death, giving all details required for a correct diagnosis of the disease and to any special remark that appear to the

medical officer to be required.

660. **Prevention of fire;**

i. All Prisons in the state must have required modern fire fighting equipments to ensure that till the Fire Brigadier arrives for containment of fire can be done by using of fighting equipments.

ii. Special care should be taken while using kerosene, gas lights and other fuels in any office or store room. Even in the maintenance of electric lights, any leakage shall be immediately brought to the notice of the in-charge officer and rectified without delay;

iii. 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;

iv. Fire shall be used in the workshops in properly constructed fireplaces and the senior officer, who locks up, 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;

v. There shall be fire hydrants and firefighting equipment (sand and water buckets) in all parts of the prison, and especially at all vulnerable points decided in consultation with the District Fire Officer;

vi. Steps shall be taken to ensure that fire does not spread to other parts of the prison and the lives of prisoners and of members of the staff are not endangered;

vii. In the event of an injury to a prisoner, or staff on duty, result 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 staff and other witnesses shall be recorded;

viii. In the event of fire breaking out in the prison by day or night the alarm shall be given;

ix. Each Head of Prison shall draw up instructions on fire safety and the drill to be adopted in his prison, showing the respective duties of all members of the prison establishment on an alarm of fire being given. He shall make the staff rehearse of fire drill at least once in four months. This would include fire fighting safety measures and evacuation techniques;

x. 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;

xi. 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 should be allowed near the gas room until the fire is completely quelled;

xii. Electric installations in the prison shall be inspected at regular intervals;

xiii. In extramural camps and open institutions, precautions such as provision of a large supply of water and firefighting equipment shall be kept ready at hand;

xiv. In the event of a fire immediate information to fire brigade shall 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 prison by day or night, the alarm shall be sounded.

661. **Precautions against fire;**

When prisoners are encamped in huts of inflammable material, every precaution shall be taken against fire. No lights shall be allowed inside the huts, but the camp shall be lighted by closed street lanterns only. An adequate number of buckets of water shall be maintained in the camp, and fire hooks shall be kept in readiness in case of need. The measures to be taken on the occurrence of fire shall be pre-arranged and all the drilled and instructed in them.

EPIDEMICS

662. **Epidemics and precautions against them;**

When an epidemic is present in the vicinity of a prison, communication between the staff and the infected locality shall be as far as possible, prevented and special care shall be taken to prevent the epidemics.

663. **Removal to a segregation shed;**

i. Every prison shall be provided with a permanent segregation shed outside the prison walls. On the occurrence of an case or a suspected case of any infectious disease.

ii. 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 prison or communicate with other prisoners until all risk of infection is over. If possible, the prisoners shall be removed to a specialized hospital outside the prison.

iii. The Chief Superintendent and Superintendent of Prisons in each Prison shall ensure that the prisoners suffering from Tuberculosis and

other infectious diseases are kept in isolation centers to prevent spreading of infection to other inmates of the prison and also insure that such prisoners are shifted to health care centers or designated hospitals which provide treatment for Tuberculosis and other infectious diseases.

iv. It is to be ensured that necessary health screening of new inmates to the prison is done effectively to avoid possible spread of infections in the Prisons.

664. **Treatment of prisoners after contact with infection;**
All prisoners employed in cleaning of 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.

665. **Prison staff clothing, if infected;**
If there is any reason to think that the clothing of any prison staff is likely to have been polluted by any infections, it shall be at once withdrawn from use and disinfected.

666. **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.

667. **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, prison personnel and members of their families.

668. **Accommodation of patients;**
Overcrowding must be strictly avoided both in the hospital as well as in every cell, ward and barrack. If the epidemic is severe then it may be desirable 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 in the prison shall also treat separately and not admitted to the hospital until the characteristic symptoms disappeared.

669. **Sterilization of drinking water or RO Water plant;**
On the recommendation of the Medical Officer drinking water shall be

thoroughly boiled. Care shall also be taken to ensure that sufficient appliances for supply of water through over head tank shall be cleaned at least every 3 months, RO Water Plants to be installed in all prisons for drinking and cooking purpose.

670. **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 watchman shall be required to report any sign of sickness at once. A prisoner visiting the rest room more often than usual shall be placed under observation.

671. **Treatment of hospital floor;**
The floor of the segregation hospital shall be washed and properly sanitized.

672. **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 within the prison walls.

673. **Treatment of clothing and bedding;**
The clothing and bedding of the inmates shall be sanitized and return to them after they have bathed.

674. **Disposal of a infected corpse;**
The body of a person who has died of an infectious disease shall be dealt by rules of the Government without any delay.

675. **Report to Director General of Prisons and Correctional Services;**
The first occurrence of any infectious disease shall be at once reported to the Director General of Prisons and Correctional Services, which shall be followed by a written report on the same day stating the circumstances of the case and the measures taken to prevent the progress of the disease.

676. **Daily report during epidemic;**
Whenever an epidemic prevails in a prison, a daily report shall be furnished to the Director General of Prisons and Correctional Services. In this report the Medical Officer shall briefly note the progress of the epidemic, the measures he is taking to arrest it and any other information he may consider of importance. A copy of this report shall also be sent to the Director of Health and Family welfare Department.

677. **When epidemics is present in a city/district;**

If any epidemic disease in present in a city/district care shall be taken that all prisoners received from such a region are carefully examined and made to wash themselves and their clothing thoroughly disinfected on admission into prison. They shall be rigorously segregated for a period of not less than fifteen days in such manner as the medical officer may deem fit. The assistance of district authorities shall be availed with a view to prisoners being admitted sufficiently early in the day to allow washing and disinfection the same day.

HUNGER STRIKES

678. **Procedure to be followed in cases of hunger strikes;**

i. 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 prison punishment or to prosecution;

ii. After sufficient warning and before refusal to take food has adversely affected them, and if any other punishment appears unlikely to deter them, they may be prosecuted.

iii. 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 vakalathnama shall be executed by the prisoners in favour of the member of the legal profession and only that member shall be permitted to interview the prisoner in this regard;

iv. In the event of mass hunger strike by the prisoners, the Chief Superintendent or Superintendent of Prison shall permit reasonable number of members of the legal profession to interview the prisoners. For easy identification, the members of the legal profession should be in their formal lawyers dress and give requisition for interview on their letter-head.

v. If a mass hunger strike amounts to mutiny, the prisoners shall be isolated from each other, and from other prisoners, as far as possible;

679. **Forcible feeding of prisoners on hunger strike;**

It is the duty of the prison 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. Forcible 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.

680. **Daily report to the Government;**
The Medical Officer shall furnish daily reports to the Chief Superintendent or Superintendent of Prison on the health of the prisoner who is on a hunger strike and he in turn shall send it to the Director General of Prisons and Correctional Services.

681. **Overcrowding;**
Overcrowding shall be reported to the Director General of Prisons and Correctional Services. If a prison becomes overcrowded, the Chief Superintendent or Superintendent of Prison shall take suitable action for accommodating all the prisoners properly duly reporting the circumstances leading to overcrowding to the Director General of Prisons and Correctional Services.

682. **Measures to relieve overcrowding;**
As soon as prisoners in excess of the available accommodation are received in any prison or hospital, the Chief Superintendent or Superintendent of Prison shall submit a report to the Director General of Prisons and Correctional Services 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.

683. **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 verandahs, but shall be kept in sheds or tents inside the prison. The Chief Superintendent or Superintendent of Prison shall always obtain prior sanction, whenever necessary, for incurring expenditure in this regard and shall ensure economy in every aspect.

684. **Earthquake;**
In the event of an earthquake the following action shall be taken.–

i. The prisoner shall be asked to take cover (kneel down and cover head with arms);
ii. The prisoners shall be asked to remain in the same position for a few minutes due to after-shocks;
iii. The prisoners shall be asked to walk towards an open place in a calm

and composed manner;

iv. Evacuation and rescue measures should be undertaken on instructions from an evacuation team and unnecessary crowding of affected area should be avoided.

685. **Other emergencies;**

i. Suitable action shall be taken according to the requirements in cases of other emergencies as well. The Head of the Prison shall report the circumstances to the Director General of Prisons and Correctional Services.

ii. The following are the other emergencies in prison.–

a) Riots,
b) Strikes,
c) Assault,
d) Food poisoning,
e) Flood,
f) Terrorist Attack,
g) Bomb Explosion,
h) War/Bombing,
i) Failure of water supply, electric lighting arrangements, and other essential prison services like conservancy and plumbing; Non-supply of food or raw materials resulting in the interference of prison routine;
j) Nuclear, biological and Chemical Disasters, any other man-made/ natural disasters measures to prevent and control emergency situations;

iii. It is the responsibility of the Chief Superintendent or Superintendent of Prison to take sufficient measures for preventing and controlling emergency situations, in conformity with the Disaster;

iv. 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, must be followed.

686. **These measures may inter alia include;**

i. Demarcation of an out-of-bound area around the perimeter wall of the prison;
ii. Adequate guarding and security measures and periodical inspections;
iii. System of thorough searches;
iv. Proper maintenance of the prison building and premises;
v. Proper custody of tools and equipment;
vi. Proper control of movement of prisoners;

vii. Timely segregation of prisoners who are instigators, or of bad character, and are potential risks to prison discipline;
viii. Prompt and strong but considerate handling of all discipline;
ix. Problems, attending to care and welfare requirements of prisoners;
x. System of good discipline;
xi. Careful handling of plant and equipment;
xii. Periodical inspection of plant equipment and emergency operation;
xiii. Accident preventive measures;
xiv. Fire preventive measures;
xv. Firefighting equipment at all vulnerable points;
xvi. Good environmental and institutional sanitation and hygiene;
xvii. Proper procedure of quarantine for newly admitted prisoners;
xviii. Segregation of prisoners suffering from contagious diseases, proper storage and inspection of articles of food;
xix. Observance of the required minimum standards in kitchen and canteen operations, service of food and eatables;
xx. Wire guards on trees to discourage prisoners climbing them for escape;
xxi. Standby arrangements for water storage, power plant, and emergency lighting;
xxii. Concealing all drainage and water pipes in the buildings;
xxiii. Each prison shall be properly equipped with the following to meet various types of emergencies;

a) Firefighting equipment;
b) Emergency lighting arrangements like electric torches, gas lights, kerosene lamps and oil torches;
c) Search lights;
d) Steel helmets;
e) Canes;
f) Tear gas equipment;
g) Water hoses;
h) Telephones, inter-communication system and walkie-talkies;
i) Arms and ammunition;
j) Ladders, axes, knives, ropes, chains, handcuffs, alarms and sirens;
k) First Aid kit;
l) Video camera/ Digital camera/any other electronic equipment for photography/ modern equipment suitable to tackling any of the above emergencies;

m) Health protection kits like face masks, PPE kits, gloves, sanitizer etc.,

xxiv. Institutions where dangerous prisoners are kept, or where there is a likelihood of any kind of serious disturbances, should be fully equipped in all respects. In such institutions, the security arrangements should also be very strict;

xxv. The general instructions to be followed in handling emergencies.–

a) Giving immediate first aid to the injured;
b) Preventing entry into the affected area;
c) Immediate action to counter the spread of trouble to other areas;
d) Quick intimation to all authorities concerned;
e) Reporting to authorities concerned for help, if necessary;

xxvi. If the Chief Superintendent or Superintendent of prisons is not present in the prison 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 should also be sent to the Commissioner of Police / Superintendent of Police and other prison officers who shall reach the prison immediately and either assists the Chief Superintendent / Superintendent of Prison or in-charge prison officer.

CHAPTER - 36

Escape of Prisoners

687. **Sounding an alarm;**

i. A siren or an alarm that can be easily heard at the quarters of the subordinate officials or staff shall be kept near the main gate of every prison and in places where prisoners are employed in large numbers. In the latter case the alarm should be loud enough to be heard at the main gate;

ii. 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.

688. **Escape attempts;**

Should 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 prison.

689. **When an escape takes place from an extramural group (Out-gang);**

i. On the alarm being sounded because of an escape from a work site from outside the prison, the Officer-in-charge of the standing guard at the main gate shall dispatch as many prison staff as he can spare for assistance.

ii. The remaining prison staff shall wait for orders from the senior officer present. The prison staff 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 prison where he shall report the escape to the senior officer on duty.

690. **Escape during night;**

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

691. **Procedure;**

i. On the alarm being sounded owing to an occurrence outside the Prison the officer on duty shall forthwith dispatch as many prison staff as he can spare to the assistance of escort giving the signal. The remaining prison staff on assembling shall act as directed by senior officer who is present;

ii. The prison staff in-charge of the outside gang from which a prisoner has escaped shall, after sounding the alarm collect his remaining convicts and march them back to the main gate of the prison;

iii. Working sheds of the Prison and also Prison premises to be thoroughly searched by deputing teams of staff.

692. **Duty of in-charge officer;**

Upon report of an escape being received by in-charge officer shall inform the nearest police station.

693. **Duty of the Senior Prison Officers;**

As soon as a report of an escape is received, the senior officer and staff on duty shall dispatch a party of sufficient strength to search the locality where the escape has occurred, and inform the Chief Superintendent or Superintendent of Prison of the escape who in turn shall take suitable action for apprehending the escaped prisoner.

694. **Duty of Chief Superintendent or Superintendent of prison;**

i. The Chief Superintendent or Superintendent of Prison shall give prompt notice of the escape to the nearest police station, Commissioner of Police or Superintendent of Police and concerned Judicial Magistrate and get a criminal case registered in concerned Police Station.

ii. Such information shall be accompanied by a nominal roll giving a description of the escaped prisoner. He shall also send immediate intimation through the quickest possible means of electronic media to the police station near the prisoner's home.

iii. If the prisoner belongs to a district other than that in which he was in prison, intimation shall be sent to the Commissioner of police or Superintendent of Police of that area.

iv. Immediate information shall also be given to the Police Station in whose case the prisoner is either under trial or convicted in the Prison.

v. Immediate information shall also be given to the Police Station in where jurisdiction family of the escaped prisoner resides.

695. **Report to the Director General of Prisons and Correctional Services and Range DIG;**

If a prisoner escapes, the Chief Superintendent or Superintendent of Prison or in-charge officer shall immediately convey the message over phone to the Director General of Prisons and Correctional Services and Range DIGs of Prisons followed by a detailed report within 24 hours from the time of escape. 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 Director General of Prisons and Correctional Services and Range DIGs of Prisons. If an under-trial prisoner escapes from the custody of the prison, this information should be furnished to the concern Courts and local police station. The copy of the same will be sent to Sessions Judge/Commissioner of Police/ Superintendent of Police.

696. **Punishment for facilitating an escape;**

Every staff of the prison, because of whose assistance or connivance or neglect an escape takes place shall be prosecuted under Sections 222, 223 or 225-A of the Indian Penal Code unless very unavoidable circumstances are present or the Chief Superintendent or Superintendent of Prison considers that the evidence is insufficient to procure a conviction.

697. **Power to sanction reward;**

The Director General of Prisons and Correctional Services and prison officials can take decisions regarding the sanctioning of rewards in such cases as per rules of Government.

698. **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 Director General of Prisons and Correctional Services with a view to giving them suitable rewards.

699. **Prosecution;**

Every Prisoner who escapes or attempts to escape shall be prosecuted under Section 224 of I.P.C.

700. **Warrant;**

i. An escaped prisoner on recapture may be received back into the prison on his original warrant;

ii. Conviction warrant of the prisoner who escapes from the prison shall be retained for a period of ten years from the date of escape. If he is not recaptured within that period the warrant shall be returned to Court concerned with an endorsement that prisoner escaped from the prison on the date and he has not been recaptured. Hand cuffs or other fetters shall be forced on a prisoner after obtaining order from the Magistrate except in exceptional circumstances like escape from the prison.

701. **Procedure on Recapture;**

The recapture of the prisoner shall be informed to all those who were informed of the escape originally. A recaptured prisoner may be received back into prison on his original warrant.

CHAPTER - 37

Young Prisoners

702. **Statutory Provision;**

Under Section 26(2) of The Karnataka Prisons Act, 1963, when male prisoners under the age of 21 are confined, fencing should be provided for separating them altogether from other prisoners and for separating those of them who have arrived at the age puberty from those who have not;

703. **Segregation of young prisoners;**

i. The term young prisoner is meant one who has not attained the age of 21 years.

ii. A child offender is one who when convicted was under the age of 18 years.

iii. In all Prisoners where male prisoners under the age of 21 years are detained measures shall be taken to enforce the requirements of Section 26 of The Karnataka Prisons Act 1963, both by day and night so as to prevent any communication between them and with any prisoner of other class.

iv. Whenever possible, young prisoners who have attained the age of puberty shall be separated from those who have not;

704. **Habitual shall be kept separate from young prisoners;**

i. In Prisons where there are no adequate means of separating young prisoners who have attained puberty from those who have not, they shall during the day be kept under the eye of a prison officer who shall see that no familiarity or communication takes place between the two classes. At night they shall be locked up separately;

ii. When in transit from one prison to other young prisoners shall be kept separate from all other prisoners and if possible, shall be dispatched in separate gangs;

705. **Diet and Discipline;**

i. Every young prisoner shall;

a) Be drilled daily for half an hour in the morning;

b) Youthful prisoners shall be given diet as per the scale given to labouring Prisoners of Karnataka Prisons Rules, 1974;

c) If his sentence exceeds three months, he is to be instructed in reading. Printing and arithmetic in his regional language for not less than one

hour on each working day;

d) If the length of his sentence and other circumstances admit of it, he should be taught some trade or hand craft. The time occupied at exercise and at school shall be deemed to be time occupied at labour.

ii. Adolescence being the age of growth and development, proper attention should be given to provide balanced diet to such prisoners;

iii. Special emphasis should be given on the discipline of young prisoners. As far as possible, minor offences should be dealt with by withdrawal of concessions. When this approach fails, recourse should be taken to other forms of punishment.

706. **Punishments under the Act;**

A young prisoners refusing or neglecting to learn the lessons or to perform the tasks prescribed in spite of advice and warning shall be held to have committed an offence under Section 45 of The Karnataka Prisons Act, 1963 and liable for punishment under Section 46 of the said Act.

707. **Visit by Chief Superintendent or Superintendent of Prison;**

The Chief Superintendent or Superintendent of Prison shall visit the young prisoners ward regularly every day one round in the morning and one in the evening.

708. **Release;**

At least a fortnight before young prisoners is due for release, a letter shall be sent to his relatives/friends intimating the date of his release and asking them to be present at the prison to receive him after release. As far as possible, young prisoners should be handed over after their release to their relatives, friends or a recognized after-care agency. If the Head of Prison thinks it necessary, the released young prisoners may be sent to his home or after-care agency under the care of a prison staff / officer.

709. **Guiding principles;**

Institutions for young prisoners should be so classified that diverse training programmes designed to suit each homogeneous group can be conveniently organized.

710. **Training and Treatment;**

Special emphasis should be given on a studied evaluation of individual offender's personality and careful planning of training and treatment

programmes, to suit the needs of each inmate. Training and treatment shall include education, work and vocational training, recreational and cultural activities, discipline, case-work approach, group work activities, group guidance, individual guidance, counselling, character building, periodical review, release planning, pre-release preparation, after-care on a comprehensive basis, and follow-up study. The personal influence of the members of the prison staff will have considerable bearing on the reformation of young prisoners.

CHAPTER - 38

Under trial Prisoners

711. **Statutory Provision;**
Under trial prisoners (UTPs) shall be separated from convicted prisoners.

712. **Classification of Under Trial prisoners;**

i. The classification of under trial prisoners should 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 the same as applicable to other categories of Prison. Under trial prisoners dealt as under;

a) Prisoners involved in terrorist and extremists activities and those involved in murders, dacoit, robbery, rape cases, habitual offenders, previous escapes and drug peddlers shall be kept separately;

b) Mentally sick prisoners, young prisoners and women under protective custody will not be lodged along with other under trial prisoners;

ii. When Courts send intimation to prison authorities about under trial prisoners who have turned approvers or have made confessions;

iii. An accused person detained under Section 122 (2) imprisonment in default of security under Sections 106 and 117 of the Criminal Procedure Code, must be treated as an under trial prisoner until his case has been decided by the Sessions Court or High Court.

713. **Admission;**

i. Every under trial prisoner shall on admission be provided with an under trial prisoner's ticket in the prescribed form. On admission he shall also be examined by the Medical Officer for marks of identification and marks of injuries to be recorded in the under trial admission register, if any he shall as usual be also searched;

ii. An in-charge officer should perform all work pertaining to under trial prisoners;

iii. No person shall be admitted into a prison 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 should 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;

c) Discrepancies in remand warrant.–The officer on duty is to take admission of an under trial 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) omissions of the signature of the competent authority. In such a case, a report should be sent in the prescribed form to the authorities concerned and get fresh warrant with full particulars;

iv. If an under trial prisoner has not been in the prison 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 prison, if he is likely to arrive there too late for the prison meal. If the police or military escort reports that the under trial prisoner has not been supplied with food, prison authorities should make necessary arrangements for the issue of food to him. In case the under trial prisoner is admitted after the prison meals have been served, or after lock-up, food stuff like parched rice, parched gram, groundnuts, prison meals if available *etc.*, should be issued to him as per prescribed scale; being escorted;

v. It is the duty of every prison officer to endeavour to ascertain whether an under trial prisoner has been previously convicted. Such information, as and when it is available, should be immediately forwarded to the Commissioner of Police/Superintendent of police for necessary action.

714. **Admission hours;**

i. Under trial prisoners should be admitted during usual working hours of the prison. Prisoners received after the lock-up hour should be confined in a separate place or room specially earmarked for such purpose;

ii. While under trial prisoners are being escorted, care should 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 prison or the police or military officials should send sufficient advance intimation to the receiving prison.

715. **Date for production of prisoners in session's case;**

i. In session case as soon as the date is fixed for the production of the prisoner, it shall be endorsed on the warrant as well as on the prisoner's ticket and the prisoner shall be informed of the date fixed, so that he may make arrangements necessary for the conduct of his defence;

ii. If the usual escort not available for production of prisoners, as for as possible prisoner shall be produced through Video conference to Courts;

iii. If the prisoner physical production is necessary in emergency cases, then it is the duty of the concerned police station officer to provide immediate escorts to produce the prisoners before the Courts. The advance intimation may be sent to the concerned police station;

iv. Video conferencing is to be made available in all the Prison premises so as to produce any persons to Court in order to save precious time of everyone concerned, transportation and economy of the State.

716. **Period of detention in Prison;**

The Chief Superintendent or Superintendent of Prison shall satisfy himself by examination of the warrant that except in cases of prisoners committed for trial to a Court of sessions, no under trial prisoner is detained longer than 15 days without a fresh remand, as this is contrary to the provisions of the Code of Criminal Procedure.

717. **Separation of under trial prisoner;**

Under trial prisoners, who have previous conviction, shall be kept separate from those who have no previous conviction.

718. **Approvers;**

When an under trial prisoner has been admitted by the Court as an approver or a confessing accused he should be kept separate from others concerned in the same case. Where there are separate cells or compartment in the under trial ward, these should be utilized for the purpose. If there is no separate compartment, such prisoners may be kept in separate cells by day and in separate wards by night, but care must be taken that they are not kept in solitary confinement;

719. **No undue restraint;**

Under trial prisoners shall be subject to no more restraint than is necessary for their safe custody, the maintenance of discipline and the enforcement of Prison rules.

720. **Under trial prisoners accused of murder;**

Under trial prisoners accused of murder shall be searched in the presence of the in-charge officer and if necessary for safe custody their private clothing and other articles may be removed and they may be supplied with prison clothing and locked in cells. Special care should be taken to guard against any risk of escape or suicide by these prisoners.

