**GOVERNMENT OF THE KHYBER PAKHTUNKHWA**

**HOME AND TRIBAL AFFAIRS DEPARTMENT.**

**NOTIFICATION**

*Peshawar, dated the 14th March 2018.*

**No.SO(P&R)HD/3-3/2018**.-In exercise of the powers conferred by section 59 of the Prisons Act, 1894 (IX of 1894) and in supersession of rules issued in this behalf, the Government of the Khyber Pakhtunkhwa is pleased to make the following rules, namely:

**THE KHYBER PAKHTUNKHWA**

**PRISONS RULES, 2018.**

**Chapter-1**

**General Provision**

**1. Short title and commencement.**---(1) These rules may be called the Khyber Pakhtunkhwa Prisons Rules, 2018.

(2) It shall come into force at once.

**2. Definitions.**---(1) In these rules, unless otherwise prescribed the following expressions shall have the meaning hereby respectively assigned to them, that is to say-

(a) “Act” means the Prisons Act, 1894 (Act IX of 1894);

(b) “Additional Inspector General” means Additional Inspector General of Prisons appointed by Government under these rules;

(c) “Assistant Superintendent” means Assistant Superintendent of the Prisons and includes Senior Assistant Superintendent or Senior Lady Assistant Superintendent appointed by Government;

(d) “Central Prison” means a Central Prison declared as such by Government;

(e) “Chief Warder” means Chief Warder either male or female, as the case may be, in respective ward in a Prison;

(f) “Code” means the Code of Criminal Procedure, 1898 (V of 1898);

(g) “condemned prisoner” means prisoner sentenced to death and his sentence of death confirmed by the Supreme Court of Pakistan;

(h) “Court” means Supreme Court, High Court, the Court of District and Sessions Judge, Additional District and Sessions Judge or the Magistrate in a district, as the case may be;

(i) “Department” means the Home and Tribal Affairs Department of Government;

(j) “Deputy Commissioner” means the Deputy Commissioner of the district concerned;

(k) “Deputy Inspector General” means Deputy Inspector General of Prisons appointed by Government;

(l) “Deputy Superintendent” means the Deputy Superintendent of a Prison appointed by Government;

(m) “District Prison” means any prison to which prisoners from one or more districts are in the first instance, ordinarily committed, and includes every prison other than a Central Prison or Special Prison;

(n) “Government” means the Government of the Khyber Pakhtunkhwa;

(o) “habitual criminal”, means-

(i) any person convicted of an offence whose previous conviction or convictions under Chapter XII, XVI, XVII, or XVIII of the Pakistan Penal Code, 1860 (Act No. XLV of 1860) taken by themselves or with the facts of the present case show that he habitually commits an offence or offences punishable under any or all of those chapters;

(ii) any person committed to or detained in prison under section 123 read with section 110 of the Code;

(iii) any person convicted of an offence punishable under sections 400 or 401  
of the Pakistan Penal Code, 1860 (Act XLV of 1860);

(iv) any person convicted by a Court or tribunal acting outside Pakistan of an offence which would have rendered him liable to be classified as a habitual criminal if he had been convicted in a Court established in Pakistan;

(v) for the purpose of this definition the word, “conviction” shall include an order made under section 118 read with section 110 of the Code;

(vi) the classification of a convicted prisoner as a habitual criminal be made by the convicting Court, or the Deputy Commissioner as the case may be;

(vii) any person classed as a habitual criminal may apply for the revision of the order to the sentencing Court; and

(viii) every habitual criminal shall, as far as possible, be confined in a Special Prison in which no prisoner other than habitual criminal shall be kept, wherever such prison is declared by Government; and

(p) “Head Warder” means the Head Warder of Prisons, either male or female, as the case may be, appointed by Government;

(q) “High Security prison”, means a special structural building for confinement of very dangerous prisoners;

(r) “high security zone”, means portion of any jail within a Prison for confinement of very dangerous and high profile prisoners;

(s) “Inspector General”, means Inspector General of Prisons appointed by Government;

(t) “Judge” means the District and Sessions Judge or Additional District and Sessions Judge of the district concerned;

(u) “juvenile” means a prisoner who at the time of admission into prison or conviction, is under eighteen years of age;

(v) “Judicial lockups”, mean a place of confinement of prisoners, the financial and administrative management of which is dealt by the Prison Department while security by the Police Department;

(w) “life imprisonment” means sentenced to imprisonment for life as defined in Code;