721. **Cleanliness Work;**

i. Under trial prisoners shall clean the barracks and cells where they are kept. Under trial prisoners should 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 barracks, cells will get cleaned up. It will also be incumbent on all under trial prisoners to keep their own clothing, bedding and articles properly washed, cleaned, and disinfected once in a week;

ii. If under trial prisoners 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 (out gang) work is strictly prohibited. In no case, should under trial prisoners be employed outside their own enclosure or in work-sheds and areas where other convicted prisoners are working.

722. **Guarding;**

Guarding of under trial prisoners shall invariably be done by prison guards both by day and night and employment of convict watchmen for this purpose without Prison guards is strictly prohibited. The only convicts who are permitted to enter the under trial section are those employed on prison services such as sweepers, water carriers and distributors of food.

723. **Discipline;**

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

724. **Hair Cuts;**

i. An under trial prisoner shall not be allowed to cut his hair or to shave in a way that would alter his personal appearance so as to make it difficult to recognize him. Prisoners who have been for more than a month in Prison may if they so desire have their hair cut to the length as it was at the time of their admission;

ii. The hair of an under trial prisoner may be however be cut, when the medical officer considers it necessary, but it shall not be cut shorter than is necessary for the purposes of health and cleanliness;

iii. Every under trial and convict prisoner may be allowed to cut his hair once in a month and have face shave once in a week.

725. **Identification for Court purposes;**

i. Under trial prisoners shall not be allowed to cut or shave their hair on their head or face 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 prison, when sent to Court for trial;

ii. The police shall give intimation to prison authorities of cases in which identification of under trial 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; Test identification should be held as per rules framed for this purpose.

726. **Police interrogation;**

Only such police officers as have been authorized should be allowed to interrogate an under trial prisoner while in prison custody. Such interviews should be held in the presence and within the hearing of a prison officer.

727. **Use of books;**

i. Under trial prisoners shall be allowed the use of such books as are available in the Prison library. They are allowed to procure books, news papers and magazine at their own expense from outside the prison or from outside agency subject to the same being censored by the prison officers before issue;

ii. They may be allowed to engage themselves in indoor games or other means of occupation.

728. **Clothing and Bedding;**

i. Under trial prisoners other than those for murder, shall be permitted to retain their own clothing, bedding, foot wear and eating and drinking vessels like plates, spoons, cups and religious emblems.

ii. But all the money, jewellery and other articles shall be taken possession of by the in-charge officer who shall endorse a list of the same in the under trial register. The list shall be signed by the prisoner and signed by the Chief Superintendent or Superintendent of Prison.

iii. The Papers and documents *etc.*, which helps the prisoner in his defense, may be left with him.

iv. Private articles bearing marks or symbols of political affiliations and Khaki Uniforms shall not be allowed to be kept or used by under trial prisoners;

v. The Prison clothing will be as prescribed rules;

vi. Where under trial prisoners are inadequately clad or are unable to obtain clothing and bedding from outside, suitable clothing and bedding different from the Prison clothing and bedding shall be provided by the Chief Superintendent or Superintendent of Prison. They can also supplement at their expenses the clothing and bedding supplied by the prison authorities;

729. **Clothing;**

Usual private clothing to meet reasonable requirements should be allowed to under trial prisoners. Such articles of clothing as well affect the security requirements of the institution should not be allowed. An under trial 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.

730. **Prison Food;**

Under trial prisoners who are unable to supply themselves of who are not supplied by their relatives or friends, with food shall receive prison rations and it shall be cooked in the central kitchen only as per the scales laid down.

731. **Interviews;**

i. Under trial prisoners shall be granted all reasonable facilities at proper time and under proper restrictions for interviewing or otherwise communicating either orally or in writing with their relatives, friends or legal advisers;

ii. Every interview between an under trial prisoner and his legal advisor shall take place within sight of a Prison office but out of his hearing;

iii. The in-charge shall personally conduct interviews with approvers and shall bring all such interviews to the notice of the Head of the Prison. Such interviews should be terminated at once if any attempt is made by the interviewer to influence the prisoner to withdraw his confession or to alter his evidence;

iv. Approvers and confessing persons shall be interviewed in a place separate from other under trial prisoners in the same case;

v. Under trial prisoners should not be granted interviews with convicted prisoners unless they are very close relatives.

732. **Bath;**

Under trial prisoners may be allowed hot water bath only on the recommendation of the Medical Officer.

733. **Facilities and amenities;**

i. The following facilities should be extended to all under trial prisoners.–

a) Legal defence by an advocate;
b) Interviews with lawyers or family members;
c) Signing Vakalatnama;
d) Delegation of power of attorney;
e) Execution of will before Notary;
f) Essential religious necessities as per rules;
g) Applications to Courts for legal aid at Government cost as per provisions of law;
h) Other applications to Courts;
i) Such facilities as are sanctioned by the State Government should be extended to under trial prisoners;
j) Canteen facilities.
k) Application to District or Taluk Legal Aid Committees for free legal aid;

ii. Wherever Under Trial Prisoners have not engaged their counsel, then Panel Advocates constituted under Section 304 of Cr.P.C by the District Courts be provided to such UTPs or through Legal Service

Authority. This is in order to ensure that no one should be left unrepresented.

734. **Violation of Rules;**

If any prohibited article is found concealed in any food or other thing supplied to an under trial prisoner, such food or thing shall be confiscated to Government or if under trial prisoners violate the rules for the good order and management of the prison, they may be refused any of the privileges allowed by these rules for not less than 10 days to one month by the Head of the Prison, the fact to be recorded in his/her journal.

735. **Food arrangement during trial;**

When an under trial prisoner has to be sent to the Court, he should be given his food before he goes and arrangement made to enable him to have his food when he returns. If an under trial prisoner has not been in the prison previously it is the duty of the police to see that he has his food before he is taken to Prison if he is likely to arrive there too late for the evening meal.

736. **Search;**

Before being sent to the Court, and after having been received back from the Court, all under trial prisoners shall be thoroughly searched. If the Court furnishes the charge sheet copy, it may be procured by under trial prisoners.

737. **Additional Cases;**

i. Entries of additional cases in red ink on the remand warrant in appropriate columns of under trial register and Court diary should be made;

ii. Intimation to the Court/Courts concerned about pending cases stating whether the prisoner is on bail or not in connection with that case or those cases should be sent;

iii. Intimation to police escort in the prescribed form should be sent; When an under trial prisoner is wanted for trial in another case/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 prison authorities;

iv. When an under trial prisoner confined in a prison is required for another case/cases for which he is on bail, the Court concerned will duly intimate the prison authorities;

v. In the case of an under trial prisoner having two or more cases pending against him, for which he is not on bail, an endorsement in red ink should be made each time he is sent to the Court.

738. **Precaution against undue detention;**

i. When an under trial prisoner is detained in Prison for an unduly long period, the Head of the Prison shall address to the Sessions Judge as the case may be, with a view to the speedy disposal of his case or the exercise by him of the power of releasing the prisoner on bail;

ii. Should prolonged detention continue, even after the attention of these officers has been drawn to it, the matter should be reported to the Director General of Prisons and Correctional Services who shall if necessary bring to the notice of Government.

739. **Prevention of undue detention;**

i. An under trial prisoner whose case is being tried by a Judicial Magistrate shall be produced before the Judicial 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 Judicial Magistrate through Video Conference or Physical production if required;

ii. A statement in the prescribed form showing details of under trial prisoner whose cases have been pending for more than three months should be sent on the fifth day of each month to the Sessions Judge or District Magistrate with relevant extracts to the Court concerned.

iii. To create awareness among the Under Trail Prisoners to move the concerned Courts for releasing them on bail as per the Section 436 of Cr.P.C.

iv. The Chief Superintendent or Superintendent of Prison shall provide information to Under Trial Review Committee (UTRC) meetings periodically, to review the eligible UTPs cases for release on bail, as per the National Legal Services Authority (NALSA) Standard Operating Procedure (SOP).

740. **Release from prison;**

i. Release orders and bail bonds will be sent through post or through authorized persons of the Court. If any private person brings such documents, the same should not be accepted at the prison office;

ii. On receipt of a bail bond or release order prompt action should be taken.

iii. A bail bond or release order reaching the prison after lock-up should be received. But release the prisoner on the next day before 10 am. In case of medical grounds or emergency cases shall be release on the same day;

741. **Release Procedure;**

While releasing an under trial prisoner the Officer-in-charge should attend to the following points.–

i. Scrutiny of the bail bond or release order with relevant original papers and record;

ii. Checking whether any other case is pending against the under trial prisoner;

iii. Checking of the identity of the under trial prisoner;

iv. Handing over of the cash and property of the under trial prisoner on his/her release on the same day. If not the same may be collected within one month. If the released prisoner fails to collect his/her cash/property within the prescribed time the property may be auctioned by the Head of the Prison within 3 months. Cash may be remitted to the Government/ Treasury;

v. The under trial prisoner should be informed of the contents or conditions of the bail bond get signature from prisoner prior to his release;

vi. 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;

vii. After release the bail bond should be duly returned to the Court concerned along with a certificate of release immediately.

742. **Serious Illness;**

When an under trial prisoner is seriously ill, the Head of the Prison 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 on medical grounds.

743. **En-route Prisoners;**

The name of en-route prisoners shall invariably be entered in En-route Prisoner Register of any prison in which they spend a night or more.

744. **Transfer;**

During an emergency or on administrative grounds, the Director General of Prisons and Correctional Services is authorized to transfer under trial prisoners from one prison to another within the State, provided that if a prisoner is transferred to a place outside the jurisdiction of the Court concerned, intimation should be sent to the concerned Court.

745. **Transfer to an outside hospital;**

When the prison Medical Officer recommends that in the interest of the health of the under trial prisoner, he should be transferred to a hospital outside the prison, immediate action should be taken and the matter reported to the Court concerned.

746. **Death;**

The death of an under trial prisoner shall be promptly reported to the Court under whose orders he was detained for further action like Post-Mortem examination/inquest/video graph/enquiry *etc.*, and preserve the dead body in cold storage till the relatives or friends claim. If dead body is not claimed by any one, the same body may be buried in the prison burial ground or municipal burial ground as per their religious practice.

747. **Conviction of under trial prisoner;**

When an under trial prisoner is convicted, the Officer-in-charge of under trial prisoners should 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 should be transferred to the barrack meant for newly admitted convicts.

748. **Women under trial prisoners;**

i. Women under trial prisoner should normally be escorted by women staff. When there are no women staffs available, they should be accompanied by woman prisoner with one male guard. As far as is

practicable, separate conveyance should be provided for the transport of women under trial prisoners;

ii. Women staff members should be in-charge of women under trial prisoners. The Woman in-charge officer or woman staff should be present at the time of admission and release of women under trial prisoner. She should attend to all work pertaining to the women under trial prisoners;

iii. As far as possible, women under trial prisoners should be handed over to their relatives after release. If this is not possible, a woman police or woman prison staff should escort the released woman under trial prisoner to the nearest railway station or bus stand or Women Care institution until she is taken by the relatives.

749. **Daily routine and program for under trial prisoners;**

The following daily routine should be adjusted to suit local conditions.–

i. Early morning use of rest rooms, meditation, preparation for opening, unlocking according to conditions of visibility counting, search, leaving the barrack or cell;

ii. Morning toilet, prayers, P.T. drill, individual and group exercise, morning light meal, cleaning of barracks cells, barracks, open spaces cleaning of equipment, work on voluntary basis, educational classes, washing of clothes and bath, meal and rest;

iii. Afternoon: newspapers, library books, educational classes, social education, toilet;

iv. Games and recreation for one hour according to institutional facilities;

v. Early evening, Wash, Evening Meal, Preparation for lock-up, counting; search, lock-up at dusk;

vi. Evening: reading newspapers library books, TV/Radio music, meditation to bed.

750. **Programs on Sundays and prison holidays;**

On Sundays and prison holidays the following routine should be followed subject to adjustment to suit local conditions.–

i. Early morning;

Toilet, meditation, preparation for opening, unlocking according to conditions of visibility, Counting, Search, leaving the barrack or cell;

ii. 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;

iii. Afternoon;
Educational Films: As per schedule for each group and in group music: accordance with institutional facilities. Newspapers, Library books, radio/TV, Toilet, Games (one hour);

iv. Early evening;
Wash, Evening Meal, Preparation for lock-up, Counting, Search, Lock-up at dusk;

v. Evening;
Reading newspapers, library books, TV/Radio music, Meditation, to bed.

CHAPTER - 39

Prisoners Sentenced to Fine

751. **Statutory provision;**
Sections 68 and 69 of the Indian Penal Code direct the termination of imprisonment on payment of proportionate part of fine.

752. **Fine Statement register;**
In all Prisons, a fine statement register shall be maintained in the prescribed form. This register will indicate the details of fines paid by the prisoners.

753. **Payment of fines to prison;**
If a fine or its portion, imposed on a prisoner as a sentence or part of a sentence by a Judicial magistrate, is tendered at the prison it shall be received by prisoner or in his behalf by the concerned officers like Chief Superintendent/Superintendent of Prison during office working hours before 6-00 p.m. provided the prisoner is due for immediate release. The Chief Superintendent /Superintendent of Prison shall at once remit the sum received to the Court or treasury and send intimation of the payment to the adjudicating Court immediately on the same day in the case of release of the prisoner on the same day;

754. **Payment of fine in Court;**
When fines imposed on prisoners are recovered by a Court, intimation of the same will be received by the Chief Superintendent /Superintendent of Prison from the Court. 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 Confirmation letter and authentication, 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.

755. **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. The entries in the register and the warrants and history tickets shall be signed by the Chief

Superintendent /Superintendent of Prison and the in-charge officer. A separate inward register for the receipt of the fine intimation shall be maintained.

756. **Intimation of payment of fine;**

If the prisoner has been transferred elsewhere, the Chief Superintendent or Superintendent of Prison shall forward such intimation by registered post to the prison in which the prisoner is confined. All fine intimations shall be acknowledged.

CHAPTER - 40

Simple Imprisonment Prisoners

757. **Statutory Provision;**

Under Section 35 of the Karnataka Prisons Act, 1963, the Chief Superintendent /Superintendent of Prison shall make provision for the employment of prisoners sentenced to simple imprisonment if, and as long as they desire. But such prisoner shall not be punished for neglect of work except by such alteration in the scale of diet as may be prescribed by rules.

758. **Application of General Rules;**

Except as otherwise provided in this Chapter the Rules in the Karnataka Prisons Rules 1974, shall apply to convicts sentenced to simple imprisonment.

Every simple imprisonment prisoner.–

i. shall be allowed clothing and bedding as per the scale allowed to convicts sentenced to labour so also he be given diet and remission admissible to labouring prisoners under diet and remission Chapters;
ii. Simple imprisonment Prisoners shall be permitted ordinarily to wear their own clothing provided that he shall wear prison clothing if he elects to labour and is employed on extra mural labour;
iii. Simple imprisonment prisoner shall as far as possible be kept separate from other prisoners and be locked in cells or barracks specially meant for simple imprisonment prisoners;
iv. Simple imprisonment prisoners shall be permitted to retain their hair style as worn on admission and it shall not be cut closer than is necessary for the purpose of health and cleanliness. They shall be allowed to wear their own clothing which if insufficient may be supplemented with the prison clothing.

759. **Disciplinary restrictions;**

i. They shall not be compelled to perform necessary duties for other inmates nor shall they be compelled to perform any duties of a degrading nature;
ii. They shall remain during the day in the part of the prison assigned to them and shall not wander about the prison nor enter the labour barrack or work sheds or communicate with labouring convicts unless they elect to do labour.

760. **Exercise for non-labouring convicts;**
Simple imprisonment prisoner not doing any labour may be allowed to take exercise for not more than an hour in the morning and an hour in the evening if the Medical Officer considers it advisable.

761. **Insufficient clothing;**
They shall be given the bedding and eating and drinking vessels allowed to prisoners sentenced to rigorous imprisonment.

762. **Diet for SI convicts;**

i. A simple imprisonment prisoner shall be given the diet according to the scale prescribed for non laboring prisoners;
ii. In case such a prisoner elects to work, he shall be given the scale of diet prescribed for a laboring prisoner;
iii. Change of a diet can be done only on the advice of the Medical Officer;
iv. Simple imprisonment prisoners shall not be allowed to receive food from outside;
v. A simple imprisonment prisoner who has elected to work, for his neglect of work or short work or refusal to work shall be put back to the non laboring scale of diet or removal from the work system or both;
vi. A prisoner who is required to cook food for others will be eligible to receive the benefits allowed to laboring prisoners.

763. **Other facilities for simple imprisonment convicts;**
Simple imprisonment prisoners shall be allowed recreational and library facilities as allowed to other convicts.

764. **Clothing for Military Prisoners;**
Military convicts sentenced to simple imprisonment shall on no account be allowed to wear military uniform in prison. Any such convict who possesses no private clothing except his uniform, shall be provided with the necessary clothing by the Chief Superintendent or Superintendent of prison, not exceeding the scale provided for convicts sentenced to rigorous imprisonment.

CHAPTER - 41

Death Sentenced Prisoners

765. **Statutory Provisions;**

i. Directions of Hon'ble Supreme Court in Shatrughan Chauhan & Anr. Vs. Union of India & Ors, and other judgments and directions from other competent authorities regarding death sentenced prisoners shall be followed in letter and spirit.

ii. When any person is sentenced to death by a Court of Session, the sentence shall not be executed unless it is confirmed by the High Court (Section 366. Code of Criminal Procedure, 1973).

iii. When the sentence has been confirmed by the High Court, the Court of Session shall issue a warrant to the Chief Superintendent / Superintendent of the prison in which the prisoner is confined to cause the sentence to be carried into effect (Section 413 of the said Code).

iv. If a woman prisoner is sentenced to death is found to be pregnant, the High Court shall be informed the matter so that order of the execution of the sentence may be postponed and may if it thinks fit, commute the sentence to transportation for life (Section 416 of the said Code);

v. A prisoner under sentence of death shall, immediately on his arrival in the prison after sentence, be searched by, or by order of the in-charge officer, and all articles shall be taken from him which the Jailor deems it inexpedient or dangerous to leave in his possession. Every such prisoner shall be confined in a cell apart from all other prisoners, and shall be placed by day and by night under the charge of a guard;

vi. Where a prisoner is sentenced by the High Court to imprisonment to death, the Court shall cause him to be delivered to the Chief Superintendent / Superintendent of Prison together with the warrant and such warrant shall be executed by the Chief Superintendent / Superintendent of Prison and return the warrant after its execution.

766. **Admission and search of prisoner sentenced to death;**

Immediately on admission of the prisoner sentenced to death in the prison, the in-charge officer shall cause the prisoner to be thoroughly searched and take every article /private clothing or other property from him/her and provide him/her with the prison clothing and bedding.

767. **Confinement of prisoner sentenced to death in high security wards and Cells;**

i. Every prisoner sentenced to death shall from the date of his/her sentence and without waiting for the sentence to be confirmed by the High Court, be confined in a high security wards / cells and shall be placed under the charge of a prison staff by day and night. The High Security wards or rooms in which a convict sentenced to death is confined shall invariably, before he/she is placed in it, be examined by the Chief Superintendent / Superintendent of Prison, who shall satisfy himself/herself of its fitness and safety, and shall record the result of the examination in his/her report book. Such prisoners should be treated like other prisoners and every care shall be taken to enable them sustain and adjust to the situation;

ii. Female prisoners under sentence of death shall be kept in the female ward and guarded by female staff and they shall be cared for properly.

768. **Prison Staff on duty to have key of ward lock;**

The key of the ward lock shall be kept with the prison staff. In case the staff notices any effort made by the prisoner for committing suicide, he/she shall immediately press alarm. In extraordinary situations, the prisoners shall be detained under special vigil and security. A prisoner sentenced to death shall not ordinarily be handcuffed unless he/she is violent and dangerous.

769. **Guarding arrangements if few others are confined;**

When two or more prisoners sentenced to death are confined at the same time in cell/room situated at some distance from one another, a separate Prison staff shall be posted over each cell/room. However, if the cell/room is contiguous one prison staff shall be posted to guard them. For any number in excess of three, an extra guard shall be posted.

770. **Supervision by the Head Warder;**

The Head Warder on duty shall frequently visit the post at uncertain hours during both day and night, and shall at once report to the Jailor for onward information to the Chief Superintendent / Superintendent of Prison, any suspicious conduct on the part of any of the prisoners or any fault committed by the prison staff on duty.

771. **Cells/rooms to be searched daily by the In-charge officer;**
Every cell/room in which a prisoner sentenced to death is confined shall be examined by the in-charge officer, who shall satisfy himself/herself that it is secure. Female prisoners shall similarly be searched by the female staff or other officer assigned to such duty.

772. **Diet;**
A prisoner under sentence of death shall be allowed the ordinary diet of a non-labouring prisoner. However, he/she may after rejection of the final appeal be allowed of the Chief Superintendent / Superintendent of Prison, books, extra diet. His/her food shall invariably be examined by the in-charge officer and the Medical officer before delivery to him/her, and shall be given to him/her in the presence of one or more officers.

773. **Facilities-Interviews and Communications;**
Prisoners under sentence of death shall be granted interviews with their family/relatives/ friends/legal advisors, in the presence of in-charge officer in their cells/rooms. No other person shall have access to such prisoner except the Chief Superintendent /Superintendent of Prison, the other prison officers, the Medical Officer, Compounder/ Pharmacist, and person who have to bring food.

774. **No work and no Court production in other cases;**

i. A prisoner under sentence of death shall be kept in prison like other prisoners sentenced with imprisonment till the expiry of every stage of appeal; however they shall not be engaged in any type of work, special attention shall be paid regarding his security.

ii. A prisoner sentenced to death shall not be allowed to go out of the prison premises for any purpose. If he/she is facing trial in other cases, the Court concerned shall be requested to hold the trial inside the prison premises using video conferencing technology or other suitable arrangement.

775. **Admission of Visitors, Books and News papers;**
Condemned prisoners who can read may be provided at their request with a supply of such books as are in the prison library. Subject to the control of the Chief Superintendent / Superintendent of Prison they may also be allowed purchase at their own cost, or, obtain from their relations or friends any other books which they may wish for, provided

by the Chief Superintendent / Superintendent of Prison may, in deserving cases, purchase books for the prisoners at the expense of Government. They may also be allowed to purchase any daily newspaper or newspapers at their own cost. They shall be supplied with soap, oil and tooth powder at the expense of Government. All reasonable indulgences shall be allowed in the matter of interviews with relatives, friends and legal advisers. It shall be the duty of the religious teacher of his persuasion attached to the prison to visit the condemned prisoner daily and if he expresses a desire to see any other approved religious teacher, endeavors shall be made to comply with this request.

776. **Appeal to High Court;**

When confirmation of a sentence of death is received, the Chief Superintendent / Superintendent of Prison shall inform such prisoner of his/her right to appeal and rules regarding the appeal. If he/she desires to appeal, the Chief Superintendent / Superintendent of Prison shall at once have appeal prepared for the prisoner or by his/her legal counsel in his/her own words, and shall forward it under registered post to the Registrar of the High Court. It is not necessary to obtain and forward a copy of the judgment in such cases.

777. **Appeal to Supreme Court -Duty of Officer-in-charge of the prison;**

i. Every prisoner sentenced to death shall have the privilege of petitioning for mercy. The procedure shall be observed by the Chief Superintendent / Superintendent of Prison in connection with the petitions to the Governor or to the President of India by convicts under sentence of death, or in connection with appeal to the Supreme Court or application for special leave to appeal to that Court, by or on behalf of the condemned prisoners;

ii. Immediately on receipt of a warrant of execution consequent on the confirmation by the High Court of the sentence of death, the Chief Superintendent / Superintendent of Prison shall inform the same to the convict concerned that if he/she wishes to appeal to the Supreme Court or to make an application for special leave to appeal to the Supreme Court, he/she should do so within the period prescribed in the Supreme Court Rules, 1950.

778. **Procedure for submitting petitions for special leave to appeal;**

i. The procedure governing the submission of petitions for special leave to appeal to the Supreme Court Rules, 1966. These rules lay down that a petition for special leave to appeal shall be as per the provisions of the rule;

ii. Since all proceedings in the Supreme Court are conducted in the English Language petitions in a language other than English must be accompanied by their English translation duly authenticated;

iii. The procedure governing the presentation of the petitions detailed in sub-rule (i) shall be explained by the prison authorities to the intending petitioners before forwarding the petitions to the Supreme Court;

iv. Such petitions shall on no account be withheld even if the period of limitation has expired;

v. Facilities for swearing of affidavit, obtaining certified copies of the judgment of the lower Courts, consulting legal advisors, *etc.*, shall be afforded to the petitioners in accordance with the provisions in these rules.

779. **Petition for mercy;**

i. Immediately on receipt of the intimation of the dismissal of Appeal by the Supreme Court, the Chief Superintendent / Superintendent of Prison shall inform the convict that if he/she desires to submit a petition for mercy, it should be submitted within seven days of the date of such intimation;

ii. If the convict submits a petition within the period of seven days prescribed by rule, it shall be addressed both to the Governor and to the President of India. The Chief Superintendent / Superintendent of Prison of the prison shall forthwith mail it to the concerned administrative department of the Government, together with a detailed letter reporting the date fixed for the execution and shall certify that the execution has been stayed pending receipt of the orders of the Government on the petition. If no reply is received within 15 days from the date of dispatch of the petition the Chief Superintendent / Superintendent of Prison shall write to the Secretary to the State Government, drawing attention to the fact, but he/she shall in no case carry out the execution before the receipt of the State Government's reply;

iii. If the convict submits a petition after the period prescribed by rule, the Chief Superintendent / Superintendent of Prison shall at once forward it to the State Government, requesting orders whether execution shall be postponed and stating that, pending a reply, the sentence will not be carried out. If however a petition is received by the Chief Superintendent / Superintendent of Prison later than noon on the day preceding that fixed for execution, he/she shall at once forward it to the State Government, giving the date of execution and stating that the sentence shall be carried out unless orders to the contrary are received. Petitions from convicts under sentence of death, which may have to be forwarded to Government by post, should be transmitted by registered post;

iv. A petition submitted by a convict shall be withheld by the State Government, if a petition containing a similar prayer has already been submitted to the President. When a petition is so withheld, the petitioner shall be informed of the fact and of the reason for withholding it through the Chief Superintendent / Superintendent of Prison;

v. A Petition for mercy submitted on behalf of a convict under sentence of death shall with all necessary changes in the manner provided by these rules for dealing with a petition from the convict him/herself. The petitioner on behalf of such 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/herself shall also be informed of the submission of any petition on his/her behalf and of the orders passed thereon, through the Chief Superintendent or Superintendent of Prison.

780. **Interval before execution;**

i. The Chief Superintendent or Superintendent of Prison shall, in every case allow one full working day to elapse between receipt of the orders of the President of India and the execution. The condemned prisoner shall be informed immediately after the receipt of the orders of the President of India, when he is to be executed;

ii. Immediately on receipt of the orders of the President of India on the petition for mercy of the condemned prisoner declining to interfere with the death sentence passed on the prisoner, the Chief Superintendent or Superintendent of Prison shall.–

a) Acknowledge the receipt of the orders;

b) Fix the date and time for the execution of the prisoner and record in his order book;
c) Intimate the above facts to the Medical Officer and the Magistrate seeking their attendance for execution;
d) Intimate the above facts to the relatives of the prisoner by a telegram/Phone;
e) Communicate to the condemned prisoner about the President's refusal and the date and time when he will be hanged; and
f) Allow all reasonable indulgences in the matter of interviews with relatives, friends and legal advisors and to write letters to his friends and relatives.

iii. Even in cases in which condemned prisoners do not elect to submit petitions for mercy, the Chief Superintendent or Superintendent of Prison, while acting according to Rule 789, shall follow as far as may be applicable the instructions in sub-rule (2).

781. **Prisoner shall not be produced in other cases;**
In case all the options of appeal for mercy get exhausted, no other Court appearances would be done to the prisoner condemned with death sentence in other cases whatsoever. When the evidence of the convict under sentence of death is required, the Court shall proceed to the prison for the purpose, and shall not require the convict's attendance in Court.

782. **The concerned Court shall fix the date of execution;**
When the President declines mercy, the Chief Superintendent or Superintendent of Prison shall communicate the orders to the concerned Court with details and shall request it to fix a date for executing the prisoner.

783. **If a female prisoner is found to be pregnant;**
If the Medical Officer finds a woman prisoner sentenced to death to be pregnant, the matter shall at once be brought to the notice of the DG of Prison, who shall seek the order of the State Government for changing the date of execution or postponement of execution till she gives birth to the child. When the execution of a capital sentence on a female convict has been suspended, it shall not be carried out without the express orders of State Government.

784. **Unusual delay in execution to be reported;**

i. Action in exceptional circumstances in the event of its coming to the knowledge of the Chief Superintendent or Superintendent of Prison at any time before the execution of the sentence that altogether exceptional circumstances have arisen which plainly demand a reconsideration of the sentence, he/she is at liberty, notwithstanding anything in the foregoing rules, to report the circumstances to the State Government and ask for its orders and to defer execution till they are received. Accordingly the concerned Court must be informed;

ii. Should any extraordinary or unavoidable delay occur in executing a sentence of death from any cause other than the submission of a petition or appeal, the Chief Superintendent or Superintendent of Prison shall report the circumstances immediately to the Sessions Judge, returning the original warrant either for the issue of a fresh warrant, or for the endorsement upon the same warrant of an order containing a definite date for carrying the postponed sentence into effect;

iii. No prisoner sentenced to death, shall be executed on a public holiday. The execution shall take place within the prison walls early in the morning before it gets bright.

785. **When prisoner shows signs of insanity;**

i. If any prisoner awaiting sentence of death shows signs of insanity which, in the opinion of the District level Medical Board, are not feigned, or require observation to determine whether they are feigned or not, the circumstances shall at once be reported to the Law Department and execution of the sentence shall be deferred pending receipt of the orders of the Government. The Medical Board shall keep the prisoner under observation and shall certify whether the prisoner is insane or not. The Board's certificate shall immediately be forwarded to the Law Department in a registered cover;

ii. On receipt of the orders of Government, the Chief Superintendent or Superintendent of Prison shall give effect to the orders. If they direct that the sentence of death shall be carried out, the Chief Superintendent or Superintendent of Prison shall at once fix a fresh date for execution of the sentence which shall be not less than a week or more than a fortnight after receipt of the orders of Government. The postponement of the execution of sentence under this rule with the reason therefor, the final orders of Government and the new date fixed

for the execution of the death sentence, if it is to be carried out, shall be reported to the Court which sentenced the prisoner;

iii. When an execution is postponed in accordance with rules of this chapter, the Chief Superintendent or Superintendent of Prison of the prison after reading the warrant, shall add that the execution of the sentence was suspended by order of the Government;

iv. All covers containing not only petition for mercy but also all letters, acknowledgements in capital sentence cases shall be superscripted "Appeal for mercy" and "urgent" and shall be registered in the post office.

786. **Responsibility of the Chief Superintendent or Superintendent of Prison on execution of death sentence;**

i. Unless specially directed in the warrant, the execution shall take place in the Central Prisons or the prisons where gallows are available. If there are specific instructions to undertake execution in any particular prison where there are no gallows, a temporary structure shall be erected under the Supervision of the PWD Executive Engineer and the Chief Superintendent or Superintendent of Prison. Execution shall usually be carried out in a special enclosure attached to, or within the walls, of the prison;

ii. The Chief Superintendent or Superintendent of Prison shall, on receiving a warrant of capital punishment, communicate the fact at once to the District Session Judge and shall be responsible to see that the execution is properly carried out and shall make timely arrangements to engage the service of a hangman, to have the gallows in order, and the rope cap and pinion straps ready. The rope need not be new, but must be capable of standing the strain caused by dropping a bag of sand or earth, one and a half times the weight of the prisoner, the height of the drop it is proposed to give;

iii. This test should be made atleast a week before the date fixed for the execution, so that other ropes may be procured in time if necessary, and subjected to the same test. After being tested the ropes should be locked up in a safe place. On the evening before the execution, the Chief Superintendent or Superintendent of Prison shall have the gallows, if a temporary structure, erected in his/her presence, and shall examine the ropes to satisfy him/her that they have received no injury since being tested. When a condemned prisoner is transferred from one prison to another, the Chief Superintendent or

Superintendent of Prison of the receiving and dispatching prisons shall report the fact to the District Session Judge of their respective districts.

787. **Selection of Executioner;**

The Executioner shall be selected;

i. Executions shall be carried out by the Public Executioner whenever the services of the official are available and failing him, by his assistant or some trustworthy individual locally entertained for the purpose;

ii. On the first occasion of the employment of any person to perform the work of an executioner, the Chief Superintendent or Superintendent of Prison shall satisfy himself that he understands how to perform the duty. Such person shall reside at the prison for two days prior to the day fixed for the execution;

iii. The services of the Executioner can be obtained from some other states;

iv. For each execution, the executioner shall be paid requisite execution fees.

788. **Prisoner and relatives shall be informed;**

i. The Chief Superintendent or Superintendent of Prison shall inform the prisoner and his relatives about the date of execution in advance;

ii. He shall arrange for prisoner's will to be prepared in accordance with his wish and arrange for transportation of such prisoners to the prisons where facility of execution is available.

789. **Final action by the Chief Superintendent or Superintendent of Prison;**

He shall;

i. Fix the time for execution and inform the Director General of Prisons and Correctional Services, the Sessions Judge and to the State Government sufficiently in advance;

ii. Inform the PWD Executive Engineer nominated by the District Sessions Judge who shall arrange the inspection and certification about correctness of the gallows before the date of execution;

iii. Arrange for examination of the prisoner by the Medical Officer.

790. **Scale of drop;**

i. The Medical Officer shall report through 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, based on the physical condition of the prisoner. The following scale of drop, proportioned to the weight of the prisoner is given for general guidance.–

a. If the prisoner weighs less than 45.360 kgs., he should be given a drop of 2.440 meters;
b. If the prisoner weights from 45.360 to 60.330 kgs., he should be given a drop of 2.290 meters;
c. If the prisoner weights more than 60.330 kgs., but not more than 75.330 kgs., he should be given a drop of 2.130 meters;
b) If the prisoner weights more than 75.330 kgs., but not more than 90.720 kgs., he should be given a drop of 1.980 meters;
c) If the prisoner weights more than 90.720 kgs., he should be given a drop of 1.830 meters.

ii. Provided that so long as the extreme limits of 185 c.ms on the one hand and 244 c.ms on the other hand are adhered to, if owing to any physical peculiarity of the prisoner, the Medical Officer is of opinion that the drop should be increased or decreased, effect should be given in accordance with the Medical Officer's opinion;

iii. The following measures should 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 should also be 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;
b) 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;
c) The measurement of the prisoner's neck shall also be carefully taken, the next measurement and the height measurement to the angle of jaw being carried out immediately after the prisoner has been admitted;
d) The length of rope for any given drop shall be the length of that drop plus the distance from the angle of the prisoner's jaw to the ring in the beam.

Illustration;

i. Assuming the distance between the angle of the jaw and the iron to be 122 c.ms, and the desired drop to be 213 c.m., the amount of free rope hanging from the ring shall be 335 c.m., from the ring to the leather

washer maintaining the loop in position on the neck of the condemned prisoner;

ii. The above calculations are based on the assumption that the execution rope shall be made of cotton yarn/manila of 1 inch to 1.5 inches diameter.

791. **Persons who may witness execution;**

i. If the prisoner so desires, a priest of his/her faith may be allowed, at the discretion of the Chief Superintendent or Superintendent of Prison, to be present at the place of execution, subject to the requirements of security and prison discipline;

ii. Relatives of the prisoner and other prisoners shall not be allowed to witness the execution. As regards witness of the execution, decision of the Chief Superintendent or Superintendent of Prison shall be final. The prisoners in the prison shall not be made to attend, and should as a rule, be kept locked up in their sleeping wards until the execution has taken place.

792. **Armed guard to be present at every execution;**

An armed guard of not less than ten Warders and two Head Warders shall be mustered in front of the gallows to repulse any attempt of rescue at every execution. The Commissioner of Police / District Superintendent of Police shall arrange the guard on application whenever such need arises to ensure smooth operation.

793. **Chief Superintendent or Superintendent of Prison and Medical Officer shall be present at all executions;**

The Chief Superintendent or Superintendent of Prison and the Medical Officer shall be present at all executions. An Executive Magistrate deputed by the District Sessions Judge, the District Sessions Judge himself/herself shall also attend the execution and countersign the warrant.

794. **Warrant of execution to be read out;**

The Chief Superintendent or Superintendent of Prison, the Executive Magistrate and the Medical Officer shall visit the prisoner in his/her cell before the hour fixed for execution and read over to him/her a translation of the warrant in his/her mother tongue. Any other documents requiring attestation by the prisoner such as his/her will or so, shall be signed and attested in the presence of the Chief Superintendent or Superintendent of Prison and the Executive Magistrate.

795. **Prisoner not to be allowed to see the gallows;**

The hands of the convict shall be tied behind his/her back and a cotton cap with flap shall be put on his/her face just before he/she enters the gallows-enclosures. The prisoner shall not be allowed to see the gallows.

796. **Duty of the executioner;**

On reaching the gallows the prisoner shall be made over to the executioner whose duty shall be as follows.–

i. Place the convict exactly under the part of the beam to which the rope is attached;
ii. Strap the convict's legs tightly;
iii. Put the rope round the convict's neck appropriately;
iv. Push the lever to let down the trap-door, at a signal from the Chief Superintendent or Superintendent of Prison.

797. **Convict to be declared dead by the Medical Officer;**

i. The body shall remain suspended for half an hour and shall not be taken down till the Medical Officer declares life is extinct and the same shall be brought down soon after the declaration of death;
ii. When the sentence has been executed, the Chief Superintendent or Superintendent of Prison shall return the warrant to the Court which issued it with an endorsement in the following form over his signature certifying the manner in which the sentence has been carried out;
iii. Certificate of Execution.– The Certificate will be given in the following Proforma;

I hereby certify that the sentence of death passed on by the Court of Sessions and confirmed by the High Court has been duly executed and that the said was accordingly hanged by the neck till he was dead at _____ on the ……;

I further certify that, the body of the said _____ remained hanging for half an hour, and that the Medical Officer, in attendance certified to the complete extinction of life prior to its removal, and that no accident, error, or other misadventure occurred during the execution;

Sd/-
Executive Magistrate,

Sd/-
Judicial Magistrate

Sd/-
Chief Superintendent / Superintendent of Prison

Sd/-
Medical officer,

iv. The warrant of execution shall be returned to the Court with an endorsement by the Chief Superintendent or Superintendent of Prison to the effect that the sentence has been carried out. The Medical Officer and the Executive Magistrate shall also sign on the warrant in token of their presence at the time of execution.

798. **Disposal of the body of the executed convict;**

i. If the relatives of the executed prisoner make a written application for performing the last rites, the Chief Superintendent or Superintendent of Prison may, at his/her discretion, allow such request, provided the relatives give an undertaking in writing that they shall not make a public demonstration at the cremation/burial. If the Chief Superintendent or Superintendent of Prison has reasons to believe that during the cremation a public demonstration may occur, their request may be turned down. In cases where this probability exists, the Chief Superintendent or Superintendent of Prison shall consult the Commissioner of Police / District Superintendent of Police and act in accordance with their instructions;

ii. The body of the executed prisoner shall be disposed off according to the religious requirements and with all solemnity. A municipal ambulance shall be used for the transportation of the body to the cremation/burial ground.

799. **Expenditure relating to execution shall be borne from the prison funds;**

The Chief Superintendent or Superintendent of Prison is authorized to incur all reasonable expenditure required in connection with an execution including transportation and disposal of the dead body. Executioner shall be paid the amount sanctioned by the Director General of Prison.

800. **Report of execution to be submitted to the DG of Prison;**

The Chief Superintendent or Superintendent of Prison shall send the report of prisoner's execution to the Director General of Prisons and Correctional Services and Deputy Inspector General of Prisons without delay.

CHAPTER - 42

Prisoners Property

801. **Statutory Provision;**

i. Under Section 24 of The Karnataka Prisons Act, 1963, all money and other articles which may be brought into prison by any prisoner or sent to the prison for his use shall be placed in the custody of the in-charge officer and the prisoner shall be informed and his signature obtained in the prescribed register.

ii. Under Section 11(5) of The Karnataka Prisons Act, 1963, the Chief Superintendent or Superintendent of Prison should maintain a record of money and other articles taken from a prisoner;

iii. Under Section 17 of The Karnataka Prisons Act, 1963, the in-charge officer is responsible for the money and other articles taken from the prisoner.

802. **Disposal of property other than cash;**

Property other than cash delivered with or found on a prisoner on admission or subsequently sent to him through the Chief Superintendent or Superintendent of Prison shall be dealt with according to the following provisions.–

i. Prohibited articles as per rules should not be taken into account;

ii. If the clothing of a prisoner is so damaged or filthy as not be worth keeping it shall be destroyed;

iii. If the Medical Officer considers that there are sanitary objections to the retention of a prisoners clothing or if a prisoner on admission is suffering from any infections or contagious disease, the clothing shall under the written orders of the Medical Officer, be destroyed;

iv. The clothing of a prisoner sentenced to rigorous imprisonment as also the excess or surplus clothing of the Class-1 prisoner if it is not possible to return the same to the friends or relatives of the prisoner, shall be washed, tied up in a bundle and stored;

v. Jewellery or other valuable property shall be made up into a separate packet which shall be sealed by the in-charge officer in the presence of the prisoner;

vi. Every packet and bundle shall be labeled with the number and name of the prisoner to whom it belongs, together with the date of release and shall be arranged according to number. Bundles of clothing and

bulky articles shall be kept in the clothing store room under the control of the officer in-charge. Packets of valuables shall be kept in safe locker custody under the charge of the in-charge officer.

803. **Method of disposal of prisoners money;**
The receipt and disbursement of all money belonging to the prisoners shall be entered in the cash book and the individual transactions entered in the prisoners private property and cash register. The amount in the cash book shall be posted under the "Prisoners Private Cash".

804. **Prisoners Private Cash;**

i. Cash of prisoners received on admission and on subsequent occasion by money order or from the relatives of the prisoners should be taken to cash book under the columns;

ii. Prisoners private cash for convicts and Under trial prisoners shall maintain separately. There should be a separate individual ledger book called prisoners private property register for convicted prisoners for maintaining day to day cash transactions of each prisoner and individual cash transaction of Under trial prisoners should be maintained in the under trial register seperately and these registers should be signed by the Chief Superintendent or Superintendent of Prison while checking cashbook;

iii. Money belonging to prisoners in Prisons should not be held by the Prison authorities for long term but should be remitted to the personal deposit in Savings account in Nationalized Bank of the Chief Superintendent or Superintendent of the Prison concerned. Separate ledger accounts should be maintained in this behalf by the Prison authorities for convicts and Under trials;

iv. The P.D. (Personal Deposit) Account shall be maintained in the form prescribed for the purpose. It shall be written as and when transactions take place and checked and initialed by the Chief Superintendent or Superintendent of Prison invariably along with cash book. At the close of the month, abstract shall be drawn in the prescribed form, checked and signed by the Chief Superintendent or Superintendent of Prison;

v. The treasury schedules shall be obtained by 10th of each month and the balances shown in the treasury schedule and P.D. Account shall

be reconciled. The difference if any shall be brought to the notice of the treasury officer and get reconciled;

vi. The P.D. Account shall contain accounts in respect of P.P.C. (convicts/under trials separately), wages, canteen fund and no other accounts shall be brought over to this account. The balances under each head shall be tallied with totals of individual ledgers once in 6 months.

805. **Record of prisoners private property;**

i. Property of convict prisoners found on admission including clothing, jewellery, cash, *etc.*, and received on behalf of the prisoners subsequently should be entered in the private property register in the space provided for. Description of the articles with their approximate value should be noted against each article. In respect of jewellery nature of articles, design, their weight and cost, *etc.*, should also be noted. The entries should be signed by the prisoner. The in-charge officer of prisoners property should also initial these entries. Private property found on admission of the prisoner should also be entered in the admission register in the appropriate columns provided for the same.

ii. The genuine value of each article must be shown. Thorough and complete description of an article to facilitate it's identification and prevention of pilferage must be given (*eg.* whether shirt is cotton or silk, white or colored *etc.*);

iii. Currencies of foreign countries shall be classified as Foreign Currency with specifics like US dollar, Pound *etc.*

806. **List of property to be read over to prisoner;**

When a prisoner on admission is brought before the in-charge officer of the section for verification, he shall see that all money, jewellery, clothing and other property brought with or found in the possession of the prisoner have been duly entered in the register in the manner above provided. These entries shall be read over to the prisoner in the presence of the in-charge officer of the section and his property shall at the same time be shown to him.

807. **Disposal on transfer or release of prisoner;**

i. On the transfer or release of a prisoner all his property entered in the register shall be shown to him in the presence of the in-charge officer of the section and if he admits that it is correct, he shall be required to

sign or impress his left thumb print in the register in token thereof and if he is to be released the property shall then and there be made over to him.

ii. If he is to be transferred the in-charge officer of the section shall see that the property is correctly described in the list to be sent with the prisoner and if it includes valuables, the in-charge officer of the section shall have it securely sealed up in his presence for delivery to the Officer-in-charge of the escort. On the transfer of a prisoner all his property shall be sent with him;

iii. The Chief Superintendent or Superintendent of Prison may under an authority signed by the prisoner permit his money or property to be delivered to his relative or friends or sold and the proceeds of the sale of such property may be disposed of in such manner as the prisoner may desire, provided there are no reasons for retaining the money or the property for the use of the prisoner on release;

iv. Whenever money or property is made over to the relatives on prisoner's request, a receipt for the property shall be taken and the prisoner's signature or left thumb impression consenting to the arrangement shall be recorded in the register.

v. If in case any dispute regarding genuineness of the prisoner property arises, the matter shall be brought to the notice of Chief Superintendent /Superintendent of Prison.

vi. The photograph of valuable articles / items shall be taken and recorded during the admission of prisoners.

808. **Provision of clothing on release;**

Whenever the private clothing of a prisoner under these rules, has been destroyed or sold he shall, on release, if he has no sufficient money to purchase clothing, be provided with suitable clothing at the expense of Government other than prison clothing made of white cloth without stripes on the following scale.–

i. Male prisoners: One Shirt and one trouser.

ii. Women prisoners: One Saree, one blouse and one petty coat.

809. **Disposal of property of deceased prisoner;**

On the occurrence of death of a prisoner in a prison, his property shall be handed over to the Chief Superintendent or Superintendent of Prison for disposal to their blood relations or nearest relatives. Intimation shall be given to the District Judge, District magistrate

concerned and Commissioner of Police or Superintendent of Police of the district in which the prison is situated with details of the property as well as the particulars of the relatives of the prisoner. The wishes of the deceased prisoner, if any, about the disposal of his property shall also be communicated.

810. **Disposal of property of an escapee;**
The property of an escaped or wrongly released prisoner shall be retained for one year from the date of his escape or wrong release. If he is not recaptured within that period, his property shall be sold and the proceeds with any cash belonging to the prisoner shall be paid to the treasury as unclaimed property.

811. **Disposal of unclaimed property/cash of prisoners;**
In case the private property of the released prisoner is not claimed within one year it shall be sold or disposed off to the least advantage of Government and the realization credited to Government as miscellaneous receipts.