(x) “Magistrate” means the Magistrate, as defined in clause (ma) of sub-section (1) of section 4 of the Code;

(y) “mental prisoner” means an undertrail or convicted prisoner with learning disabilities or serious mental health disorder;

(z) “Pharmacy Technician” include Senior Pharmacy Technician and Chief Pharmacy Technician and Junior Pharmacy Technician appointed by Government;

(aa) “Physiologist” means Psychologist of the Prisons appointed by Government;

(ab) “prisoner” includes all categories of prisoners as defined in these rules;

(ac) “prisoner under sentence of death” means a prisoner sentenced to death by trial Court and his sentence of death has not yet been confirmed by High Court and Supreme Court of Pakistan, as the case may be;

(ad) “Province” means the Province of the Khyber Pakhtunkhwa;

(ae) “Medical Officer” means the Medical Officer of the Prison who is the Incharge of the medical administrator of prison except Central Prison;

(af) “Secretary” means the Secretary to Government, Home and Tribal Affairs Department.

(ag) “Senior Medical Officer” means the Senior Medical Officer of the Prisons, who is the Incharge of the medical administration of the Central Prison;

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

(ai) “Special Prison” means Special Prison provided for the confinement of a particular class or classes of prisoners, and classed as Special Prison by Government;

(aj) “Sub-Prison”, means any prison other than Central Prison or District Prison;

(ak) “subordinate officer” means every officer of a prison other than Superintendent;

(al) “Superintendent” means Superintendent of a Prisons appointed by Government under these rules;

(am) “under sentence prisoner” means a prisoner under sentence of imprisonment of either description;

(an) “undertrial prisoner” means a civil or criminal, as the case may be, prisoner who is not a convicted prisoner and his case is under trial;

(ao) “Warder” means a Warder either male or female appointed by Government; and

(ap) “women prison” means a prison or portion of a prison used for confinement of female prisoners exclusively.

(2) Words and expressions which are not defined in these rules, shall have the same meanings as assigned to them in the Act.

**3**. **Definitions prescribed in rules under Prisons Act (Act II of 1984)---[Deleted**]

**Chapter-2**

**Classification of prisons**

**4. Types of prisons.** ---Prisons shall be classified into Central Prisons, Special Prisons, District Prisons, Sub Jails, Judicial Lockups and High Security Prison.

**5. Central Prison.**---(1) A Central Prison shall have accommodation ordinarily for more than one thousand (1,000) prisoners irrespective of the length of sentences. There shall be a Central Prison in each Division of the Province. There may be Central Prison, as well as District Prison, subject to judicial lockup in each District, as Government may deem appropriate.

(2) Government may, in its discretion, declare any Special Prison or District Prison to be a Central Prison.

**6. Special Prisons.**---(1) Government may, from time to time, declare any prison to be a Special Prison or establish a Special Prison at any place.

(2) Women’s Prisons, open Prisons and Juvenile Training Centres, High Security prison shall be deemed to be Special Prisons under this rule.

**7. District Prisons.**---There shall be at least one District Prison in every District of the Province have accommodation up to eight hundred (800) prisoners.

**8. Sub prison and Judicial Lockup.**---(1) Sub prison and Judicial Lockup shall be deemed District prison for administrative purposes.

(2) Sub Prison shall accommodate a convicted prisoner sentence upto three years and judicial lockup shall accommodate convicted prisoner sentence upto one year.

**9. Central Prison may also be a District Prison.**---Government may declare any Central Prison to be for all or any purposes a District Prison.

**Chapter-3**

**Admission of Prisoners**

**10.---[Deleted]**

**11. Under-trial prisoner when received.**---Under-trial prisoners shall not be admitted after the Prison has been locked-up for the night. They shall be received not later than the time mentioned below:

|  |  |
| --- | --- |
| From 1st April to 30th September | 5 p.m. |
| From 1st October to 31st March | 4 p.m. |

**12. Prisoners received at night to be locked-up in a separate place.**---Prisoners received after lock-up shall be confined in separate cells or any other suitable place provided for the night. Barracks shall not be opened for this purpose.

**13. Prisoners to be received by an Assistant Superintendent.**---(1) The Assistant Superintendent incharge of admission shall receive all prisoners brought to prison for admission during the day. Prisoners who arrive after lock-up or during the night on transfer from other prisons may be received by night duty officer.

(2) Newly admitted prisoners shall be kept in quarantine or any other place declared by the Superintendent for not more than five days.