812. **Stamped receipt is not needed for receipt by prisoners;**
Stamped receipts are not necessary whenever cash is handed over to prisoners on release. The signature or the thumb impression should suffice.

813. **Properties of under trials released from Court;**

i. If any under trial prisoner who is released/discharged or acquitted by a Court does not come to the prison for taking back his property within a period of six months from the date of release or acquittal as the case may be such property shall be sent to the Magistrate under whose warrant the prisoner was remanded to prison custody;

ii. Provided where the property is claimed within the aforesaid period by the prisoner himself it shall be handed over by the Chief Superintendent or Superintendent of Prison to him if he satisfies the said authority about his identity or establishes his claim to the property and passes a receipt for having received it.

814. **Disposal of property found after original search;**
Property of any kind found on a prisoner on any occasion subsequent to the search to which he was subjected to on admission shall be forfeited under the orders of the Chief Superintendent or Superintendent of Prison and the money or sale proceeds credited to Government treasury in full under the head "Miscellaneous prison receipts";

815. **Transfer of property from one prisoner to another is prohibited;** The transfer of money or any other private property/articles from one prisoner to another prisoner for any purpose whatever is strictly prohibited.

CHAPTER - 43

Premature Release of Prisoners

816. **Statutory Provision;**

Under Section 63(2)(e) of The Karnataka Prisons Act, 1963, Government may make rules for release of prisoners which term includes premature release.

817. **Premature Release of Prisoners;**

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, behavior and performance of prisoners while in prison. 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 the prisoners is that they have become harmless, useful member of a civilized society.

818. **Constitution of Advisory Boards;**

i. There shall be for each Central Prison and District Prison, an Advisory Board for the purpose of review of long term sentences of convicted prisoners constituted by the State Government. Such Advisory Board shall consist following.–

a) Deputy Commissioner of District - Chairman;
b) District and Sessions Judge - Member;
c) Commissioner of Police / Superintendent of Police - Member;
d) District Surgeon - Member;
e) Chief Superintendent or Superintendent of Prison - Secretary;
f) Three Non-official members nominated by Government from time to time.

i. In respect of Central Prison, Bengaluru and Central Prison, Mysuru, the Director General of Prisons and Correctional Services shall be the Chairman of the Board;

ii. In the absence of the Deputy Commissioner, the District and Sessions Judge shall preside over the meetings of the Board;

iii. The non-official members mentioned above shall be appointed by the Government from a panel of names suggested to Government in this

behalf by the Deputy Commissioner of the concerned district for a term of three years, the member being eligible for re-appointment.

819. **Functions of the Advisory Board;**

i. The Advisory Board shall meet at least twice every year during the months of January and July in the Office of the Chief Superintendent or Superintendent of Central Prison or the District Prison;

ii. It shall be duty of Chief Superintendent or Superintendent of Prison to make list of all eligible prisoners for premature release as per the rules framed by the Government from time to time as well as other existing legal provisions and directions issued from the Hon'ble Supreme Court and High Court.

iii. Upon completion of review, the Advisory Board may recommend to Government for the release of a convicted prisoner sentenced to imprisonment;

iv. The Secretary of the Board shall draw up proceedings of the meeting in the proper form and the Chairman and the members shall sign the proceedings. The Board shall be objective in its consideration and shall examine the all the cases individually on its merits and record their specific recommendations in proceedings and copy of such proceedings shall be submitted to the Government along with the case papers through the Director General of Prisons and Correctional Services.

820. **Orders;**

The State Government there upon shall consider the recommendations of the State Advisory Board and may direct.–

i. That the prisoner be released forthwith or;

ii. That the prisoner shall be released in the ordinary course on the expiry of the sentence including remission.

821. **Records to be placed before the committee;**

The following records shall be put up before the Committee by the Chief Superintendent or Superintendent of Prison to review the cases of each prisoner.–

i. Character and antecedents of the prisoner;

ii. Copy of the judgment and order of appellate Court if any;

iii. Opinion the district officers for or against the premature release of the prisoner, if received;

iv. Nominal roll showing the detailed conviction particulars of the prisoner and the period actually undergone, remission earned, sentence to be undergone;
v. Opinion of the Chief Superintendent or Superintendent of Prison regarding the work and rehabilitation prospects of the prisoner;
vi. Social history or personality trait;
vii. Information regarding co-accused of the prisoner if any.
viii. Any other relevant information.

822. **Review of the cases by the Board;**

i. The Board shall review all the cases of eligible prisoners for premature release, whether recommended or not, the recommended prisoners in the light of rules framed by the Government from time to time as well as other existing legal provisions and directions issued from the Hon'ble Supreme Court of India and High Court.
ii. The Board may consider the social history of the prisons, the circumstances of his criminal behaviour and actions, conduct in the prison, response to training and treatment, change in habits, attitude and character, degree of criminality, health and mental health condition and the possibility of his resettlement after release, *i.e.*, evaluate prisoners response to imprisonment. training and treatment.
iii. The Board may also take into consideration such circumstances as were not before the Court, when the sentence was awarded. The opinion of the District Magistrate and Commissioner of Police / District Superintendent of Police, if available should be carefully considered. On the basis of such an overall examination of the case the Board should record its recommendations or otherwise, in all the cases;
iv. If the Advisory Board after consideration decides not to recommended a case for premature release and the same is postponed for review, the Board should issue orders giving definite period when the case is to be placed before the Committee for reconsideration.
v. The cases of prisoners postponed the Advisory Board shall be placed before the Board when due along with the fresh opinion of the District Officers concerned.

823. **Premature release of prisoners convicted by Courts in other States and offences in the Union list;**

i. Premature release of such prisoners convicted by Courts in other States and transferred to prison in this State under reciprocal

arrangements will have to be sanctioned by the Government of the State where the prisoner was convicted and in the case of prisoners convicted for offences in the Union list by the Central Government;

ii. In the case of Ex-Military prisoners, the relevant portion of the proceedings of the board shall be forwarded through the State Government to the Government of India for necessary orders.

824. **State Life Convicts Release Committee (LCRC) for Premature release of Prisoners;**

The State Life Convicts Release committee (LCRC) shall be setup to advise the Government for the purpose of recommend the premature release of prisoners.

825. **Composition of the State Life Convicts Release Committee;**

The composition of State Life Convicts Release Committee consist of following members.–

i.	Principal Secretary/ Secretary (PCAS) Home Department	- Chairman;
ii.	Principal Secretary / Secretary Law Department	- Member
iii.	Additional Director General of Police (Law and Order)	- Special Invitee;
iv.	Additional Director General of Police (Crime and Technical Services)	- Special Invitee;
v.	Director of Prosecution & Government Litigation.	-Member;
vi.	Director General, Prisons and Correctional Services, Karnataka	- Member Secretary;

826. **Quorum;**

The quorum shall comprise of 4 members and the Board shall not take any decisions when the quorum is not complete.

827. **Mode of collection of records by the State Life Convicts Release Committee;**

i. On admission into a prison a prisoner eligible for eventual consideration by the Board under the rules, the Chief Superintendent or Superintendent of prison shall write to the convicting Court for copies of the judgment of the original Court as well as the appellate Courts. He shall also write to the District Magistrate of the district in which

the prisoner's home is situated, or in which the prisoner usually resides, for information regarding his/her antecedents;

ii. The Chief Superintendent or Superintendent of a prison shall initiate the case of a prisoner at least 3 months in advance of his/her becoming eligible for consideration for premature release as per the criteria laid down by the State Government;

iii. The Chief Superintendent or Superintendent of prison shall prepare a comprehensive note for each prisoner, giving his/her family and societal background, the offence which he/she was convicted and sentenced and the circumstances under which the offence was committed.

iv. The Chief Superintendent or Superintendent of Prison shall also reflect fully on the conduct and behaviour of the prisoner in which the prisoner during the period of his/her incarceration, and during his/her release on parole, change in his/her behaviour and prison offences, if any, committed by him/her and punishment awarded to him/her for such offences.

v. A report shall also be made about his/her physical and mental health or any serious ailment with which the prisoner is suffering, entitling him/her for premature release as a special case.

vi. The note shall also contain recommendation of the Chief Superintendent or Superintendent of Prison, *i.e.*, whether he favours the premature release of the prisoner or not. In either case such recommendation shall be supported by adequate reasons;

vii. The Chief Superintendent or Superintendent of Prison shall make a reference to the District Magistrate/Police Commissioner of City/ Superintendent of Police of the district where the prisoner was residing at the time of committing the offence (for which he/she was convicted and sentenced) or where he/she is likely to resettle after release from the prison.

viii. However, in case the place of his/her residence is not where he/she committed the offence, a reference shall also be made to the District Magistrate and Police Commissioner of City/Superintendent of Police of the district in which the offence was committed. The Chief Superintendent/ Superintendent of Prison shall communicate to District Magistrate/Police Commissioner/Superintendent of Police and express their views regarding the desirability of the premature release of the prisoner;

ix. On receipt of the reference, the concerned District Magistrate/ Commissioner of Police/Superintendent of Police shall have an inquiry made in the matter through senior officer of appropriate rank and shall make their recommendations based on their assessment from such inquiry. While making their recommendations hey shall not act mechanically and oppose the premature release of a prisoner on untenable and hypothetical assumptions. In case the Police Officer is not in favour of premature release of the prisoner, he shall justify the same with cogent and material reasons. They shall return the reference to the Head of the concerned prison within 30 days of the receipt of the reference;

CHAPTER - 44

Medical Administration

828. **Statutory Provision;**

i. Under Section 12 of The Karnataka Prisons Act, 1963, subject to the Control of the Chief Superintendent/Superintendent of Prison, the Medical Officer shall have charge of the sanitary and health administration of the Prison.

ii. As per Section 36 of The Karnataka Prisons Act, 1963, provides for arrangements for the sick prisoners to see the medical officer.

iii. As per Section 38 of The Karnataka Prisons Act, 1963, in every prison a hospital or proper place for reception of sick prisoners shall be provided.

iv. Section 37 of The Karnataka Prisons Act, 1963, requires that all directions by the Medical Officer shall be recorded and the in-charge officer to make an entry of their compliance or otherwise.

829. **Medical Administration;**

i. Medical administration is one of the most important concerns of prison management. The Medical Officer of a prison 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 over all hygiene of the prison. Nothing will count more to the credit of the Medical officer of prisons than their success in maintaining best health standards in the prisons under their charge.–

ii. At least One Medical officer and one Staff nurse may be posted for each Prison;

iii. The available drugs may be received from Government general hospital through indents regularly. If Non-availability of Government drugs shall be purchased from locally;

iv. The sufficient hospital patient beds should be reserved on the basis prison population.

v. The persons detained in Prisons before or after conviction, are entitled to protection of their right to life which includes prompt and proper medical care.

vi. It is also necessary to conduct periodical health checkups of inmates of the Prison to diagnose the illness and to take measures to provide treatment to prisoners at an initial stage.

vii. Availing / providing treatment facilities to prisoners under Ayushman Bharath Arogya Karnataka scheme by the Chief Superintendent / Superintendent of Prison, if required.

830. **Examination of prisoners complaining of illness;**

i. Every prisoner complaining of illness, or appearing to be ill, shall be sent to the prison hospital for immediate examination and further treatment by the Chief Medical Officer (CMO) or Medical Officer, in his absence, by the Medical subordinate;

ii. On the advice of the CMO or Medical Officer, the Chief Superintendent or Superintendent of Prison may transfer any sick prisoner for further treatment to the nearest public or private hospital where the patient could be properly treated for further treatment.

831. **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 prescribed in-patient or out-patient register.

832. **Detention of a prisoner for observation;**

Prisoners detained under observation shall be recorded in the hospital roll and the treatment prescribed for them in the prescription book. If the Chief Medical Officer or Medical Officer finds a prisoner to be malingering, he shall at once report the fact to the Head of the Prison for punishment.

833. **Chief Medical Officer or Medical Officer to supervise treatment of out-patients;**

i. The Chief Medical Officer or Medical Officer shall daily inspect the out-patients register, and shall order the admission of a patient to prison hospital, if in his opinion the patient's medical condition necessitates such hospitalisation. The Medical Officer shall himself examine all outpatients atleast once a week;

ii. Prisoners suffering from only minor ailments shall be treated as out-patients. The Chief Medical Officer or Medical Officer shall be responsible that all other patients are admitted to the prison hospital. Under no circumstances prisoners suffering from dysentery shall be treated as out-patients.

834. **Treatment of sick prisoners in the hospital;**

The treatment of sick prisoners in the prison hospital shall be under over all supervision of the Chief Medical Officer. If, in his absence, the Medical Officer takes any action for the treatment of a prisoner, he shall record the action taken in his report book and submit it to the Chief Medical Officer immediately on his return.

835. **Chief Medical officer or Medical officer daily visit;**

The Chief Medical Officer or Medical Officer shall visit all prisoners kept in hospital under observation every day and shall decide whether a prisoner needs to be discharged from hospital.

836. **Maintenance of case book;**

i. The number of sick in hospital shall be daily recorded in the hospital roll of sick in a prescribed form. Their treatment and diet shall be recorded in the case sheet in a prescribed form;

ii. In addition to these records, there shall be in every hospital a case book in a prescribed form in which the history of every case admitted into hospital shall be recorded;

iii. 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;

iv. The entries in the case-book will usually be made by the Medical subordinate, as symptoms appear or treatment is applied. The Chief Medical Officer will add notes of his own observations and orders as and when he examines the patient. The Chief Medical Officer shall see the case-book every day and initial the entries regarding each case in token of him having seen them;

v. 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 Chief Medical Officer may, by entry in his own handwriting in the case-book, record that daily entries are not necessary.

837. **Diet of prisoner in Hospital;**

The diet of prisoners in hospital shall be entirely under the control of the Chief Medical Officer or Medical Officer who may either keep the prisoner on the ordinary prison diet, or may place him on one of the regular hospital diets, or may order any modifications of the prison or

hospital diet, or may prescribe extra diet he may think necessary, according to the scales of diet prescribed, if any, under the rules.

838. **Indent for hospital diet;**
An indent showing the number of hospital diet and extras required, shall be sent not later than by 9 a.m. every day to the Officer-in-charge of ration and care shall be taken that diet 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.

839. **Preparation of hospital diets;**
Hospital diets requiring special preparation shall be cooked in the hospital kitchen if required with the permission of Chief Superintendent or Superintendent of Prison, and the Medical Officer shall examine the diet frequently and satisfy him by weighing that the full quantities of the prescribed articles are present, and are well cooked.

840. **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 should not be accepted.

841. **Supply of hospital clothing and bedding;**

i. Every prisoner shall be supplied with hospital clothing and bedding on admission to hospital. His convict clothing and bedding will be taken back 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 clothings and beddings are thoroughly disinfected;
ii. Every patient in hospital shall be provided with a proper mattress, a pillow and white bed sheets;
iii. If any prisoner suffering from epilepsy is placed in a cell but 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.

842. **Indent for clothing and bedding;**

The quantities of clothing and bedding required for hospital use shall be reported in fixed time by the Chief Medical Officer / Medical officer to the Chief Superintendent/ Superintendent of prison.

843. **Cleanliness of the hospital;**

i. Every hospital shall be kept clean and well ventilated.

ii. It is of great importance that highest cleanliness to be observed in the clothing and bedding used in the Hospital and the Medical Officer shall take such steps as may be necessary to secure this.

844. **Proper place of washing;**

A proper place/laundry for washing and boiling dirty clothing and bedding shall be provided. Blankets and work clothing's too shall be frequently washed in boiling water.

845. **Appointment of attendants and training of nursing orderlies;**

i. For the purpose of attending to sick prisoners a few educated convicts of good conduct and undergoing long sentences shall be selected by the Chief Superintendents or Superintendents of prisons in consultation with the Medical Officer and trained as nursing orderlies;

ii. A brief syllabus for their training shall be prepared as a guide to the Medical Staff who, under the direction of the Medical Officer, 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 bed-ridden patients. Convict nursing orderlies, who perform their duties satisfactorily, shall be allowed extra remission and wages at the same rate and scale as prescribed for a convict watchman.

846. **Appointment of hospital attainders;**

The Chief Superintendent or Superintendent of Prison shall depute sufficient number of convicts to perform the hospital attainders duties at the Prison Hospital. Such convicts shall work under the orders of the Chief Medical Officer or Medical Officer. Only prisoners serving long sentences, and who are of good conduct, shall be sent for such duties.

847. **Case Sheet;**

A case sheet and temperature chart shall be placed over every occupied bed showing the required particulars. In every case of fever entries shall be made in the temperature chart.

848. **Bathing of Prisoners;**

Prisoners who are not too ill shall be required to take bathe daily once, unless the Chief Medical Officer / Medical Officer may direct.

849. **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 Chief Medical Officer or Medical Officer considers it safe to discontinue the precautions. The Chief Medical Officer 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.

850. **Disinfections of wards;**

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

ii. Disinfections shall be carried out under the personnel direction of Chief Medical Officer or Medical Officer.

851. **Procedure on death of a prisoner;**

i. In the event of death of any prisoner, the Chief Medical Officer or Medical Officer shall see and, if necessary, examine the body of the deceased prisoner so that he may be in a position to certify the fact and cause of death.

ii. When the Chief Medical Officer is in any doubt as to the cause of death, or if the death appears to have been the result of an offence punishable under the Indian Penal Code, he shall make a complete and regular postmortem examination of the body of the deceased.

iii. In the event of several deaths resulting from any prevailing epidemic, postmortem examinations shall be made in one or more cases to be selected by the Chief Medical Officer or Medical Officer;

iv. Whenever the mortality in the prison during a month exceeds 1% per annum, he 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 to the Director General of Prisons and Correctional Services;

852. **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 Chief Medical Officer or Medical Officer may direct.

853. **Composition of the invalid group;**
The invalid group shall consist of;

i. Those who are permanently incapacitated from performing hard or medium labour because of age, or bodily infirmity will be the permanent members of the group;
ii. Those who have been discharged from hospital as convalescents, but are temporarily unfit to perform hard or medium labour;
iii. 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.

854. **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 by 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 Chief Medical Officer or Medical Officer. They shall be examined daily by the medical subordinate, and once a week by the Chief Medical Officer or Medical Officer.

855. **Special diet for prisoners not in hospital;**
The Chief Medical Officer may recommend special diet for any prisoner in the invalid group after recording reasons for recommending that in his register. But 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 Chief Medical Officer, 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 higher officers. The Chief Medical Officer owns the responsibility to economies the expenditure on this account and shall exercise utmost care in recommending special diet to the prisoners.

856. **Treatment in local hospital;**

i. If a case in Prison Hospital does not respond to treatment within a reasonable time or when the Chief Medical Officer is not certain about the diagnosis he should consult the District Surgeon of the District;

ii. In cases where the Medical Officer considers any examination for diagnosis is necessary which is not available in Prison hospital, he should refer the case to local hospital, for such examination and treatment through the Chief Superintendent or Superintendent of the Prison.

857. **Cases requiring urgent surgical or other treatment;**

i. Urgent cases requiring immediate surgical treatment which cannot adequately be given in a Prison Hospital should be transferred at once to the Local Hospital. All cases of surgical operation shall be referred to the Director General of Prisons and Correctional Services for sanction. In very urgent case Chief Superintendent or Superintendent of Prison may permit such operation or treatment awaiting sanction from the Director General of Prisons and Correctional Services.

ii. Consent of the prisoner should be obtained in writing before permitting such surgery/operation. If a prisoner is not in a position to give in writing than written permission to be obtained from his family members.

858. **Extra medical facilities;**

Prisoners who are desirous of having extra medical facilities in respect of diet, clothing, in addition to those provided for in the prison hospitals, may be allowed to supplement them at their own cost, provided the Medical Officer considers it necessary in the interest of the health of the prisoner.

859. **Medical benefits provided to Staff;**

i. Medical Examination of the members of the staff may be provided at least once a year regularly. Reports of such medical examination be kept in the office of the Chief Superintendent or Superintendent of Prison;

ii. Where Medical Officer of the Prison is not available, medical examination may be arranged by the Chief Superintendent or Superintendent of Prison with the local Medical Officer.

860. **Conservancy and sanitary arrangements to be paid attention;**
More than ordinary attention shall be paid to all the usual conservancy arrangements of the prison and the Chief medical officer shall recommend such alteration in the prison diet as may be calculated to guard prisoners from liability to the attack of epidemic disease. As few sick prisoners as possible ought to be collected in hospital, all trifling ailments being treated in barracks.

861. **Use of tents;**
Tents of encampment are supplied to important Prisons. When the Chief Superintendent or Superintendent of Prison has insufficient tents or none, he may apply by fax/phone/e-mail for such tents as he may require to the nearest prison where tents are available. If tents cannot be procured without excessive delay or expense, temporary sheds should be erected.

862. **Sleeping arrangements in camp;**
When in camp, cots for the sick, and dry straw for other prisoners to sleep on, should be provided.

863. **Transfer of camp to another site;**
If the disease continues unabated in frequency and virulence among the prisoners in camp, it will be advisable to shift the camp to another site.

864. **Entry into camp prohibited;**
Only Prison officials, or persons authorized by the Head of Prison shall be allowed to enter a camp. The boundary of a camp shall be marked by a ditch 2 feet deep and 18 inches wide, the earth removed being banked on the outside.

865. **Timing in the factory;**
Work in the Prison factory during epidemic shall be relaxed but not discontinued entirely. A mid-day rest for more than prescribed hours shall be allowed if considered essential by the Medical Officer.

866. **Return to Barracks;**
i. If for ten clear days no fresh case has occurred in the prison and the prescribed purification has been completed, the prisoner may return to Prison;
ii. Before the prisoners return the whole of the clothing and bedding shall be boiled for 10 minutes or disinfected.

867. **Report to the Director General of Prisons and Correctional Services;**

i. The first occurrence of a case of cholera or any other infectious disease shall be at once reported to the Director General of Prisons and Correctional Services by phone/fax/e-mail 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;

ii. The next two cases too shall likewise be reported. On the occurrence of the third case, the Chief Superintendent or Superintendent of prison shall submit a report stating whether he proposes a large scale segregation of prisoners within the prison 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 Director General of Prisons and Correctional Services is absent from the Headquarters, the report shall be communicated to him over phone.

868. **Health Management of Inmates in Prison through e-Prisons;**

Apart from making entries in all the prescribed registers the health management module of e-prisons should be utilized by all the prisons to manage the health record of all the inmates.

CHAPTER - 45
Institutional Frame Work

869. **Statutory Provision;**

i. Under Section 5 of The Karnataka Prisons Act, 1963, the State Government shall provide, for the prisoners in the State, accommodation in prisons constructed and regulated in such manner as to comply with the requisition of the Act in respect of separation of prisoners;

ii. Section 6 of The Karnataka Prisons Act, 1963, provides for temporary accommodation in certain circumstances;

iii. Under Section 63(h) of The Karnataka Prisons Act, 1963, Government may make rules for classification of prisons and description and construction of wards as well as other places of detention.

870. **Capacity of ward to be inscribed near the door;**

i. Near the door of every ward the size of the room, and the number of prisoners it is capable of accommodating, to be recorded on a plaque embedded in the outer wall of the ward. No ward generally to accommodate prisoners beyond its prescribed capacity;

ii. 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.

871. **Minimum allowance of superficial and cubic space in wards;**

i. Every prisoner in a ward sleeping barracks be allowed not less than 50 square feet of ground space and 700 cubic feet of breathing space;

ii. The height of the walls of a ward shall not be less than 13 feet and in computing cubic capacity the height to be taken into account shall not exceed 14 feet.

iii. Barracks with accommodation for not more than 20 prisoners.

iv. All barracks will, if possible, be provided with verandas not less than 8 feet in width.

v. The structural arrangements of fittings and fixtures and locking devices of barracks will be secure enough to prevent escapes. The iron bars used in doors, windows and ventilators will be of 25mm. dia. And the clear distance between two bars will be 7.5 cm.

vi. A barrack will have only one door of 2.2x1 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 of 10 mm. thickness.

872. **Accommodation in hospital;**
The minimum floor area and cubic space which shall be allowed for each patient in hospital is 70 sq. ft. and 700 cubic feet respectively.

873. **Prison Structure;**
A diversified prison system is imperative to meet the custodial and correctional needs of various categories of prisoners. Each prison has to be constructed and maintained on the basis of certain well defined norms. The prison structure should 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 reformative treatment.

874. **The following criteria must be adopted for the establishment of prisons;**

i. The State Government will establish sufficient numbers of prisons, as far as possible, and provide minimum needs essential to maintain standards of living in consonance with human dignity;
ii. Prisons will ensure that prisoners retain all their rights as human beings within the limitations of imprisonment;
iii. Prisons will ensure separation of the following categories of prisoners.–
   a) Women
   b) Young prisoners
   c) Under trials
   d) Convicts
   e) Civil prisoners
   f) Detenues
   g) High security prisoners
   h) Habitual prisoners
   i) Transgenders
   j) Old age prisoners
   k) Any other Categories if necessary;
iv. The prisons regime will prepare prisoners to lead a law abiding, self-supporting, reformed and socially rehabilitated life;

v. Diversified institutions will be set up by State Government according to its requirements;
vi. In order to make prisons efficiently manageable units, norms regarding maximum population for different types of prisons will be laid down;
vii. Service conditions of prison personnel will be such as to secure and retain the best-suited and qualified persons;
viii. Efforts will be made to enlist community participation in effective administration of prison programs;
ix. The minimum height of the perimeter wall around (Main wall) every prison may not be less than 21 feet with razor wire fencing on the top. Watch tower to be built in all the corners;
x. New central prisons may have minimum 50 acres of land while district prisons to have minimum 15 acres to 20 acres of land and Taluka Prisons to have 10 acres of land;
xi. Entire prison lands shall be well marked and protected from any encroachment by way of strong compound walls. RTC and maps should be available for each prison.

875. **Institutional pattern;**

i. State Governments will adequately provide for the diversification of institutional resources to cater to the differential requirements of prisoners in terms of custody and correction.
ii. The factors to be considered will include age, sex, legal status of the prisoner, 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) Prisons/enclosures/barracks for under-trial prisoners;
b) Maximum security prisons/annexes/barracks for security risk prisoners and habitual offenders;
c) Open prisons;
d) Prisons/annexes/enclosures for women prisoners;
e) Prisons/annexes/ barracks for young offenders;
f) Prisons/annexes/ barracks for those suffering from infectious diseases;
g) Prisons/annexes/ barracks for drug addicts;
h) Prisons for those arrested during non-violent socio-political and economic agitation for a declared public cause;

i) Factory Enclosure;
j) Hospital Enclosure;
k) Interview Enclosure.

iii. State Governments will establish 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.

iv. They will also specify the authorized population for each type of institution and norms with regard to area/space for prisoners as well as the number of prisoners to be housed as per norms laid down;

v. This may also include facilities for education, vocational training, work programs, and cultural activities, library and recreation, both indoor and outdoor. It may also give specifications for the staff to be appointed in each type of institution. Apart from various types of prisons for specific categories of prisoners, State Governments may create temporary prisons to deal with emergent situations.

876. **Prison Architecture;**

Prison architecture has to be based on the following.–

i. 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;

ii. New institutions will not be constructed near easily flooded and in undulated areas, frontiers and international borders, sub-marginal land areas, sea-faces, airports and congested urban localities and religious worship places;

iii. 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 centers, educational facilities for children of prison personnel, should as far as possible be within easy reach;

iv. No building, other than the prison, will be constructed within 200 mtrs of the prison wall of Central Prisons, within 150 mtrs of the prison wall of a District Prisons and within 50 mtrs of the prison wall of Taluka Prisons;

v. 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 programs. Institutional design and architecture have to be functional;

vi. The plan of an institution will be based on a careful analysis of inmate population, age group, custodial requirement, diversified work, educational programs, *etc.*;

vii. Here will be enough open space inside the perimeter wall to allow proper ventilation and sunlight. The area enclosed within the four walls of a prison 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;

viii. The area of an institution will be fixed in accordance with the needs of an institutional program;

ix. 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;

x. Each region/division will have an institution for women prisoners according to local requirements. Each central, district and Taluka Prisons will have an enclosure for women-prisoners;

xi. The existing enclosures for women in common prisons 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 a woman guard inside. The institutions/enclosures for women prisoners will have all the requisite facilities with reference to their special needs such as segregation, protection, pregnancy, child-birth and family care, health care, training and rehabilitation, *etc.*;

xii. Accommodation for prisoners will provide adequate cubic contents of air, floor space, lighting, ventilation and climatic protection. All constructions in Prison and Correctional Services Department will adhere to ISI standards;

xiii. A special cell with adequate technical staff will be set up at the prison headquarter of each State to plan, monitor and supervise all constructions and repair works in the department;

xiv. Accommodation for transgender prisoners to be separately provided;

xv. CCTV Cameras shall be installed in kitchen, worksheds, hospital, main gate, interview room, high security enclosures and outer premises of barracks.

877. **Norms for Prison Buildings;**

i. Prison buildings have to be constructed on the following norms.–

Main Gate

a) The minimum dimension of the main gate and second gate of all the prisons will be 4 mtrs in width and 5 mtrs in height. Dimension of main and rear gates should be wide that in case of fire exigencies a fire tender, a bore well rig to dig bore well, a lorry to transport raw material/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.

b) Each gate will have a wicket-gate of atleast of 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.

c) 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 lead at eye level. The main gate may be painted with colors identical to that of departmental flag if prescribed by the State Government;

ii. Space between two gates will not be less than 16 mtrs in length and 5 mtrs in width to facilitate gate operations. It will have the following facilities.–

a) A cabin;

b) Gatekeeper enclosure;

c) Search room for male and female prisons;

d) Space for search and security equipment;

iii. Entry to the prison will only be through a single point, that is the main gate, and all other entry points, if existing, will be closed permanently;

iv. There will be a properly designed administrative block for each category of prison. The administrative block will be located adjacent to the main gate and will have office rooms, record rooms, conference hall, common rooms, enquiry cabins, video conference rooms, e-prisons monitoring rooms and control rooms for efficient functioning of the administration;

v. A Court hall may also be set up to dispose of cases of under-trials involved in petty offences;

vi. The reception unit will have necessary facilities for proper implementation of admission-quarantine orientation classification program. Physical facilities will be set up in accordance with the number and type of inmates to be received, and the program 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.–

a) A building where the inmates will be initially received;
b) Office room;
c) Interview room, exercise and recreational areas, *etc.* The buildings and areas where the admission program has to be carried out will be located in close proximity of the hospital.

878. **Housing;**

i. All accommodation provided for use of prisoners, particularly for sleeping, will meet basic requirements of healthy living. Due regard shall be paid to climatic conditions, cubic contents of air, minimum floor space, lighting and ventilation;

ii. There will be three types of living accommodations as mentioned below.–

a) Barracks with accommodation for not more than 20 prisoners;
b) Single room accommodation for prisoners needing privacy for pursuing studies, *etc.*;
c) Cells for segregation of prisoners for the purpose of security and contagious diseases;

iii. A plate indicating the authorized accommodations will be attached to the housing unit. Ordinarily, the number of prisoners confined in a housing unit will not exceed its authorized accommodation.

879. **Barracks;**

i. If a barrack is flat-roofed there will be ceiling ventilation that is, opening at intervals close to the junction of wall and ceiling 30 x 12.5 mtrs. If the barrack is gable-roofed, there will be a ridge ventilator. The minimum height of roofs or ceilings will not be less than 10 feet from the floor;

ii. The floor of the barrack will be made of impermeable material such

iii. as cement concrete;

iv. All barracks will, if possible, be provided with verandas not less
v. than 2.5 mtrs in width;
vi. 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. In new barracks, the ventilating area per head will be half a window. As standard grated window is 7 feet x 3 1/2 feet, half a window will mean 1 sq. mtrs. 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;
vii. Where accommodation is overcrowded and does not meet the prescribed standards, secure corridors/verandas and work sheds may be used for accommodating short term prisoners and under-trials involved in minor and petty offences during night. If at any prison over-crowding is likely to continue, the excess number of prisoners will be transferred to other institutions, with prior approval of the Director General of Prisons and Correctional Services;
viii. The structural arrangements of fittings and fixtures and locking devices of barracks will be secure enough to prevent escapes. The existing wooden frames of the doors, windows and ventilators will be replaced by iron/steel frames. The iron bars used in doors,
ix. windows and ventilators will be of 25 mm. dia. and the clear distance between two bars will be 7.5 cm.;
x. 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 of 10 mm. thickness;
xi. The measurement of each berth in the ground floor will normally be 2 x 0.75 mtrs with a height of 0.45 mtrs. (if berth available);
xii. A fixed or in-built shelf will be provided for each inmate so that he may keep his belongings there;
xiii. Sufficient artificial light will be provided to enable the prisoners to work and read without difficulty in their barracks after dusk.

880. **Cells;**

i. There will be thorough ventilation of every cell. At the back of the cell there may be a clerestory window;
ii. The floor of the cell will be made of impermeable material;

iii. Each cell will have a yard attached to it where a prisoner can have the benefit of sufficient air and light;

iv. It will be provided with a flush latrine. Existing cells will not be put into use till this facility is provided in them. Cells will be provided with sleeping berths.

v. Every prisoner in a ward sleeping cell, be allowed not less than 50 Sq.Ft. of ground space and 700 Cu.Ft. of breathing space.

vi. The height of the walls of a cell shall not be less than 13 feet and in computing cubic capacity the height to be taken into account shall not exceed 14 feet.

881. **Toilets/Wash rooms;**

i. Each barrack used for sleeping will have sufficient number of attached toilets, urinals and washing places. The ratio of such toilets will be one unit per 10 prisoners. The ratio of the toilets which can be used during day time will be one unit per six prisoners;

ii. Rest rooms will be of the sanitary type with arrangements for flushing. They 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 latrines and rain is kept out;

iii. In each Barrack, one Western style of toilets shall be provided and outside toilets one or two western style of latrines shall be provided;

iv. The standard size of the toilets shall be 5' x 5' (Length x Breath).

v. The partitions separating the latrines will be high enough to provide a reasonable degree of privacy. Latrines will be so designed that all excreta and wash materials will get into the receptacles without fouling the sites.

vi. Every seat will be provided with foot rests with an impermeable surface which will be in the right position and not too far apart.

vii. The inside walls of latrine will be fitted with glazed ceramic tiles up to the height of 1 mtr. from the floor level, as far as possible.

882. **Bathing places;**

i. Every prison will provide covered cubicles for bathing, at the rate of one for every 10 prisoner, with proper arrangements to ensure privacy.

ii. Every prisoner will be required to have bath as frequently as necessary for general hygiene according to climatic conditions;

iii. Taking into consideration that the daily requirement of water of an individual is about 135 ltrs., in hospitals the requirement may be more.

iv. There will be an arrangement for the adequate supply of water in every prison.

v. Each prison will have an independent standby arrangement for water supply;

vi. All prison building should have rain water harvesting system to improve the water supply to prison and also sewage water treatment plant.

vii. The standard size of the bathing places shall be 5' x 5' (Length x Breath).

883. **Kitchen;**

i. The general kitchen will ordinarily be located at a central place inside the prison so that the distribution of food among the prisoners may be finished quickly.

ii. The kitchen will not be built close to the sleeping barracks.

iii. 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.

iv. 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.

v. The kitchen must be provided with fly-proof automatic closing doors. It will have floors made of an impermeable material.

vi. 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;

vii. Cooking and serving utensils will be made of stainless steel. Management of kitchen or cooking of food on caste or religious basis will be totally banned in prisons. Prison kitchens will be modernized by introducing LPG and hot plates. Kneading machines, chapatti making machines, mixers and grinders, will also be introduced;

viii. There will be a provision for covered dinning space in prisons so that prisoners may take their meals under a roof and on a platform;

ix. There will be two shifts of workers in the kitchen;

x. 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.* with supervision of the guard and will be cleaned and locked after the purpose is over;

xi. The walls of the kitchen will be provided tiles up to a height of 2 meters for easy cleaning.

884. **Hospital;**

i. In every prison there will be separate hospitals with the necessary number of beds for indoor treatment with separate ward for men and women.

ii. All central and district prisons will provide hospital accommodation for 10% of the authorised inmate population.

iii. The location of the hospital will be as far away from the barracks as possible.

iv. Every hospital ward will be so constructed as to allow sufficient light and air.

v. The floors and walls will be made of impermeable material.

vi. Latrines and baths will be provided close to the wards so that the sick prisoners do not have to walk far to use them.

vii. There will be arrangements for continuous supply of potable water in the hospitals;

viii. The prison hospital will be situated near the main gate of the prison, the accommodation provided will include.–

a) Ward for patients;
b) Toilet and bathing facilities at the rate of one for every five patients;
c) Store room for hospital furniture and equipment;
d) Dressing cum-injection room;
e) Room for minor surgery;
f) Room for laboratory;
g) Room for the Medical Officer;
h) Isolation rooms for accommodating patients with infectious and contagious diseases such as T.B., Covid, *etc.*;
i) Isolation rooms for accommodating mentally ill patients.
j) Any other accommodation as and when required.

885. **Work sheds;**

i. Areas where prisoners work will have a minimum space of 500 cubic feet per prisoner in structures that will be constructed as workshops or factory buildings; for efficient ventilation the window area will not be less than 20% of the floor area subject to such variations as are found necessary in relation to particular industries or locations to be organised;

ii. Cells meant for confining prisoners by way of punishment and for confining prisoners sentenced to death should have water closet, bath and exercise areas attached. As far as possible these cells should be self contained units. In the absence of sanitary latrines, two vessels with close fitted covers should be provided one for collection of faces another for urine. Sufficient water should be made available in each cell.

886. **Ventilation of wards and workshops;**

i. The Chief Superintendent or Superintendent of prisons and the Medical Officer shall pay special attention to the ventilation of the barracks. In all cases, care shall be taken that there is sufficient lateral as well as roof ventilation.

ii. As the condition of the atmosphere breathed by prisoners can only be judged by visiting the barracks a few hours after the prisoners have been locked-in.

iii. The Chief Superintendent or Superintendent of prisons and the Medical Officer shall visit the prison 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 journals. The in-charge officer shall also be deputed for this purpose;

iv. Every possible arrangement shall be made for thorough ventilation of the barracks for several hours during the day. This is necessary to remove organic matter from the walls, which gets slowly oxidized. It is necessary that the beddings are removed out of the barracks for several hours every day;

v. The exterior walls of prison buildings shall be color-washed, and the interior walls white-washed from time to time. The interior of barracks, wards and cells in which prisoners are confined, will be white-washed once in a year.–

a) Areas where inmates work, should have a minimum of 350 cubic feet per prisoner in already existing buildings and 500 cubic feet per prisoner in structures that will be newly constructed as workshops or factory buildings;
b) Efficient ventilation is essential in workshops. There must be sufficient light in every work shed to enable workers to see clearly without any effort. The window area should not be less than 20 per cent of the floor area;
c) In work sheds where prisoners work with their legs in a pit care shall be taken such pits are damp proof.

887. **Prison building construction and repairs;**

i. Prison building and quarters for the staff in Prison premises are Construction/Maintenance/Repair/Service should be done by the Public Works Departments, KRIDL (Karnataka Rural Infrastructure Development Limited), Nirmiti Kendra, Karnataka State Police Housing and Infrastructure Development Corporation Limited or any agency authorized by the Government by time to time;
ii. Grass should be grown and trees planted and kept neatly trimmed in or near the prison where practicable. Ornamental garden be maintained in each prison to have salutary effect on the minds of prisoners;
iii. Trees should not be planted too close to walls and buildings so as to prevent their being used for escape. No additions and alterations shall be under taken without the orders of DG of Prisons and no plans or estimates should be obtained by the Chief Superintendent or Superintendent of Prison without the sanction of the Director General of Prisons and Correctional Services;
iv. All minor works of the nature of construction or of repairs to water channels or temporary petty constructions shall be carried out by the department under the Head “Works and Repairs” out of Departmental Budget Grants. Prison labour should be utilised for such works;
v. Convict labour may be made available to the Public Works Department and other Department agencies.

888. **Names of Blocks to be shown;**

The names and numbers of the blocks and other important buildings and enclosures shall be shown upon them in a conspicuous and suitable position including the name of the institution shall also be shown with black letters on white board.

MAINTENANCE

889. **Responsibility of all Officers;**

It is the duty of all prison officers to pay special attention to maintenance, and official and non-official visitors are expected to satisfy themselves that prison premises properly maintained.

890. **Prison area and Barracks to be kept clean;**

i. The wards shall be thoroughly swept and cleaned daily;

ii. The prison area and surroundings shall be kept clean and free from all jungle grass and weeds accumulation of broken bricks, manufacturing refuse, *etc.*;

iii. The area and surrounding ground shall also be thoroughly drained by either shallow or sub-soil drains to ensure the dryness of prison area and to prevent the accumulation of water near the prison. Open drains if possible should be used;

iv. No kitchen refuse shall be permitted to be thrown promiscuously on the ground nor rubbish of any kind to accumulate to in or near the prison;

v. The prison 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 prison;

vi. All staffs shall work once in a week to clean the staff quarters premises as a Shramadana. In-charge officer is responsible to monitor for this performance.

891. **Precautions against sewage *etc.;***

i. Earth shall not be dug for bricks or other purposes unduly close to prison and low hollow ground and especially stagnant pools shall be carefully filled up;

ii. No public privies, dye works, sewage drains or other public nuisances should if possible be allowed near prison.

892. **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 the all prisons under their jurisdictions once a month and offer suggestions for sanitation and hygiene.

893. **Prohibition of Cess pools and open drains;**
Cess pools, and open drains for accumulation and disposal of sewage are prohibited inside or near a prison.

894. **Precaution against accumulation of water;**
All pits and pools of water stagnant, near the prison shall be covered or filled up. Open drains if any around the prison shall be carefully attended to and drainage cuts shall be cleaned wherever necessary, to prevent accumulation of water.

895. **Medical Officer to approve drainage;**
The Medical Officer shall bring to notice of the Chief Superintendent or Superintendent of Prison any defects in the drainage within or around the prison. If he does not do so, it shall be presumed that he is satisfied with it. All drainage in prison should be underground which should be connected directly to the public drainage system.

896. **Injurious conditions in the prison neighbourhood;**
i. If anything occurs, or is likely to happen in the prison neighbourhood, that might injuriously affect the health of the prisoner, it shall be reported immediately to Director General of Prisons and Correctional Services. The construction of public latrines and sewage drains near a prison is objectionable and measures shall be taken to prevent such constructions;
ii. No sewage or effluent drains from mills and factories or other public sources, that may affect the health of the prisoners, should be allowed near any prison.

897. **Cleaning of toilets;**
The toilets shall be thoroughly cleaned twice a day or more often if necessary, with disinfectants.

898. **Kitchen;**
i. The inmates engaged in cooking should be regularly examined to make sure that they are not carrying of any infection. There should be adequate arrangements for cooks to wash their hands with soap and water before they start cooking. Cooks should change into clean uniforms and wear cleaned aprons with caps before they are permitted to cook or serve food. Manual handling of food is undesirable and must be avoided;
ii. The prisoner working in kitchen shall be cut their nails regularly and

also cut their hairs once in 15 days, face shaving twice in a week and avoid using chappals inside the kitchen and wear aprons during kitchen work.

899. **Stores;**

Stores or godowns must be kept clean, well arranged, and well ventilated. Their contents should be aired as often as possible. Godowns or grain stores should be treated with suitable insecticides to prevent the growth of weevil.

900. **Baths;**

All prisoners should be required to bathe as frequently as necessary. They should be encouraged to have daily baths unless medically exempted from doing so.

901. **Analysis of water;**

i. Samples of the water in use for domestic purposes in every prison shall ordinarily be submitted to the State water analyzing authority twice a year, for both chemical and bacteriological examination;

ii. In the event of outbreak of an epidemic in any prison, which might be due to contamination of the water supply, and which calls for an immediate examination of drinking water, the Chief Medical Officer / Medical Officer should 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 prisons;

iii. The State Water Analyzing Authority shall, in due course, forward a copy of its report of analysis, through the Director of Public Health and Preventive Medicine to the Chief Superintendent or Superintendent of Prison and Director General of Prisons and Correctional Services.

902. **Selection of source of water supply;**

i. Wherever corporation, municipal, panchayat, township or cantonment water supply exists, arrangements shall be made to connect the prison with it by a pipe line;

ii. If water from a well or tube-well is used in a prison such wells should be well-protected from being polluted by percolation of surface water;

iii. The mouth of every drinking water well shall be completely closed and the water shall be raised by a pump;

iv. The surface surrounding the well at its mouth shall be covered with a sloping cement platform with a drain around it to carry spilt water, and the well shall be lined to a sufficient depth to render the tube impermeable;

v. Every well shall be cleaned out twice in a year and the date on which it is done shall be recorded. Once a week, the depth of water in each drinking water well shall be tested and a record of the results to be maintained;

vi. The wells which have been cleaned should be disinfected with bleaching powder. Water should be analyzed bacteriologically before it is used.

903. **Purity of water supplied responsibility of Chief Superintendent or Superintendent of Prison and Medical Officer;**

i. The purity of water supplied to the prisoners for drinking and culinary purposes is a matter of the foremost importance and both the Chief Superintendent or Superintendent of Prison and the Medical Officer shall therefore pay constant attention to it;

ii. Whenever Municipal water supply exists the prison should be connected with it. In other cases water shall be obtained from the purest water supply in the neighbourhood from where it can be obtained in sufficient quantity. Before deciding upon the source from which water shall be taken. Samples shall be sent to the public analyst for examination.

904. **Filtration of water/Installation of RO water plant;**

i. The Reverse Osmosis (RO) water plant shall be installed in each prisons;

ii. There shall not be any garbage dump or sanitary wastes within a radius of 15 mtrs of any ring well or tube well.

905. **Vigilance in the water supply system;**

Every possible precaution should be taken to prevent pollution of the water supply either at the source or at the storage or in the distribution system. Every officer of the prison shall exercise utmost vigilance in this regard.

906. **Supply of drinking water;**

i. Suitable arrangements shall be made to supply every inmate of a ward and cell with sufficient quantity of fresh drinking.

ii. It shall be the responsibility of the prison staff on duty to see that sufficient drinking water is available before the prisoners are locked-in;

iii. 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.

907. **Disinfection of 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.

908. **Provision of water to staff quarters;**

Adequate free supply of water shall also be ensured to the residential quarters of the prison 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 Chief Superintendent or Superintendent of Prison and the Medical Officer shall periodically inspect the staff quarters to check general cleanliness.

909. **Dead body to be handled solemnly;**

The dead body of a prisoner shall be handled with all solemnity and it shall be disposed of in accordance with his religious rites.

910. **Disposal of body;**

i. The body of any prisoner dying in Prison or in local hospital or executed in prison. shall be made over to the relatives or friends of the deceased if claimed by them, unless there are special reason to the contrary *viz.*, the prisoner has died of any infectious disease or in case of a prisoner who has been executed if there are grounds for supposing that the convicts funeral will be made the occasion for a demonstration;

ii. If there is likelihood of public demonstration or agitation over a death in the prison or over the disposal of a dead body of a prisoner who

died of any infectious disease the Chief Superintendent or Superintendent of Prison shall obtain the instruction of the District Magistrate and Act accordingly.

911. **Performance of last rites;**

i. If there be no relatives or friends willing to perform the last rites for prisoners who have been executed or have dead body the Chief Superintendent or Superintendent of Prison shall obtain the instruction of the District Magistrate and Act accordingly.

ii. Funeral ceremonies should invariably be performed by prisoners belonging to the same religion as the deceased and facilities must always be given for carrying out funerals with decency and with prescribed religious rites.