**14. No prisoner to be admitted without a proper warrant.**---No prisoner shall be admitted into any prison except under warrant or order of commitment issued by a competent Court addressed to the Superintendent.

**15. Identification of prisoners on admission.**---Before admitting a prisoner, the Assistant Superintendent incharge of admission shall question him and ascertain that his name and other particulars correspond with those entered in his warrant or order and shall give a receipt in the prescribed form to the Police escort.

**16. Thorough search of prisoners on admission.**---Every prisoner on admission into a prison shall be thoroughly searched at the main gate by the Warder or Head Warder posted for the searches under the supervision of the Assistant Superintendent. All weapons and prohibited articles found on search shall be taken away from him. Cash, more than rupees ten thousand (10000), jewelry and any private property belonging to the prisoner, except for permitted property as specified in sub-rule (1) of rule 75, shall also be taken away, duly entered in the admission register and shall be kept in safe custody.

**17. Every prisoner to be given an admission number.**---(1) Every convicted prisoner shall be entered serially in the admission register. The serial number of this register pertaining to him shall be his admission number and it shall be used along with his name and classification in all future reference in official correspondence about him. The serial numbers shall be allowed to run usually from 1 to 10,000. In certain prisons where prisoners with admission numbers belonging to the earlier part of the old series are confined, the numbers may be continued beyond 10,000 to avoid chance of repetition or duplication of numbers.

(2) Under-trial prisoners shall be entered serially in the admission register and this serial number shall be changed on first January each year.

**18. Written record by Assistant Superintendent.**---(1)Admission of every prisoner shall be recorded in admission register by the Assistant Superintendent incharge of admission and the following information shall be recorded:



(a) all the particulars of prisoners on warrant of confinement;

(b) the prisoner’s photograph, fingerprints and retina scan taken;

(c) details of any next of kin or emergency   
contacts; and

(d) any other personal particulars that are relevant.

**(2). Medical examination of prisoners.**---Every prisoner shall be examined by Medical Officer within twenty-four (24) hours of his admission into the Prison. Medical Officer shall examine every prisoner and enter in the admission register, the age, height, weight and the state of mental and physical health of the prisoner, specifying whether good, indifferent or bad, together with such observations in regard, to his physical or mental conditions as he may consider necessary and if the prisoner is sentenced to rigorous imprisonment, the class of labour for which he is fit, whether hard, medium or light. While describing a prisoner’s health as bad or indifferent, Medical Officer shall record the reasons such as enlarged spleen, anaemia, etc. He shall also note whether the prisoner has been vaccinated or has had small-pox and other contagious diseases.

(3) If the Medical Officer, while examining the prisoner, prescribes blood and urine tests, the result of such tests shall be entered in the medical file of the prisoner.

(4) All prisoners shall be offered medical test on a voluntarily basis. The prisoner shall be provided with full information about the institutional and medical consequences of a positive result, which includes treatment available, its efficacy and acceptability in the community and whether the prisoner shall be subject to any restrictions or not as a result of a positive test.

(5) Pre and post-test counseling to those who opts for HIV test shall be provided by trained healthcare staff.

(6) The results of HIV test shall also be entered into the medical file of the prisoner and kept confidential, similar to all other medical information.

(7) All tests shall be carried out by Health Department through Executive District Officer Health.

**(8) Separation of patients.**--- If the prisoner is suffering from any communicable disease he shall not be imprisoned with other prisoners and shall be segregated from other prisoners as advised by Medical Officer.

(9) Prisoners, whose HIV test is positive, shall not be segregated merely because of their HIV status.

**19. Unexplained injuries.**---Every prisoner on admission shall be carefully examined by the Medical Officer for the presence of any unexplained injuries, wounds, contusions abrasions and if detected shall be entered in the journal maintained by Medical Officer and the admission register.

**20. Report of unexplained Injuries.**---When a prisoner with injuries on his body is admitted into a Prison from police custody he shall be examined immediately by the Medical Officer, as the case may be. If the examination reveals unexplained injuries not already recorded in the medico-legal report accompanying the prisoner, a report shall at once be made to the Judge and the Superintendent of Police in order for an independent investigation to be conducted.

**21. Search and examination of women prisoners.**---In case of women prisoners, search and examination shall be carried out by a Woman Warder under the orders of Deputy Superintendent.

**22.---[Deleted]**

**23. State of education to be recorded.**---The state of education of every prisoner, on admission, and in the-case of Muslim prisoners, whether he knows Namaz and Quran, shall be recorded in the admission register and the history ticket.