912. **Expenditure;**

Funereal ceremonies shall be invariably be performed at the Government cost by the head of the Prison, who are executed are dies in prison and whose bodies are unclaimed.

913. **New cloth to the dead body;**

The bodies of prisoners not made over to friends or relatives shall be wrapped in a new cloth and buried in the prison burial ground.

914. **Prison burial ground;**

i. There shall be a burial ground attached to every Prison distinctly marked off or enclosed and used only for the burial of prisoners and a space for burial prisoner's dead body attached to the prison premises shall be notified by the Government. If the prison burial ground is not available the dead body of the prisoners shall be buried at corporation/municipal burial ground;

ii. The site selected for the burial ground shall not be in the immediate vicinity of any city, town or of the prison itself, it must not be near any source of drinking water used either by the prison or the free population and that sufficient ground is secured to answer all the requirements of the prison for atleast fifteen years;

iii. Cemeteries must always be enclosed by a fence and the graves dug in regular lines each grave be marked with a piece of wood metal or stone on which the prisoner's number and name are recorded;

iv. No grave shall be less than six feet deep one or more graves should be kept ready for use;

v. In filling a grave care shall be taken to press down the earth well so as to protect the body from the depredations of wild animals. The earth should be heaped up one foot about the grave is to be encouraged, the grass being kept trimmed, quick growing trees should be planted about the cemetery;

vi. The burial ground shall be kept clean and tidy. Free from jungle and the graves shall be disposed irregular rows so as to economies space but not too close together. The growth of grass about the grave is to be encouraged, the grass being kept trimmed, quick growing tree should be planted about the cemetery;

vii. The Chief Superintendent or Superintendent of prisons and the Medical Officer shall visit the burial ground from time to time and see that it is kept in proper order and record the same in the journal of their visit.

915. **Intimation of death in certain cases;**

i. Notice of death shall be sent to the Municipal Officer of Health if the prison is situated within the limits of a municipality and in other cases to the District Magistrate of the District;

ii. Deaths of all prisoners whose finger prints have been taken shall be intimated immediately to the finger print bureau;

iii. When a Military prisoner dies in the prison immediate report thereof shall be given to the Commanding Officer who sent him to the Prison;

iv. When a foreigner dies in the prison immediate report shall be sent to the District Magistrate and the Director General of Prisons and Correctional Services for further communication to Government. The State Government will inform the embassy or appropriate authority about their death of the foreign prisoner;

v. When a woman prisoner dies in prison and leaves a child behind, information shall at once be sent to the Magistrate of the District who shall make arrangements for the care of such child with the relation or friend who is willing to take care of the child, the Magistrate shall place the child, in some approved institution or shall entrust it to some responsible person, if no relation or friend, is forth coming to take the child.

CHAPTER - 46
Guarding Organization

916. **Statutory Provision;**
Under Section 63 of The Karnataka Prisons Act, 1963 the State Government may make rules for regulating the use of arms against any prisoner of batch or prisoners in case of an outbreak or attempt to escape.

917. **Guarding Establishment;**
There will be a guarding establishment in every prison, responsible for the guarding of prisoners, prison premises, gate and carrying out any other duties which may be assigned to them. The guarding establishment includes the prison staff performing their duties in rotation as per orders from Director General of Prison and Correctional Services from time to time.

918. **Reserve Guard;**

i. In all Central and District Prisons, and Head Office, there will be a reserve guard consisting of adequate number of prison staff, who have undergone training in the views of modern weapon and unarmed combat. This reserve guard will always be ready in the guard room to meet any emergency;
ii. Personnel in the Reserve Guard will carry the required modern weapons and ammunitions so that these can be used in emergencies;
iii. When one set of the guard is relieved, all arms and ammunition will be handed over to the relieving guards. The senior prison officer (Reserve Guard) in command will be responsible for the correct handing over of arms and ammunition.

919. **Duties of Armed Reserve Guard by day;**
The Guarding of the Main Gate shall devolve on the Armed Reserve Guard. The Armed Guards are furnished the sentry at the main gate and on Tower wherever provided and to furnish such other sentries as the Chief Superintendent or Superintendent of prison may direct.

920. **Duties of Sentries;**
It is the duty of a sentry by day or night, to challenge all unknown or suspicious persons approaching his beat, and to require them to stand and not to approach near unless they can satisfactorily account for themselves or at night give the pass word. No prisoner shall be

permitted to approach within 5 yards of any sentry. It is the duty of the sentry to resist all attempts to break into or out of the Prison or any part of it and to prevent escapes or illicit communication with prisoners. At night every sentry shall report to the patrolling officer anything suspicious or unusual that comes to his knowledge. It shall also be his duty to see that the convict watchmen inside each ward are on the alert and moving about, and that he files the required assurance that all is well each time the sentry passes the ward.

921. **Reserved Armed Guard not to be put on Prison Routine;**
The Reserve Armed Guard shall not take part in the daily routine of the prison or assist in the searching of prisoners or in counting them except when allotted for duty over condemned prisoners. Reserve Guards should be kept aloof as much as possible from being brought into close with the Prisoners.

922. **Chief Superintendent or Superintendent of Prison to Draw up Rules for Reserve Armed Guards;**

i. The Chief Superintendent or Superintendent of each prison shall draw up subsidiary rules for guidance of the Reserve of the Reserve Guard to meet local requirements indicating.–

a) The sanctioned strength of the Prison Guard;
b) Its distribution (detachment if any);
c) The number and position of the sentries defining their beats;
d) The position to be taken up by the guard and its distribution and duties or the alarm when sounded by day and night;
e) Alarm signal.

ii. The Officer in Command of the Night Standing Guard shall be termed the Guard Officer;

iii. The duties of the Night Standing Guard are similar to those of the Armed Reserved Guard by day.

923. **Maintenance of Duty Roster;**

i. A Duty Roster will be maintained in each prison. The authorized officer will be responsible for the proper maintenance of this register. The register will contain all the names of guards on duty with their hours of duty and their signature for having understood the duty hours. The register will be sent to the Chief Superintendent or Superintendent of Prison through proper channel every day for checking and getting his signature;

ii. It shall be the responsibility of the senior prison officer of the prison to ensure that the prison staff stick to their post according to the Duty Roster and any violation in this regard will be immediately brought to the notice of the Chief Superintendent or Superintendent of Prison. The Chief Superintendent or Superintendent of Prison will also verify this during his surprise visits to different parts during day and night. Care will be taken that the night duty is allotted in rotation.

924. **General Guarding Duties;**

The general guarding will be undertaken by the prison staff establishment. They will carry on the internal and external guarding of the prison, the supervision of the prisoners during labour hours as well as the work of guarding and maintaining security of wards, blocks, barracks, workshops, tools and plants and other Government properties, posts and tower.

925. **Appointment of Hospital attender;**

The Chief Superintendent or Superintendent of prison shall detail a sufficient number of well conducted convicts to perform the hospital attender duty of the hospital. Such convicts shall be under the orders of the Medical Officer.

926. **Relief and supervision of Sentries;**

As a rule, sentries will be relieved at the end of every three hours. During the day the senior prison officer of the prison 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, 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.

927. **Night watch by Convict Watchmen;**

A system of watch by convict night watch man shall be conducted inside each Ward. For this purpose night watch shall be divided into 3 batches of four hours each commencing from 6 p.m. and each watch shall be allotted in regular rotation to a convict watchman who shall be changed at the same time as the sentry outside the relieved. The convict watchman on duty for the time being shall keep constantly moving up and down the ward. He shall carry out the duties allotted to him and shall be responsible that no irregularity goes on. If

anything happens he shall inform the sentry outside who shall inform the patrolling officer. He shall frequently count the prisoners in the ward to assure himself that the number is correct and whenever the sentry passes the ward he shall call out an assurance that all is well.

928. **Morning and evening muster of Reserve Guard;**

i. Before the prison is unlocked in the morning, the Reserve Guard and warders whose duties for the day have not been fixed will be mustered under arms outside the main gate, and the senior prison officer 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 Reserve Guard will again be under arms from the hour fixed for the cessation of work till the prisoners are locked up for the night;

ii. All guarding staff of the Prisons may have firing practice which shall be held once in six months, in co-ordination with the police department of the District.

929. **Use of Weapons against Prisoners;**

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

a) 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;

b) Engaged in any outbreak or attempt to force or break open the outer gate or enclosure wall of the prison individually or collectively, provided that he may use the weapon only if such an outbreak or attempt continues;

c) Using violence against officers of the prison or other persons, provided that there is reasonable ground to believe that the officer of the prison 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;

ii. Before using firearms against prisoner, the officer, or the member of the guarding staff, will give a loud and clear warning to the prisoner that he is about to fire on him;

iii. No officer of the prison will 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 defense;

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

930. **Duties of Warder Guard;**

The warder guard shall consist of all the warder establishment except the Reserve Armed Guard. Warder Guard shall be entrusted the duty of carrying on the internal management and discipline of the Prison and supervision of convicts during labour.

931. **Ammunition by guards and sentries;**

i. When the guard is detailed, each man comprising the guard shall carry in his pouch a packet containing 10 rounds of ball ammunition. Ten loose ball cartridges shall be carried by the man who is actually on sentry duty, his pouch being kept open. These 10 loose cartridges shall be handed over to the relieving sentry who shall exchange for them his closed packet of cartridges. Thus every' man on guard will have 10 rounds of ammunition the sentry alone having loose ammunition;

ii. When the guard is relieved all the ammunition shall be handed over to the relieving guard. The Head Warder or the Senior Guard in command shall be responsible for the correct hand over of his ammunition;

iii. The men on Prison guard duty shall not carry their firearms loaded, but shall carry a closed packet containing 10 rounds of ball ammunition in their pouches. The sentry on duty shall wear his pouch in front for quick loading and shall carry his 10 rounds loose.

932. **Transport of Arms and ammunition;**

i. All consignments of arms and ammunition sent by any means of transport will be put in sealed boxes and escorted by an appropriate armed guard. It will be the duty of the escort to guard the arms and ammunition against any contingency. When the arms of the Prison Department are to be dispatched to stations outside the State for repairs they will be entrusted to the Police Department;

ii. A police party will escort these arms along with the 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 Prison Department, the expenditure incurred in connection with the journey of the escort will be borne by the Prisons and Correctional Service Department.

933. **Custody of articles facilitating Escape;**

The senior prison officer and guards will 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 these will be properly escorted and will be sent out of the prison after use. Every prison staff in-charge of a workshop will 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.

934. **Dynamic Security;**

Prisons will be run on the basis of dynamic security. Dynamic security depends on the use of alternative methods for which interaction with prisoners will be a pre-requisite to make them aware of what is going on and to ensure them that they are being kept in safe and humane environment. It is not only means of preventing escape but also maintaining constructive relations with prisoners. The staff will also be made to understand that security not merely implies guarding the wall and fence and electronic surveillance, but also action engendering a sense of protection and mutual trust.

CHAPTER - 47

Provisions

935. **Provisions to be raised on Prison ground;**
Provisions required for prisoner shall as far as possible be raised on Prison lands by Prison labour.

936. **Method of Procuring Articles;**
Provision which cannot be supplied by Prisons shall be purchased either from approved Co-operative Societies/ Government undertakings/ local market at approved rates or where Co-operative Societies are not functioning by calling tenders in the approved manner.

937. **Period of the Tender;**
The period of supply either by the Co-operative Society or by the accepted tender contractor shall be for the financial year commencing from 1st April to 31st March of next year.

938. **Tender provisions;**
Rules for supply of articles to prisons by Co-operative Societies or Tenderers shall be as per KTPP Act 1999 and KTPP Rules 2000, and shall be called for well in advance of the Financial Year. All rules framed by the Government from time to time shall be strictly followed in the procurement of all the items for all the prisons in the state.

939. **Agreement;**
The societies as well as tender contractors shall execute an agreement binding themselves for proper and timely supplies throughout the period of contract, for acceptance of tender terms and conditions as prescribed from Government from time to time.

940. **Procedure on contractor default;**
In the event of the contractor failing to fulfill any part of the agreement and it becomes necessary to purchase the articles in the open market at the contractor's risk, and difference in cost shall be recovered from the contractor and penal clause of tender rules be enforced.

CHAPTER - 48
The Prison Garden and Farms

941. **Garden to supply Vegetables;**

The vegetables required for prisoners consumption shall as far as possible be grown in the prison garden. The prison officer who is in-charge of prison garden shall be responsible for ensuring that the garden attached to the prison grows at all seasons a sufficient quantity of good and whole some vegetables and condiments for prisoners use. When this is not achieved, he shall be required to show that failure was not due to neglect on the part of those in-charge of prison garden.

942. **Charge of Garden;**

In prisons where there are agricultural instructors and in other prisons, senior prison officer and prison staff who are well versed in gardening should be placed in immediate charge of the garden.

943. **Cultivation of Garden;**

i. The prison garden shall be kept clean free from weeds and undergrowth and as far as possible under cultivation. Every prison garden shall be surrounded by a thick hedge of high wall sufficient to prevent prisoners seeing persons outside the garden of being seen by them;

ii. Whole of the prison land between the outer and the inner walls as well as outside the prison walls that may be available for cultivation should be cultivated to the best advantage;

iii. All spare lands should be utilised for raising crops, for the prisoner's food and fodder for the cattle and fuel. No prison land should be left un utilised unless it is incapable of being put to any use. Special attention should be given to the selection for the growth in the garden of vegetables possessing ant scorbutic qualities.

944. **Planting of Trees and Grass;**

i. Fruit trees should be planted outside the prison. The main irrigation channels should be built of stone or brick and leakages should be promptly repaired. All available land shall be laid out into plots of convenient size and shall be serially numbered. In addition, coconut, mango, jack fruit trees and other useful trees shall also be planted and which can be serially marked;

ii. Grass shall be grown and trees planted and kept neatly trimmed in and near the prison wherever possible. Gardens shall also be maintained in each prison to have a salutary effect on the minds of prisoners. However, trees shall not be planted too close to walls and buildings as these may be used for escape from the prison;

iii. After the rainy season, the inner and outer sides of the perimeter wall, of the prison and wall of the wards shall be scrubbed. Pathways inside the prison compound shall be de-weeded and re-laid. Wherever the paths are made of tarmac, the uneven surface shall be leveled properly.

945. **Water supply to prison Garden;**

i. All available sources of water in prison should be utilised to the extent necessary. The main irrigation channels should be built of stone or brick and leakages should be promptly repaired. All available land shall be laid out into plots of convenient size which shall be serially numbered;

ii. The nursery should be located in the best land which is not likely to remain damp or water logged. It should be within a reasonable distance from the source of water and should be hedged from the rest of cultivation.

946. **Care in gardening and use of implements;**

i. Successful gardening requires frequent and thorough surface tillage and careful attention to weeding and irrigation are essential;

ii. As far as possible improved methods should be adopted and the use of modern tools and implements encouraged in all Prisons;

iii. For eradicating plant diseases and use of insecticide and other matters connected with gardening and farming, the advice of the authorities of Agriculture and Horticulture department may be utilised by the Chief Superintendent or Superintendent of prison.

947. **Employment of prisoners;**

The number of prisoners employed in the prison garden and farm shall not exceed a percentage to be fixed in the case of each prison by the Chief Superintendent or Superintendent of prison taking the availability of land and other resources available into consideration.

948. **Disposal of surplus vegetables;**

i. Whenever there is surplus vegetables in the prison garden after meeting the needs of prisoners, it shall be put up for sale to the prison staff to be given at reasonable rates to be fixed by the Head of Prison taking the market rates into consideration;

ii. Any garden produce vegetables fruits/coconuts/grass *etc.*, in excess of the prison requirements may be sold to the prison staff and the public at reasonable rates to be fixed by the Head of Prison;

iii. The money thus realized shall be credited to Government.

949. **Trees not be removed without orders;**

No tree in prison land shall be cut down or otherwise removed without an order in writing of the Director General of Prisons and Correctional Services. The wood obtained may be utilized for prison purposes only.

950. **Garden and Plot Register;**

i. Vegetables gathered daily from the prison garden shall be weighed and the weight entered in a garden register;

ii. The quantities issued to prisoners and sold to prison staff of any shall also be entered therein. The register shall be maintained by the in-charge prison officer of the garden. There should also be a plot register wherein plot wise crop should be recorded;

iii. The Chief Superintendent or Superintendent of prison shall verify the registers and initial the daily receipt and issue entries.

951. **Live Stock;**

Bullocks may be maintained in Prisons for ploughing, carting, carrying manure, *etc.*

952. **Maintaining cows and a small poultry section;**

i. In prisons where there are facilities and if it is economical to maintain a small number of cows the same may be maintained and a small poultry section started to meet the requirements of at least the in patients in the Hospital;

ii. For construction of sheds for the animals and birds, maintenance of animals and birds, their diseases and treatment, special precautions for prevention of diseases *etc.*, authorities of the veterinary and Animal Husbandry department should be frequently utilized by the prison Chief Superintendent or Superintendent of prison.

953. **Ration for the cattle;**

Under feeding impairs the health of animals. Therefore, farm animals to be fed properly with balanced rations on the recommendation of Veterinary doctor from the animal and husbandry department.

954. **Sowing, reaping and storing of produce;**

The officer in-charge of prison garden, shall be responsible for seeing that land is sown and crop maintained properly, produce is reaped at the proper time and immediately brought into store and amounted for and that proper precautions are taken against loss or misuse.

955. **Storage of seeds;**

The Chief Superintendent or Superintendent of prison shall see that seeds are gathered for future use from fully developed, disease free and properly maintained plants. Before storing them in airtight tin containers they should be dried in the shade for three or more days.

CHAPTER - 49

Open Prisons and Correctional Institutions

956. **Statutory Provisions;**

i. Open Prisons and Correctional Institutions shall have a diversified work programs, including those relating to agriculture, horticulture, animal husbandry and industry, in collaboration with the concerned departments and under the supervision of the Prisons and Correctional Services Department.

ii. Such reasonable facilities or concessions in the Open Prisons and Correctional Institutions shall be allowed which may assist the prisoner in reformation and rehabilitation into the society.

iii. Open prisons and Correctional Institution 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 release;

iv. These institutions provide the prisoners opportunities of employment and living a life in the open;

v. 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.

957. **Selection Committee;**

i. For the purpose of selecting prisoners for confinement in any Open Prison, there shall be a Selection Committee consisting of the following members.–

a) The Range Deputy Inspector General of Prisons;
b) The Chief Superintendent or Superintendent of prison of the Prison from where the prisoner is/are proposed to be shifted to the Open Prison;
c) Medical Officer of the Prison from which the prisoners are to be selected;
d) Factory manager or the technical Assistant to the Chief Superintendent or Superintendent of prison;
e) Psychiatrist if available at the Head Quarters;

ii. The Selection Committee shall subject to the provisions of these rules, prepare a list of prisoners and shall submit the same to the Director General of Prison for his Orders;

a) The following categories of prisoners may be selected for confinement in Open Prison.–
b) Convicted prisoners who are found to be of good behavior and are physically and mentally fit;
c) Prisoners who are willing to do hard work and abide by the Rules and Regulations of the Open Prison;
d) Prisoners sentenced to term of imprisonment of five years or more and have undergone one fourth of their sentence excluding remission;
e) Prisoners sentenced to imprisonment for life and who have undergone five years of sentence excluding remission;

iii. The following Categories of Prisoners shall not normally be sent for confinement in an Open Prison.–

a) Habitual Prisoners;
b) Prisoners who are awarded major punishments for prison offences;
c) Prisoner having any case pending in a Court;
d) Prisoners suffering from mental disease or any other serious disease;
e) Prisoners having previous history of serious mental illness;
f) Prisoners convicted and sentenced for offences under Sections 121, 121-A, 122, 123, 124, 124-A, 125, 126, 128, 129, 130, 131, 132, 133, 134, 135, 376, and 392 to 402 of the Indian Penal Code;
g) Escapees and prisoners with escape risks;
h) Hired and professional Murderers;
i) Class 1 prisoner;
j) Prisoners convicted under Political movement or any Special Act;
k) Prisoners who are considered dangerous or are involved in serious prison violence like assault, outbreak, riot, mutiny or who have been found instigating serious violation of prison discipline;
l) Prisoners convicted for offences such as dacoity, terrorist crimes, kidnapping, and smuggling including those convicted under NDPS Act, foreigners and members of organized criminal gangs;
m) Prisoners committed for failure to give security for maintaining peace or good behavior;
n) Prisoners whose transfer is likely to have repercussions elsewhere in the country.
o) 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;

p) Any other prisoners or category of prisoners whom State Government and Director General of Prisons and Correctional Services considers unfit for being sent to an open prison.

iv. The Director General of Prisons and Correctional Services may on the recommendations of the selection Committee consider the cases of prisoners for the purpose of confinement in open prisons.

958. **Facilities;**

i. Wages to the prisoners should be paid as prescribed by the State Government from time to time.

ii. Ordinary remission shall be granted to the prisoners confined in an open prison at the rate of 10 days per month. However total remission should not exceed one third (1/3rd) of total sentence;

iii. All these institutions shall have a properly demarcated area beyond which inmates shall not be allowed to go. Standards of behavior and discipline in these institutions shall be maintained at a high level. Emphasis should be laid on the development of sense of, responsibility and self-discipline;

iv. Inmates should be encouraged to maintain their family contacts.

v. The Superintendent may use his discretion in granting the facility of additional letters and interviews according to the merits of each case.

vi. Prisoners should mainly be employed in suitable industries, agriculture, Animal Husbandry and allied work. Emphasis shall be laid on programs like literacy project, social education, cultural and recreational activities; Inmates will be gradually relaxed from the condition of closed prison in the beginning to that of an Open Institution in the final stage.

959. **Review of the Prisoners work;**

i. The case of each prisoner transferred to an Open Prison shall be reviewed once a month by the Chief Superintendent or Superintendent of the Open Prison, who shall review the prisoner in detail.

ii. If the Superintendent finds that a particular prisoner is unfit for being kept in confinement in the Open Prison on the ground of discipline or unsatisfactory work or any other ground and for sufficient cause, he shall be transferred after obtaining approval of the Director General of Prisons and Correctional Services.

960. **Procedure of Selection;**

i. The Chief Superintendent or Superintendents of Prisons shall prepare separate lists of prisoners falling who are willing to be confined in an open prison and be forward such lists together with case histories including the medical report certifying his fitness for work at open prison to the Selection Committee;

ii. The Committee shall examine the said lists along with the case histories and files of the prisoners at the respective prisons and also by personal interview;

iii. The case of each prisoner shall be screened regard being given to the following factors.–

a) Health-physical and mental to with stand confinement in open prison;
b) Behavior and conduct in prison and sense of responsibility displayed;
c) Progress in work, vocational training, and education and in other like matters;
d) Group adjustability;
e) Character and self discipline;
f) Extent of institutional impact (whether he has reached peak points of training and treatment);
g) Whether he is fit for being trusted for confinement in an open prison;

iv. Selection Committee shall select such prisoners as are eligible for being confined in open prison and submit a list of selected prisoners for the approval of the Director General of Prisons and Correctional Services. On the list being approved, the selected prisoners shall as soon as possible be transferred for confinement in the open prison;

v. On admission at a open prison the inmate should be kept in the reception barrack for atleast one month. During this period, he should be further acquainted with the requirements of living standards, standards of behavior under open prison conditions basic education and work skills.

961. **Remission;**

i. Ordinary remission shall be granted to the prisoners confined in an open prison at the rate of 10 days per month.

ii. No remission shall be granted for broken periods of month at Open Prison at the above rate, for such broken period the prisoner will be eligible for ordinary remission as per Karnataka Prisons Rules;

iii. They are also eligible for Annual Good Conduct Remission and Special Remission as provided in the Karnataka Prisons Rules.

962. **Amenities for Prisoners;**

The Prisoners confined in Open Prison are entitled to the following Special Amenities.–

i. A prisoner who refuses to work shall be given ration in the non labour scale as per Karnataka Prisons Rules, irrespective of any other punishment that may be awarded;

ii. In addition to the usual scale of clothing and bedding, every prisoner shall be entitled to receive one extra working suit consisting of one Shirt, Knicker, Pyjama, Towel, Cotton/Woolen Jacket and one Cumbly;

iii. Each Prisoner working shall be paid wages at the rates prescribed by Government from time to time;

iv. Every Prisoner shall be provided with 225 grams washing soap per month;

v. A canteen shall be opened in the open prison for use of the Prisoners and all canteen facilities as provided in closed prisons should he provided to the prisoners working in Open Prison;

vi. Daily working hours may be fixed 8 hours.

CHAPTER - 50

Prison Staff Development

963. **Prison Staff Development;**

A concerted approach towards staff development should be made an integral part of the legal framework that regulates prisons. Correctional work being a specialized field, and a social service of great importance, all posts in the department of Prisons and Correctional Services, except where supporting staff is required, should be manned by persons belonging to the Prisons and Correctional Service Department.

964. **Prison Cadre;**

i. The prison personnel should comprise of following staff cadres.–

a) Executive cadre;
b) Custodial or Guarding (including Reserve guard);
c) Technical: Technical Supervisors and Instructors borne on prison establishment;
d) Ministerial staff: From Administrative Officer down to the Lower Division Clerk;
e) Medical and Para Medical Staff;
f) Correctional Cadre like Psychiatrist, Psychologist, Welfare officers and others;
g) Class IV Government Servant:

ii. Cadre strength of various categories of personnel should be fixed in accordance with the needs of the department;

iii. While fixing the strength of each cadre, care should be taken to see that enough openings for promotions become available to the personnel;

965. **Staff meetings;**

i. The Chief Superintendent or Superintendent of Prison will convene a monthly meeting of the institutional staff members. The objectives of this meeting should 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
g) Welfare Committee;
h) To give opportunities to staff members to discuss their common problems;
i) To communicate appreciation of good work as and when
j) necessary;
k) To reward staff members as and when necessary;

ii. Minutes of the proceedings of the meeting should be recorded and a copy of it should be forwarded to the Range Deputy Inspector General of Prisons with the remarks of the Chief Superintendent or Superintendent of Prison.

CHAPTER - 51

The Treatment of Terminally ill Prisoners

966. **The Treatment of Terminally ill Prisoners;**

i. The Chief Superintendent or Superintendent of Prison/Investigating Police Officer/Officer-in-charge of the case must bring to the notice of the Hon'ble Trial Court, the medical condition of the TIPs concerned during the process of trial for taking a sympathetic view while considering their requests for bail and expeditious disposal of the case *etc.* so that the Hon'ble Court may pass appropriate orders as deemed fit;

ii. Cases of such TIPs should also be submitted before the inspecting Judges of District Courts or during visit of Judges of Hon'ble Supreme Court/High Courts so that the Hon'ble Judges may take a view and may consider such cases for a Judicial Review as deemed fit;

iii. The TIPs and their families should be made aware of the special powers of the President and Governor under Article 72 and 161 of the constitution of India, respectively, to grant pardons, reprieves respites or remission of punishment or to suspend, remit or commute the sentence of any person convicted of any offence against any law relating to a matter to which the executive power of the State, and in certain cases of the Union, extends all necessary help must be rendered to enable such TIPs to submit a petition to the President or Governor , as the case may be;

iv. The correctional needs of such prisoners are also different as it is not social reintegration which is relevant, but there is a need for psycho-spiritual support and adequate human contact to help them maintain their mental balance. TIPs should be therefore, be close to their homes as per possible to enable regular visits of their family members and friends;

v. Foreigner TIPs should be identified separately under each of the categories of judicial custody, under trials and convicts so as to deal with their cases in a focused and expeditious manner as indicated below.–

a) While all facilities available to Indian TIPs would also be available to Foreigner TIPs, the State Governments must immediately take up the cases of the convicted foreigner TIPs with the Government of India for repatriation to their respective countries as per provisions;

b) The repatriation of a convicted foreign TIP must be taken up immediately by the State Government to the Ministry of Home Affairs and Ministry of External Affairs, Government of India through diplomatic channels on humanitarian grounds;
c) The cases of foreign TIPs, who are under judicial custody/under trials, should also be taken up with the respective trial Courts on priority on the line suggested for the similarly placed Indian TIPs;
d) Their cases should be submitted expeditiously to the Hon'ble Courts for Judicial Review and the Hon'ble Courts may like to dispose of such cases as deemed fit;
e) Transfer of TIPs to prisons with better medical care facilities,
f) Government/Civilian hospitals, open Prison *etc.* on need basis;
g) Free legal assistance to TIPs in judicial custody/under trials;
h) Facilitating/enabling co-operation of community health care services, NGOs and civil society to ensure proper care in the prisons and continuity of care following release of TIPs.

CHAPTER - 52

Karnataka State Prison Development Board

967. **Karnataka State Prison Development Board;**

i. Karnataka Prison Development Board to examine the living conditions of prisoners and contemplate for the appropriate correctional programs which will enable the prisoners to re-assimilate in the society, to develop the Prison industries and to formulate plans for modernization and for job oriented technical programs in different trades so as to earn the incentives and for matters connected therewith or incidental thereto.

ii. The Karnataka State Prison Development Board shall be constituted as per the orders of the State government and shall be regulated as per the act and rules in this regard.

CHAPTER - 53
Legal Aid

968. **Constitution of Legal Services Authorities;**

i. Article 39-A of the Constitution of India provides for free legal aid to the poor and weaker sections of the society and ensures justice for all.

ii. Articles 14 and 22(1) of the Constitution of India 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.

iii. 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;

iv. 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;

v. 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 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;

vi. 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;

vii. 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;

viii. 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;

ix. 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.

969. **Functioning of Legal Services Institutions;**

i. NALSA lays down policies, principles, guidelines and frames effective and economical schemes for the State Legal Services Authorities to implement throughout the country;

ii. The State Legal Services Authorities, District Legal Services Authorities, Taluka Legal Services Committees, *etc.* have been entrusted with the following primary functions.–

a) To provide free and competent legal services to the eligible persons;
b) To organize Lok Adalats for amicable settlement of disputes;
c) To organize legal awareness camps; and
d) To implement the Schemes and policy directions of the NAISA through strategic and preventive Legal Services Programmes;

970. **Legal Aid Clinic in every prison;**

Legal services clinic should be set up by Legal Service Authorities in every prison across the State, with sufficient number of panel lawyers and paralegal volunteers deputed to such clinics for providing free legal services to inmates on all working days. Prisons and Correctional Service Department may train certain inmates as paralegal volunteers (PLVs) for assisting the Legal Aid Clinics established at prisons.

971. **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.

972. **Right to free legal representation or legal aid;**

The Chief Superintendent or Superintendent of Prison should inform prisoner of their rights of appeal.

CHAPTER - 54

Registers and Records

973. The following registers and books shall be maintained in all prisons in-so-far as they may be applicable. The Officers and section in-charge are responsible for maintaining such records as mentioned below:

i. **Judicial Section;**

1. Under Trial Register;
2. Under Trial property Register;
3. Convict Register;
4. Convict property Register;
5. Under Trial Release Dairy;
6. Convict Release Dairy;
7. Under Trial Court Diary;
8. Convict Court Diary;
9. Remission Register;
10. Convict Prisoners Punishment Register;
11. Under Trial Prisoners Punishment Register;
12. Escape Register;
13. General Parole Register;
14. Emergency Parole Register;
15. Security Deposit Register for General /Emergency Parole;
16. Register of Prisoners sent out Court;
17. Register of Prisoners sent out Hospital;
18. Register of Bus warrant Bills;
19. Register of Fine Payment;
20. Appeal Register Form;
21. Work Allotment Register;
22. Convict prisoners Money Order Book Form;
23. Under trial prisoners Money Order Book;
24. Out Gang Register;
25. Advisory Board Register;
26. Interview Register;
27. Prisoners Letter Register;
28. Natural and Un-natural Death Register (Including death of inmates on parole);
29. Mercy Petition Register;

30. Register of Mentally ill Prisoners;
31. History Ticket Register;
32. NHRC/SHRC Cases Register;
33. Telephone Register;
34. Lawyer Interview Register;
35. Power of Attorney Register;
36. Legal Aid Register;
37. Under trial Review committee Register;
38. Detenues Register;
39. Foreign Prisoners Register;
40. Fortnightly Report Register;
41. Compensation Issued Register;
42. Parole Escape Register;
43. Civil Prisoners Register;
44. Premature Release of Prisoners Register;
45. Bail Bond Register;
46. Prisoners Grievance Register;
47. UDR Register;

ii. **Ration Section**

48. Long Indent Register;
49. Stock Book Register;
50. Requisition Register;
51. Abstract Register;
52. Contractors Indent Book Register;
53. Receipt Book to Contractors of Indent Register;
54. Grinding and Wastage Register Form;
55. Quotation Book for Local Purchases Register;
56. Gunny Bag Account Register;
57. Contractors Default Register;
58. Gas indent Register;
59. Daily food inspection Register;
60. Kitchen items and tools stock Register;

iii. **Establishment Section;**

61. Service Registers;
62. L.P.C. Book;
63. Acquaintance Roll Register;
64. Vacancy Register;

65. T.A. Bill Register;
66. Casual Leave Register;
67. Register of Surrender Leave Salary;
68. Register of Probationers;
69. Increment Register;
70. Recovery Register of Advances;
71. Budget Register Civil;
72. Budget Register Factory;
73. Remittance Register Civil Factory;
74. Remittance Register Factory;
75. P.D. Account Register;
76. Cash Book Register;
77. Cheque Book Register;
78. Encashment Register;
79. Security Deposit of Contractors;
80. Office Library Register;
81. Stamp Account Register;
82. Stock Book of Stationery;
83. Stock Book of Forms and Registers;
84. Pension Watch Register;
85. Register of Valuables;
86. Contingency Register for P.A. (Civil and Factory);
87. Contingency Register for amounts drawn on A.C. Bill Civil Register;
88. Contingency Register for amounts drawn on A.C. Bill Factory Register;
89. Stock Book of Tender Forms, Cash Receipts, Bus Warrants, Railway Warrants, Cash and Credit Gate Passes;
90. Register for N.D.C. Bill Civil;
91. Register for N.D.C. Bill Factory;
92. Office Inspection Conducted Register;
93. Office Telephone Register;
94. Cash Books;
95. General Cash Book;
96. P.P.C. Cash Book;
97. Factory Cash Book;
98. Canteen Cash Book;
99. Family Welfare Fund;

iv. **Factory Section;**

100. Requisition Register;
101. Stock Book of Raw Materials;
102. Stock Book of Manufactured Articles;
103. Scales Journal;
104. Work Order Register;
105. Daily Manufacture of Articles Register;
106. Personal Ledger Account of Credit Scales;
107. Quotation Book for Local Purchases;
108. Dead Stock Register;
109. Issue of Raw Materials Form;
110. Stock Book of Instructors;
111. Monthly Balance shoot of Raw Materials and Manufactured Articles;
112. Handling Over Register of Manufactured Articles;
113. Cutting Register of Textile Articles;
114. Muster Roll of Prisoners;
115. Task Cards;
116. Bin Cards;
117. Half Yearly Stock Verification Register;
118. Unused Raw Materials Register;
119. Factory Inspection Register;

v. **Canteen Section;**

120. Requisition Register;
121. Stock Book of Raw Materials;
122. Daily Sales of Canteen Articles;
123. Specimen Work Order for Approval Book;
124. Personal Ledger Account of wages;
125. Coupons Stock Book (Double and Single Lock);
126. Coupons Circulation Book;
127. Coupons Issue Register from Wages;
128. Coupons Issue Register from P.P.C.;
129. Muster Roll of Canteen Workers;
130. Wages Card of Canteen Workers;
131. Reconciliation of Wages;
132. Canteen Statements Registers;
133. Dead Stock Register;
134. Indent Slips to Suppliers;

135. Receipt Book of Articles from Contractor;
136. Quotation Book;
137. Miscellaneous Articles Stock Book;
138. Order Book for Canteen Purchases;
139. Wages money Order Book;
140. Wages Voucher Book of Released Prisoners;
141. Bin cards;
142. Coupons Destroy Register;

vi. **Executive Section;**

143. Muster Roll of Staff Members;
144. Gate Register;
145. Gate Register for Articles;
146. Lock-up and unlock-up Register;
147. Night Round visit Book;
148. Duty Register;
149. Sentry Post Books;
150. Garden Produce Register;
151. Stock book of Miscellaneous Articles;
152. Log Book;
153. Register of News Papers and Magazines;
154. Dead Stock Register;
155. Clothing and Bedding Register;
156. Register of Uniforms to Guards;
157. Register of Quarters;
158. Requisition Register for Miscellaneous Articles;
159. Arms and Ammunition Register;
160. Stock Book of Mugs, Pots and Plates;
161. Chief Superintendents and Superintendents Diary;
162. Assistant Superintendent's Diary;
163. Jailor's Diary;
164. Assistant Jailors Diary;
165. Disciplinary Proceedings Register;
166. Superintendents Order Book;
167. Visitors Register;
168. Staff Punishment Register;
169. Convict Night Watchmen Duty Allotment Book;
170. Convict Night Watchmen Pahara Book;
171. Visitors Board Register;

172. Tree Register;
173. Prison, Quarters and Land Register;
174. Assets Register;
175. Vehicles Register;
176. Live Stock Register;
177. Misc. Articles Stock Register;
178. Casual Leave Register of Guarding Staff;
179. Alarm Practice Register;
180. Inspection of Staff Quarters Register;
181. Inspection of Prison Land Register;
182. Seized Articles Register;
183. Barrack Wise Prisoners Register;
184. Labour Register;
185. Register of Prisoner punished in fetters on security;
186. Prisoners Punchayath Register;
187. Games Articles Register;
188. Firing Practice Register;
189. Office and Quarters Inspection Register;
190. Auction Register;
191. Fuel Indent Register;
192. Donors Registers;
193. NGOs Register;
194. Corporate Social Responsibility Register;
195. Sexual Harassment Registers;
196. RTI matters Register;
197. Petition Register;
198. Lock and Key Register;

vii. **Hospital Section;**

199. Stock Book of Medicines;
200. Issue Book;
201. Extra Diet Book;
202. Requisition Book;
203. Dead Stock Register;
204. Time Barred Medicines are in Stock;
205. Prisoners sent to outside Hospital;
206. Register of Prisoners suffering from deadly diseases;
207. Daily out Patient Register;
208. Daily in Patient Register;

209. Visitors Register;
210. Details of Health Camps held during the year;
211. Requirements;
212. Details of Prisoners died in the Hospital;
213. Daily Hospital Inspection by Medical Officer Register;
214. Medical Equipment Register;
215. Hospital Clothing Register;
216. Disposal of Medical waste Register Main Gate:
217. In and Out of staff and Officers Register;
218. In and Out of visitors Register;
219. Admission Register;
220. Release Register;
221. PPC Register;
222. Searched Articles Register;
223. In and Out of Gate Articles Register;
224. Lawyer Visit Register;
225. Police Officers Register;
226. Escort Registers;
227. Daily Out gang Registers;
228. Interview Register;
229. Vehicle Movement Register;
230. Home Diet Register;
231. Night Rounds Book;
232. Daily Lock and Key Register;
233. Lock-up and Unlock-up Register.

CHAPTER - 55

Security Measures

974. **Modes of Escape;**

i. Due to the lax attitude of the staff and the complacency of the officers escapes take place through the main gate or by scaling walls or by digging underground tunnel or also by tampering with drainage let outs;

ii. Sometimes inside escapes do happen in disguise or by over powering staff or even snatching weapons from careless guards. These are the usual challenges apart from escapes from escorts, hospitals and open prisons. Indiscipline among guards leads to all untoward and unsavory incidents;

iii. Hence required alacrity is foremost in prison administration. On the other hand external threats to break open the prisons also are a major risk to security. Hence strong and good number of armed sentries should guard the prison round the clock.

975. **Restricted area;**

i. An area around the institution shall be demarcated as 'out circle' to restrict public;

ii. Authorized persons alone shall be permitted to enter this area;

iii. Nobody should come near the prison walls without proper authorization;

iv. Identity of visitors shall be verified in the visitors lounge;

v. Visitors to prisons for non-prison works like persons bringing fruits and gifts on festivals, NGO's coming for counseling or private instructors on hire should not be allowed in a routine manner. Such entries should be carefully examined and permitted in exceptional circumstances. Fruits and gift items from private persons or organizations or religious instructors should be discouraged;

vi. A waiting room and an enquiry office with facilities such as toilets, seating arrangement and drinking water shall be provided at a suitable place in front of the prison for initial enquiry from the members of the public and to avoid any rush at the main gate. A notice shall be displayed in Kannada, English and Hindi near the waiting room listing prohibited articles, interview timings, and prison holidays and citizens charter.

976. **Electrical Lights and Gadgets;**

i. Installing power fencing on the walls of the prison wherever necessary shall be done to prevent escapes and ensure safe custody of prisoners. The buildings and premises shall be maintained properly.;

ii. Sufficient lighting in and around the prison shall be provided. A stand by generator has to be available for emergency. There shall be qualified electricians to maintain electrical fittings and equipment;

iii. A closed circuit television and other electronic gadgets shall be installed for effective monitoring and to maintain a close watch for any breach of security covering vital and high security areas in the prison;

iv. Effective wireless communication and intercom system shall be provided within the prison;

v. High pitch sirens to alert prison staff, public and the nearby police station shall be installed in the prison;

vi. Biometric identification system to store photographs and finger prints of all inmates shall be introduced.

977. **Physical Security;**

i. Prison walls, buildings, gates, dormitories, barracks, cells, hospital area *etc.*, shall be secured properly;

ii. Arrangements shall be made adequate guarding for security measures round the clock. Periodical testing and inspection of equipments by executive personnel should be undertaken;

iii. Watch towers, wherever necessary, to watch inside and outside the prison have to be constructed. Search lights and binoculars shall be made available to the personnel manning towers;

iv. A second security wall inside the outer perimeter wall must be constructed to make the main prison wall inaccessible to the prisoners;

v. At a central point, a central watch tower should be constructed to keep watch over the movements of prisoners inside the prison. The trees near the compound wall should be removed to permit panoramic view and cut down the scope of escape.

978. **Procedural Security;**

i. Proper custody, control, inspection and counting of tools, keys, handcuffs and other security equipments shall be maintained.

ii. Factory tools shall be under the control of the instructor concerned. After work hours, the tools shall be counted for their correctness and kept securely in the factory under seal and signature.

iii. Keys of prisoners blocks and stores shall be with the concerned prison staff and officers during day and kept in the key box in the gate during nights.

iv. Security equipments shall be at the main gate under the charge of Gate Officer.–

v. Television programs shall be shown to prisoners inside the barracks only up to 9-00 PM only;

vi. No prisoner shall be allowed to change his barrack or cell without the permission of the in-charge officer. In case of hardcore prisoners/ fundamentalists and extremists it should be done only with the prior permission of the Chief Superintendent and Superintendent of Prison;

vii. Thorough searches of all articles, vehicles entering/leaving prison premises, shall be conducted. Daily searches and periodical surprise searches of all prison wards, open areas and equipment have to be undertaken and recorded;

viii. A detailed search and check for unearthing explosives, weapons, mobile phones and components, narcotic substances, drugs and any other prohibited articles *etc.* shall be done every week without fail;

ix. Effective segregation of prisoners on the basis of security requirements has to be done. More precautions shall be taken in respect of militants/ extremists and underworld elements including terrorists;

x. Gates of enclosures shall always be kept locked during day time and prisoners shall not be allowed to go out of the enclosure except for valid reasons. Any prisoner going out shall be accompanied by a prison staff;

xi. An effective method of censoring prisoners letters and checking of interviews shall be adopted. Letters of high security prisoners shall be censored by the in-charge officer. The senior officers shall cross check such matters;

xii. Untrained personnel shall not be posted inside the prison or prison premises under normal circumstances for guarding purposes;

xiii. Alarm parades and mob control exercises have to be conducted atleast once in a quarter, to keep the guarding force fully prepared to meet any eventuality;

xiv. No material like ladders, ropes, bamboos *etc.* which facilitate escapes, shall be left unguarded. These articles shall be accounted for properly and reported for their correctness to the Duty Officer before lock-up;

xv. A system of firearms control, quarter guard and safe magazine and weaponry should be in position;

xvi. Locks used for the prisoners blocks shall be interchanged frequently;

xvii. Prisoners shall not be kept in the same block for longer periods and they shall be shuffled to different blocks once in three months;

xviii. Prisoners in the same case shall not be lodged in the same barrack and shall be employed in different works, other than those engaged for cooking. Prisoners involved in robbery and dacoity cases shall not be employed in the kitchen;

xix. No person of the guarding staff shall enter the prison when not on duty without prior permission of Chief Superintendent or Superintendent of Prison;

xx. Government should provide patrolling vehicles to all the Central Prisons and District Prisons for regular patrolling of the inside and outside perimeter wall of the prison on regular intervals, during the night and day time;

xxi. The duplicate keys of all the barracks, gates and the like shall be kept under the safe custody of the in-charge officer.

xxii. Surprise searches shall be conducted in the prisons regularly by the local Police.

979. **Dynamic Security;**

The Chief Superintendent or Superintendent of Prison may nominate one of the officer as a 'Chief Security Officer' of the prison, he shall be responsible for any security lapse.

980. **Close Monitoring and multitier monitoring during night;**

i. There shall be six-tier security system effective in Prison *i.e.*, the 1st tier is guarding by the warders in a block, 2nd tier is their supervision by Tower Officer/Control watch, the 3rd tier is the visit by the 1st Round Officer, the 4th tier is round by the 2nd round officer, the 5th tier is two rounds by the Duty Officer, and the 6th tier is surprise night rounds by the prison officers;

ii. Services of convict night watchman who are found maintaining good behavior can be utilized as in-charge of work gangs and night watchmen in convict enclosures inside the prison.

981. **Abstaining from duty viewed seriously;**

No officer should abstain from duty and leave the post without prior sanction of the Competent Authority.

982. **Security Points (Surveillance chart);**

Security points shall be fixed at all important/vulnerable/weak security points and at the places where the prison staff are reluctant to go at least three Security points should be kept in each post and the guarding force posted in that particular block should be made to sign on these Security points at the time specified. Officers whosoever make rounds should check the boards and sign as token of having performed their duty. The in-charge officer should ensure that these Security points are collected immediately after unlocking of the prisoners. The signatures of all the guarding force members and the officers should be thoroughly checked and any shortcomings should be immediately taken to the notice of the Chief Superintendent or Superintendent of Prison. In the place of Security points a mechanised tell-tale system (Punching) may be installed.

983. **Night Duty Officers and Surprise night-rounds;**

More rounds should be conducted at uncertain timings or as instructed by the Chief Superintendent or Superintendent of Prison from security point of view by all executive officers.–

i. The Chief Superintendent or Superintendent of Prison should make surprise night rounds preferably between 12-00 mid-night and dawn before 5-00 or at any time according to his prudence atleast once in a week and satisfy himself as to whether guarding is being performed well and that lighting and everything is in order;

ii. The in-charge officer shall supervise the night guarding by making surprise night rounds atleast twice in a week at uncertain times, preferably after 12-00 p.m. and if there is any shortfall in night rounds, the reasons thereof should be mentioned in their report books;

iii. The Taluka Prison Superintendents shall make surprise night rounds at least twice a week and they shall make a mention of their night rounds in their weekly journals;

iv. The Deputy Inspector General of Prisons may also make surprise night rounds, wherever possible, to ensure that all instructions on security are properly implemented by the heads of institutions.