**24. Convicted prisoners to be provided with prison clothing.**---Every convicted prisoner sentenced to rigorous imprisonment shall be provided with prison clothing and equipment according to the prescribed scale. Every prisoner shall on admission be required to wash himself and his clothes thoroughly.

**25. Procedure on completion of entries in admission register.**---On completion of necessary entries in the admission register and of the procedure prescribed in this chapter, the Deputy Superintendent shall check each entry and satisfy, himself that the entries correspond with the warrant and are correct in every respect and shall append his initials in token thereof. The Assistant Superintendent incharge of admissions shall produce, as soon as possible, all the newly admitted prisoners with their warrants and the admission register before the Superintendent.

**26. Inspection by the Superintendent.**---The Superintendent shall satisfy himself that the prisoner’s description, identification, marks and thumb impression/signature have been duly recorded in the admission register. The Superintendent shall countersign the entries of private property, appeal and release date after satisfying himself about their accuracy. He shall inspect the clothing and equipment issued to the prisoner.

**27. Examination of warrants.**---The Deputy Superintendent and the Assistant Superintendent, incharge of admissions shall examine the warrant of every convicted prisoner and satisfy himself-

(a) that there is a separate warrant for every convict; 

(b) that the warrant bears the date on which the sentence was passed that the impression of the Court’s seal is clear and distinct and that the signature of the Presiding Officer of the Court is legible and in full;

(c) that the parentage, caste, residence and occupation of the convict are duly set forth in the warrant;

(d) that the period of imprisonment to which the convict has been sentenced is clearly written in block letters as well as in figures;

(e) that nature of imprisonment, e.g. simple or rigorous, is clearly set forth in the warrant;

(f) that the orders of the Court are clearly stated in warrant, e.g.,-

(i) in case of a convict already undergoing a sentence, whether the sentence, or sentences passed subsequently shall take effect at   
once or after the expiry of the current sentence; and

(ii) in the case of two or more sentences awarded on the same date, whether the sentences shall run concurrently or consecutively:

Provided that two or more sentences shall be considered consecutive unless there is a specific order of the court that these shall run concurrently;

(g) that the full particulars of any further sentence of imprisonment to be undergone in default of payment of fine or compensation etc., are recorded;

(h) that in the case of prisoners previously convicted, a statement of their previous conviction is duly recorded;

(i) that the classification, habitual or casual, is recorded on the warrant;

(j) that the Magistrate who issued the warrant is competent to award the sentence recorded in the warrant; and

(k) that the Magistrate of the third class awarding rigorous imprisonment for a single offence for over one month is not competent to award such sentence.

**28. Return of warrant for correction.**---The Superintendent, shall return the warrant for correction to the Court who issued it, if by any error or omission, the warrant is defective in form or otherwise irregular.

**29. Procedure when the legality of a warrant is doubted.**---(1) When an officer incharge 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 and signature are affixed thereto, to pass the sentence and issue such warrant or order, he shall refer the matter to Government by whose order on the case he and all other concerned shall be guided as to further disposal of prisoner.

(2) Pending a reference made under sub-rule (1), the prisoner shall be detained in such manner and with such restrictions or mitigations as may be specified in the warrant order.

**30. Superintendent not to refuse admission to a prisoner whose warrant is defective.**---The Superintendent shall not refuse to admit a prisoner in whose warrant or order, omissions and irregularities exist, but should draw the immediate attention of the Magistrate or the Judge to the defects and ask for rectification at once sending at the same time a copy of his letter to the Deputy Commissioner of the concerned district for information. However, the Superintendent is justified in refusing to receive or detain a prisoner in Prison on a warrant to which is affixed a signature by means of a seal or stamp.

**31. Copy of warrant returned for correction to be kept.**---When a warrant is returned for correction, an attested copy shall be retained in the Prison office until the original is returned. Blank warrant forms shall be kept for this purpose.

**32. Calculation of date of release and responsibility for correctness.**---(1) The date, on which the prisoner is entitled to be released, shall be calculated by the Assistant Superintendent incharge of admission and an entry made in the release register (register No. 2) or the release check register (release diary No. 4), as the case may be, under that date, giving the name, parentage and admission number, etc., of the prisoner.

(2) In case the release or check date is changed either by the imposition of additional imprisonment, or by reduction of the sentence, or by absence on bail or after escape, a new date of release or check date shall be fixed and an entry made under that date. The old entry should be scored through with red ink, and a reference made against it to the new date fixed.