984. **Bar testing, live wire testing, modern gadgets and checking of all locks;**

Bar testing, live wire testing, checking of modern security gadgets, all locks *etc.* shall be done atleast once a week by senior officers of the prisons including The Chief Superintendent or Superintendent of prison with care and caution, and this fact shall be reported by the concerned officers in their report books and journals.

985. **Prisoner night watchmen;**

In all barracks, prisoner night watchmen should be assigned watch duty to assist the guard on night duty.

986. **Effective intelligence system;**

The Chief Superintendent or Superintendent of prison should maintain effective intelligence system within the prison, so that any conspiracy for an escape or for any other mischief planned by prisoners comes to his notice in advance, and such things could be averted in time.

987. **Presence of Officers and guarding at lockup and unlocking;**

All the guarding force of day shift and night shift, in-charge officer must be present at the time of unlocking and lock-up to oversee security. The in-charge officer shall also attend and supervise the process of unlocking atleast twice a week, and The Chief Superintendent or Superintendent of prison once in a month.

988. **Conducting of alarm parade;**

Alarm parades should be conducted, atleast once in last date of the month or surprisingly once. When alarm is raised, all the officers and staff including ministerial staff should rush to the main gate and the officer in command shall conduct a rehearsal of emergency operations.

989. **Taluka Prisons;**

i. The gates of the Taluka Prisons must always be kept locked. The wicket gate can be opened only when necessary and the keys of the wicket gate and main gate shall be either with the Head Warder or Warder of the Taluka Prisons under safe custody;

ii. Prisoners involved in dacoity, robbery, serious property offences and prisoners belonging to other States shall not be detained in Taluka Prisons;

iii. It should be ensured that the officers in-charge of the guard must be

present with prison staff when the prisoners are taken out of the the Taluka Prisons cells for cooking meals, answering nature calls, attending Court, bathing and exercise. The escort in these cases should carry rifles and muskets to deter prisoners from any attempt of escape.

990. **Searches of prisoners returned from Courts during nights;**
There shall be thorough search of the prisoners returning from the Courts or any out gang work in the gate in the presence of the Duty Officer. They shall be locked up in the admission block and not in other occupied blocks. The articles they brought shall be kept at the Main-gate and handed over to them the next day morning after search.–

i. Photographs of all the prisoners on admission have to be taken for record and photo identity cards may be given to them. For this purpose all prisons shall be provided with required equipments;
ii. No interview shall be granted for a released prisoner, unless he is a co-accused in that case, or blood relatives, subject to the discretion of Chief Superintendent or Superintendent of Prison.

991. **Visitors Management system;**
i. There must be software to register the names of friends and relatives for granting interviews.–
ii. Visitors to the security category prisoners shall be thoroughly screened and frisked at the time of entry and exit under privacy;
iii. During staff meetings, they may be encouraged to discuss about weaknesses and strengths of the security system and the happenings in other prisons. The staff shall be enlightened to prevent untoward incidents and to cope with similar situations.

992. **Identify Genuineness of Escort;**
i. In the case of handing over of prisoners on Warrant necessary assistance may be taken from the local police to confirm the genuineness of the escort team and the concerned Court that issued the warrant may also be contacted. The escort police establishments sending escort parties should be contacted on phone or through any electronic means to verify the genuineness of the escorts;
ii. Body warrants from other states should be referred to the Chief Judicial magistrate for confirmation.

993. **Treatment of High Security Prisoners;**

i. The Prison Medical officer, paramedical staff and other staff such as electricians, plumbers *etc.* will not have access to these enclosures unless they are accompanied by the officer in-charge of the block. On all general treatment purposes, the Medical officer should visit high security barracks instead of bringing them to prison hospital;

ii. The guards posted in the barracks of high security enclosure should not hold conversation with each other for more than what may be required to perform their duty. The entrance door of the barrack should always be kept locked from inside;

iii. High security prisoners shall always be accompanied by proper security guard while going to the prison hospital, interview room leaving their barrack of any purpose;

iv. Their barracks shall thoroughly be searched daily as a routine and by surprise as well;

v. Selected staff and officers of integrity and dynamism shall be posted in high security zones;

vi. Live-wire facility or any other type of fencing shall be provided to the compound wall of high security blocks inside the prison.

CHAPTER - 56

Control Room

994. **Control Room;**

i. There shall be a Control room at the Prison Head Quarters;

ii. Director General of Prisons and Correctional Services shall decide chain of command for the Control Room.

iii. This control room shall be headed by an Officer not below the rank of Assistant Superintendent and he shall be assisted by two Jailors, two Assistant Jailors, two Head Warders and five Warders;

iv. This unit at the Head Office is the link between the Head Office and the Units of the Department in the field.

995. **Functions;**

i. The Officers of the Control room shall receive information from unit offices across the state pertaining to various activities being carried out in prisons periodically as fixed by Director General of Prisons and Correctional Services, and place the same duly compiled together with remarks before the Director General of Prisons and Correctional Services;

ii. The Control room shall dispatch the instructions/information to the Unit Officers issued by the Director General of Prisons and Correctional Services from time to time and ensure that they are well understood and followed scrupulously;

iii. The Control room shall be operative round the clock and receive calls from prisons pertaining to Prison administration and shall keep the Director General of Prisons and Correctional Services informed of the important issues such as escapes, deaths, any other untoward incidents, complicated matters, TV reports, newspaper reports, information supplied by the public *etc.*;

iv. In the control room, the officers shall immediately report any crisis situations in the prisons to the Director General of Prisons and Correctional Services and co-ordinate with the unit for restoring normalcy in such situations as per the guidance of the Director General of Prisons and Correctional Services;

v. They shall go through all major newspapers daily and periodicals on regular basis. Any matter published related to State/National/ International correctional administration shall be brought to the

notice of Director General of Prisons and Correctional Services on day to day basis for perusal and instructions there on;

vi. Shall arrange press meets and prepare press notes regarding the progress and achievements of various activities undertaken by Prisons Department;

vii. Shall arrange Video Conferencing with unit officers as and when desired by the Director General of Prisons and Correctional Services. The Control Centre shall ensure that the video conferencing equipment is ready and fully operational at all times and further ensure that unit officers are present for these conferences even at short notices;

viii. The Control room shall be equipped with advanced technology to discharge various duties and responsibilities entrusted to it promptly, effectively and efficiently.

ix. Any other duties assigned by Director General of Prisons and Correctional Services from time to time.

CHAPTER - 57

Staff Training

996. **Guiding Principles;**

i. Training is preparation for a specific job which subsequently helps functionaries to maximise their job performance and improve their capabilities to meet organisational needs in terms of knowledge, skill, attitude and values;

ii. Training programs in the Prison Department shall aim at morality, ethics, personality development, physical fitness, handling of weapons, mob-control and the like, relevance and applicability of modern management techniques, familiarisation with the basic concept of social work, psychology and other behavioral sciences, organisation and management of agriculture and vocational trades, industries and knowledge of prison manual, service rules and relevant laws in Departmental Codes and Manuals;

iii. Proper turn out, self-confidence, obedience to the orders of seniors and paying proper compliments to them and correct handling of weapons, arms drill *etc.*

997. **Training Courses;**

The training shall be mainly of four types, namely;

i. Foundation or induction basic training for new entrants to Prison Service at different levels;

ii. In-Service training;

iii. Specialised/technical courses; and

iv. Short courses like orientation courses, refresher/thematic courses, vertical interaction courses *etc.* These training courses shall be imparted in a regular training institute with all basic infrastructural facilities. Training will also pay special attention to physical fitness of the prison personnel.

998. **Category wise division of staff for training;**

i. The training for the executive staff shall be divided into the following three categories;

(a)	Guarding Staff	:	Warders, Head Warders

(b)	Middle Level Officers	:	Jailors and Assistant Jailors
(c)	Higher Level Officers	:	Assistant Superintendent of Prison and above

ii. Training for Ministerial staff;
iii. Technical persons (Ex. Instructors).

999. **Discipline;**

One of the basic functions of a prison training institute is to inculcate a strict sense of discipline, dedication to duty and commitment to the organisation among the trainees;

1000. **Indoor training;**

i. Basic training shall consist of both indoor and outdoor training.
ii. The indoor training consists of syllabus, which has to be periodically reviewed. Lectures shall also be arranged on the following points;
iii. Control and discipline of prisoners, identification of difficult prisoners, factors which lead to indiscipline among prisoners, diagnosis of the possibility of disturbances by prisoners and measures which shall be taken to control difficult prisoners and devices for mob control in order to minimise the use of force;
iv. Importance of proper interaction between the staff and prisoners;
v. Balance between security and discipline on the one side and treatment programs for reformation and rehabilitation on the other;
vi. Morality and Ethics;
vii. Personality Development.

1001. **Outdoor Training;**

The Outdoor training shall have a considerable quantum of drill, musketry, physical training, unarmed combat including judo and karate.

1002. **Continuation of training at the place of work;**

In order to keep the officers and men physically fit and smart, drill, parades, musketry practices *etc.,* shall be continued at the institution level also, as mentioned below.–

a) Practice at equal intervals, in fire-fighting and first-aid, prevention and control of emergencies;
b) Parade, handling of fire arms, arms drill *etc.* for 30 minutes atleast four days in a week. Combined musketry practice (firing practice) for officers and guarding personnel shall be held once in a year. The

result of such practice shall be recorded in Ball Practice Firing Register;

1003. **State Institute of Prison Training;**

i. Prisons Department will have a State Level Institution to carry out all training activities of the Department. It will organize result oriented training courses and no training course will be for the sake of training. It has to assess the impact of training on the individual and the units;

ii. It may also invite candidates from different departments to its courses training.

1004. **Principal of Training School;**

He shall not less than rank of Superintendent of Prison as the head of the Institute. He shall plan, co-ordinate, direct all activities of the Institute such as training modules, selection of faculty, organising annual sports meets, retreats, overall administration subject to the control of the Director General of Prisons and Correctional Services. He shall obtain the approval of DG Prisons before commencement of each year, the annual program of training courses, modules and curriculum. He shall assist the Director General of Prisons and Correctional Services in publication of Department newsletters, annual diary, calendars *etc.* He shall ensure proper maintenance of training institute premises Hostels, Mess *etc.*

1005. **Vice Principal;**

He shall be suitable rank and shall assist the Principal in all activities concerning training and administration. He has to organize field visits to trainees, conduct test and examinations and look after out-door training *etc.* He shall also be in-charge of publication of papers, Library and overall supervision of the faculty. He will further do whatever instructed by the Principal. He shall closely supervise training both indoor, out-door, accommodation and mess arrangements for trainees.

1006. **Medical Officer;**

He shall be in-charge of the training dispensary. He shall prepare indents of medicines required for staff of training and trainees and procure the same duly following codal procedure. He shall manage the dispensary in matters concerning treatment, maintenance of

hospital equipment, related registers *etc.*, He shall ensure that training, dispensary is properly equipped with required medicines and machinery. He shall also take classes for the trainees on subjects related to First aid, Hygiene, Sanitation, precautions to be taken to prevent epidemics in prisons *etc.* He shall assist by the required number of Para-medical staff.

1007. **Instructor;**
There shall be a various instructors for the outdoor training including physical training Parade, Arms Drill, Unarmed Combat, Firing Practice, Sports and Games, Maintenance of grounds *etc.*

1008. **Faculties;**
Fully trained officers of department of prisons in various fields shall be selected to faculty of training institute. Guest lecturers and resource persons in various fields connected to prison administration shall be invited for giving lectures they shall be paid Honoriam and travelling allowances.

1009. **State Prison Academy;**
Prison department will have a state level prison academy to carry out the training activities for the officers of prison department.

1010. **Duties of The Training Institute and Prison Academy;**
The Training Institute and Prison Academy shall carried out duties as prescribed by the DG of Prison from time to time.

CHAPTER - 58

Planning, Research and Development

1011. **Planning, Research and Development Cell;**

i. Planning, Research and Development Unit at the Head Quarters shall function to maintain an up-to-date data of statistics of the day-to-day management of prisons and also to bank every information required by the Department or Government or any other agency;

ii. Planning, Research and Development cell shall be headed by the officer not less than the Rank of Superintendent of Prison, who shall assists by the required number of Staff under him.

iii. The unit shall monitor, study, analyse, research and evaluate the achieving objectives and goals achieved by the prison working system and keep itself abreast of the new trends and developments in the field;

iv. It shall spell out the specific objectives and goals not only for the Department, but also for individual institutions in terms of infrastructure development, prison architecture, diversification of correctional institutions, classification of prisoners, rehabilitative re-orientation of prison industries, correctional content of prison programs, recruitment and training of prison personnel and modalities of co-ordination with other branches of the Criminal Justice System. It shall also monitor the educational progress of prisoners;

v. The data base shall be kept in such manner and in such forms as may be prescribed by the Director General of Prisons and Correctional Services. Uniform standard classification for the data recorded shall be followed in all aspects of statistical work, preferably on “on line” performance tracking system and development of prison websites.

vi. Planning, Research and Development Cell shall carried out any other research and development activities as directed by DG of Prisons from time to time.

1012. **Institutional Statistical Unit Activity;**

i. Every prison shall maintain the Statistical Unit at the institution level and shall be responsible for the compilation of institutional

statistics, summarization of facts about the institution's population and forwarding of periodical statistical returns to the Head Office;

ii. In every prison, particulars of all prisoners such as personnel details, education and length of sentence *etc.*, shall be kept ready, category wise, so that the particulars can be sent to the Director General of Prisons and Correctional Services or to the Government whenever they require either for remitting of the sentence or for some other purpose or for the purpose of placing their cases for premature release before the Advisory Board;

1013. **Conferences/Workshops;**

Annual conference or workshops at State level, Regional and District levels shall be organized for prison officers regularly.

1014. **Functions of the PR and D Cell;**

i. To take stock of achievements;
ii. To evaluate current procedures, practices and methods of organisation;
iii. To plan for future development of the Department;
iv. To promote best practices in custodial management;
v. To conduct survey in the Prisons Department to know the current status and make improvements where required;
vi. Toundertake the development projects under prison modernisation;

1015. **Research;**

i. The statistical system shall provide the basic facts which are necessary for initiating research programs. The methods employed for the collection of data shall be subjected to constant study so that the data at the disposal of this Section may be helpful in understanding criminal behavior, its management and control;

ii. Projects of basic research would be undertaken along with research for administrative and planning purposes. Research shall primarily aim at testing the effectiveness of correctional programs. Attempts shall be made to orient research towards developing and handling special groups of offenders who present problems in institutions;

iii. Case files of such offenders shall be maintained and in such forms as may be specified by the Director General of Prisons and Correctional Services. On release of offenders, the case files shall be sent to the research and planning unit in order that the material may be used for research purposes. Such case files shall be treated as confidential records;

iv. The PR and D Cell may collaborate with academic bodies and other agencies interested in problems of prevention and treatment of crimes and conducting research projects towards such objectives. These projects shall be subject to the scrutiny of the Director General of Prisons and Correctional Services. Conclusion of such research may be published;

v. The PR and D Cell shall also co-ordinate on annual research projects, with other institution of eminence like The National Institute of Social Defense, The Institute of Criminology and Forensic Science, The Bureau of Police Research and Development, Ministry of Home Affairs etc., for obtain grants for undertaking research projects as well as conducting seminars and conferences.

1016. **Statistical Returns;**

i. There shall be a Statistical Officer at prison head office;

ii. Statistical Officer shall prepare the statistical data for the Prison Department and shall put up to the Director General of Prisons and Correctional Services.–

CHAPTER - 59
Inspection of Prisons

1017. **Inspection of Prisons;**

Inspections play an important role in improving the working conditions of prison inmates and prison staff. Inspections are an important tool to ensure that the prison staff is operating strictly in accordance with applicable rules and regulations and that all records pertaining to matters related to prison inmates are maintained and updated as per the relevant rules. Inspections are of two types;

i. Informal Inspection;

Informal inspections are to be conducted by every officer of the Prisons Department of the rank of the Assistant Superintendent of Prison and above, as and when they visit a prison 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) Prison buildings and Quarts;
g) Interview with prisoners;
h) Grievances of prison staff;
i) Pending references with the prison head quarters;
j) Female prisoners and infants;
k) Prisoners Management Software/Video Conferencing facility;
l) Any other administrative issues;

ii. Formal Inspection;

Formal inspection shall be carried out in detail by an Inspecting Officer. The while carrying out the inspection. The Inspecting Officer should draw a detailed inspection report covering the following.–

a) Comments on the compliance of the observations made/ directions issued by the Director General of Prisons and Correctional Services on the previous inspection note;
b) Authorized prison population and actual prison population;

c) Vacancy position of staff;
d) Security and lighting arrangements during day time and
e) night/Generator Sets;
f) Prison alarm system;
g) Mess and Canteen Facilities;
h) Interview facilities for prisoners;
i) Stores;
j) Prison registers;
k) Record relating to parole, furlough, remission and pre-mature release *etc.*;
l) Women prisoners and infants;
m) Medical facilities;
n) Work opportunities-in Prison;
o) Remission system;
p) Wages to Prisoners;
q) Library;
r) Hygienic condition in barrack including water and sewerage facilities;
s) Recreation facilities/Sports/Religious activities/Spiritual activities;
t) Prison farms;
u) Prison Factory/Workshop;
v) Prison Panchayat;
w) High security ward;
x) High risk prisoners;
y) Computerization/Video Conferencing facility/CCTVs *etc.*;
z) Prison staff Quarters.–
aa) Interviews with prison staff;
bb) Any good innovative;
cc) Other administrative matters related to prisons,
dd) Prisoners and staff;
ee) Canteen Management;
ff) Grievances Redressal Meeting, if any;

iii. Scale of inspections by Officers.–

Sl. No.	Designation of Inspecting Authority	Jurisdiction of Inspection		Inspection Interval
1.	Deputy Inspector General of prisons	Prisons institution in his jurisdiction	1.	All Central and Districts prison once in a year in his jurisdiction.
			2.	50% of Taluka Prisons in every year in his jurisdiction.
2.	Chief Superintendent	District, taluk and other prison Institution in his jurisdiction	1.	Atleast one time for all District prisons in every year in his jurisdiction
			2.	Atleast one times for all Taluka prisons in every year in his jurisdiction.
3.	Superintendent of District prison	Taluka prison in his jurisdiction		Atleast twice for all Taluka prisons in every year his jurisdiction.

iv. The Inspecting officer shall issue directions to the concerned Superintendent of the Prison for complying with the observations made by him during inspection and submit report by concerned Superintendent of Prison on inspection note within one month after the inspection.

v. The Deputy Inspector General of Prisons shall mandatory to visit atleast 2 Central, 2 District and 4 of Taluka Prisons in his jurisdictional Prisons every month, in order to verify the administrations of Prisons.

vi. The Deputy Inspector General of Prisons shall conduct review meetings once in every three months and the meeting proceedings has to submit to Head Office before 10th of the respective month.

vii. The Deputy Inspector General of Prisons shall submit monthly diary report to Head Office in a prescribed format before 7th of the every month.

viii. The Deputy Inspector General of Prisons shall examine the following checklist items during the inspection of Prison.

Check List:

a. Prison hygiene.
b. Working condition of electronic and security gadgets.
    1. CCTV
    2. Mobile Jammers
    3. X-ray Baggage Scanner
    4. FG-1 Security pole
    5. Video conference systems

6. HHMD & DFMD
7. Walkie – Talkie
8. LED televisions
9. Prison Call System
10. Any other equipments.

c. Prisoners' health and hygiene.
d. Quality of the food.
e. Others.

ix. Deputy Inspector General of Prisons shall submit the diary in following prescribed format :

Karnataka State

Prisons and Correctional Services Department

Confidential

No: ...../...../2021 Date: ...../...../2021

Diary

Sri. ..... Deputy Inspector General of Prisons, Head Quarters / North Range / South Range, diary for the Month of ..... 2021.

Deputy Inspector General of Prisons
Date of submit with sign

Inspector General of Police (Prisons)
Date of receipt with sign

Director General of Police
Prisons and Correctional Services
Date of receipt of diary and orders with sign

Karnataka State

Prisons and Correctional Services Department

Deputy Inspector General of Prisons Monthly Diary abstract

1. For the Month of _____
2. Nos. of days in Head Quarters :
3. Nos. of days outside Head Quarters

   On duty / Inspection :
4. Nos. of Prisons visited :

3(a) Brief of Inspection ;

Sl. No.	Details	Central Prisons	District Prisons	Taluka Prisons	Other works
1.	No. of Prisons				
2.	Nos. of Prisons inspection has to be taken.				
3.	Nos. of Prisons inspected at the end of the month.				
4.	Nos. of Prisons pending for inspection.				
5.	Nos. of Prisons visited surprisingly.				

5. Details of Staff grievances :

Date	Name of the Prison	Nos. of staff grievances enquired	Details of complaint	Details of action taken	Remarks

6. Details of Prisoners grievances :

Date	Name of the Prison	Nos. of Prisoners grievances enquired	Details of complaint	Details of action taken	Remarks

7. Details of Factory / Skill development :

Date	Name of the Prison	Quality of Machineries	Details of Production	Details of Prisoners wages	Steps taken for Skill development in Factory / Agriculture & Animal husbandry or other.	Remarks

8. Details of Departmental Enquiry :

Sl. No.	Name of the Prison	Brief note on Department Enquiry	Name and address of alleged	Date of enquiry conducted	Remarks

9. Preliminary enquiry / Enquiry / NHRC / SHRC complaints enquiry and its details :

Name	Details of accusations	Date of receipt of application	Date of report submitted	Remarks

10. Details of visits to other offices :

Details of office visited	Name and Designation of the officer met	Date and time of visit		Purpose of visit	Date of submission of reports to Head Office	Remarks
		In	Out			

Sign :

Name :

Designation :

Karnataka State

Prisons and Correctional Services Department

Confidential

Sri. ..... Deputy Inspector General of Prisons, Head Quarters / North Range / South Range, diary for the Month of ..... 2021.

Date and day of visit	**Details of departure and arrival of Prison, travel distance, place of night halt, mode of travel**	**Brief details of work done**
	1. Place : 2. Vehicle : 3. Time : 4. Kms :	

Sign :

Name :

Designation :

CHAPTER - 60
Uniform and Equipment

1018. **Uniform and Equipment;**

All cadres of Executive Staff of Prisons and Correctional Service Department, for whom uniform is prescribed, shall wear the prescribed uniform daily, while on duty as prescribed by Government from time to time.

1019. **Sanction of Uniform;**

All Executive staff shall be sanctioned uniform allowance, as fixed by Government from time to time.

1020. **Dress and Appearance;**

i. No unauthorized ornaments or emblems shall be worn with uniform;
ii. Hair shall be kept short and shave taken every day;
iii. Officers and men when not on duty shall not wear uniform. They shall not appear at any time partly in uniform and partly in plain clothes.

1021. **Renewal of uniform allowance;**

i. If an officer or member of guarding staff is on long leave such as study leave or leave on medical grounds extending to more than year or under suspension, the date of renewal of sanction of uniform allowance will be postponed for the period for which he was on long leave or under suspension;
ii. Direct recruits and those appointed by transfer of service to uniform service shall draw uniform allowance as per rules in force once a year.

1022. **Stock book of uniform articles;**

All uniform articles purchased or received and issued shall be entered in the Stock Book of Uniform Articles. The number of items received or issued shall be noted against each entry.

1023. **Individual ledger of uniform;**

Separate individual ledgers for uniform items issued shall also be maintained. This ledger shows the number of uniform articles in possession of each individual at any time and a duplicate record of entries be made in his kit book;

1024. **Annual kit inspection and stock book;**

Annual kit inspection of each prison shall be carried out regularly.

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