(3) The Deputy Superintendent shall himself check each entry of date of release and check the warrant, admission register and release register or release diary and shall be personally responsible for its correctness.

**33. Superintendent to see to necessary alterations in registers.**---The Superintendent shall be responsible for seeing that necessary alterations are made in the registers and documents noted in the preceding rule when a convict’s sentence is enhanced or reduced on appeal. The Superintendent shall similarly be responsible for seeing that necessary alterations are made on the realization of fine. The Superintendent and the Deputy Superintendent shall initial these alterations.

**34. Calculation of date of release.**---In calculating the date of release, the following points shall be observed, namely:

(a) the day of admission and the day of release shall be counted as days of imprisonment with the exception that a sentence of imprisonment for one day shall be deemed to expire on the next day on which the sentence was passed;

(b) the term “month” or “year” means a calendar month or year;

(c) when a sentence includes a fraction of a month, the month shall be reckoned to consist of thirty days;

(d) if a sentence of death is commuted to one of imprisonment, the sentence of imprisonment shall be deemed to commence from the date on which the sentence of death was passed;

(e) if in case of a prisoner two or more sentences are to be undergone otherwise than concurrently, no day shall be counted as a day of imprisonment in respect of more than one such sentence; and

**Example-1.---**A prisoner sentenced to one year’s imprisonment on 15th January, 2005 shall be released on the 14th January, 2006.

**Example-2.---**A prisoner sentenced on the 1st January to one month’s imprisonment shall be released on the 31st of the same month.

**Example-3.---**A, B and C are sentenced respectively to one month’s imprisonment on the 29th, 30th and 31st January, 2007. All the three sentences will expire on the 28th February.

**Note:** In a leap year sentences of B and C will expire on the 29th February.

**Example-4.---**A convict sentenced to one and a half month’s imprisonment on 2nd February will be released on 16th March.

**35. Periods to be included for sentence.**---(1) If any prisoner is released on bail pending appeal or revision or his sentence of imprisonment is suspended for some time, for any reason, and such a prisoner is subsequently again committed to prison, the period during ‘which the prisoner was out of prison or on bail or the sentence was suspended shall not count as sentence served, unless the warrant or the order of recommitment otherwise directs.

(2) The under-trail period in prison before conviction shall be included in the period of sentence, unless directed by the Court:

Provided that-

(a) a prisoner who is released on bail on the day on which the sentence of imprisonment is passed, shall not be deemed to have undergone any part   
of his sentence until he is again placed in confinement; and

(b) this rule shall not be deemed to apply to persons undergoing imprisonment under the provision of section 123 of the Code.

**36. Suspension of sentence of prisoners surrendered to foreign jurisdiction.**---(1) When a prisoner undergoing sentence in any of the prisons in the Province, for a conviction in Pakistan, is surrendered to a foreign jurisdiction, his sentence shall be deemed to be suspended until the date of his surrender when it shall revive and have effect for the remaining un-expired portion of his sentence.

(2) The sentence of prisoner undergoing imprisonment in default of furnishing security is not to be deemed to be suspended on his

surrender to a foreign jurisdiction.

**37. Date of release when a period does not count towards sentence.**---When a period has been excluded from a sentence under the preceding rules, the mode to be adopted in calculating the date of release is, take the full term of sentence as commencing from the date of re-admission and deduct from it the number of days already passed in prison, the date so arrived at will be the date on which the sentence expires.

**38. Period spent on parole to count towards sentence.**---The period spent out of a Prison by a convict on parole shall count towards his sentence unless specifically ordered otherwise in any particular case.

**39. Period spent in hospital to count towards sentence.**---The period spent by a prisoner in an outside hospital shall count towards his sentence.

**40. Date of release when two or more sentences run consecutively.**---(1) When a prisoner is sentenced to two or more terms of imprisonment to be served consecutively, the date of release shall be calculated as if the sum of the terms was awarded in one sentence.

(2) More than one sentences shall run consecutively if not ordered by the Court to run concurrently.

(3) A prisoner detained only on Zamina “B” shall not be entitled for the benefit of clause (b) of section 382 of the Code until ordered by the convicting Court.

**Example.**---A prisoner, sentenced on the 21st June, 1973 to one year’s imprisonment, is, for another offence, subsequently sentenced to a further term of one year, the period to commence from the expiration of the first sentence. He will be released on the 20th June, 1975, not one the 19th June, 1975.

**41. Operation of a second sentence when a first sentence is set aside.**---When a prisoner has been committed to Prison at one trial-under two separate warrants, the sentence in one to take effect after the expiry of the sentence in the other, the date of such second sentence shall, in the event of the first sentence being set aside on appeal, be presumed to take effect from the date on which he was committed to Prison under the first or original sentence.

(2) Where separate sentences have been passed in separate trials, the sentences being consecutive, under section 397 of the Code, the operation of the second sentence, shall, in the event of first sentence being set aside on appeal, commence from the date of arrest in connection with the conviction in the second sentence.

**42. Date from which a sentence finally passed shall count.**---When an appellate Court modifies a sentence passed by a lower Court without change of section, or when an appellate Court passes a new sentence by changing the section or otherwise, the sentence finally passed shall count, unless otherwise specially directed, from the date of imprisonment under original sentence.

**43. Calculation of date of release when a fine is partially paid.**---If a prisoner is sentenced to imprisonment of which the whole or part is in default of the payment of any fine, and if the fine or a portion of it is not immediately paid, the date of release shall be fixed on such dates as shall correspond to payment as well as non- payment of the fine. When any portion of the fine is subsequently paid, the date of release shall be altered accordingly.

**Example.**---if a prisoner is sentenced on the 1st January to six months imprisonment and to pay a fine of Rs. 300, or in default of payment to be imprisoned for a further period of six months, then supposing that the prisoner, immediately on convection pays Rs. 100, the date of release shall be first fixed at 31st October, that is, six months plus four months (being the term proportionate to the amount of the fine unpaid). And entries shall be made on the warrant as the 30th June and 31st October; if he afterwards pays another Rs. 100 the later date shall be changed to 31st August, on his paying the whole, the fact shall be noted opposite the entry on the 30th June.

**44. Calculation of remission on payment of fine.**---If a prisoner is sentenced to fine and in default, to imprisonment for a period and pays a portion of his fine, the remission for the payment shall be calculated in days, fractions of less than half a day shall to be counted. Half or over shall count as one day.

**Example.---**A prisoner is sentenced on 15th July to. six months’ imprisonment and to pay a fine of three hundred rupees (300) or in default six months further imprisonment. He pays sixty-three rupees (63). The calculation shall be made as follows:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Number of days of imprisonment in lieu of fin | X | Amount paid | = | Number of days Amount of fine to be remitted |

Amount of fine

Rs. 180 X 63 = 37/4/5 days i.e 38 days

300

Note:- Month shall be reckoned to consist of thirty days for the purpose of calculating the number of days to be deducted in 1ieu of the amount of fine realized.

**45. Disposal of notice intimating payment of fine.**---If a fine is paid in part or whole after a prisoner is admitted in prison, the Court receiving it shall unless it has already received back the prisoner’s warrant, with an endorsement showing that he has been released, notify the fact to the Superintendent. This notification shall be attached with the warrant and returned with it after the sentence has been carried out.

**46. Notice intimating payment of fine to be forwarded to the Prison where the prisoner is transferred.**---When a prisoner whose sentence includes imprisonment in default of payment of fine is transferred to some other Prison, the Superintendent of transferring Prison is responsible for seeing that notifications of payment of fine received by him, are promptly forwarded to the Prison in which the prisoner is confined. Such notice shall always be sent under a registered cover.

**47. Payment of fine at the Prison.---**Fine can be tendered at the Prison with the written permission of the Superintendent. The Deputy Superintendent shall receive the fine or a portion thereof, issue a receipt to the person, who paid it on behalf of the prisoner and shall on the first opportunity produce the warrant with an entry of the fact that such payment has been made and credit given in the sentence for the signatures of the Superintendent. Fine received at the prison shall without delay be remitted into the local treasury through the concerned Magistrate or an authorized bank. All fine tendered at prison shall be received irrespective of the fact, whether the prisoner is due for release or not provided he is confined in that prison.

**48. Action if no sentence has been awarded in lieu of fine.**---If a prisoner sentenced to a fine in addition to a substantive sentence and the order of the Court does not mention any imprisonment in lieu of fine, the prisoner shall be released on the expiry of his substantive sentence and the Deputy Commissioner informed of the fact.

**49. Imprisonment in lieu of fine to run after the expiry of all the substantive sentences.**---If a prisoner sentenced to imprisonment in default of payment of fine is, either at the same time or subsequently, sentenced to a term of imprisonment without the option of fine, the imprisonment in default of payment of fine shall be kept in abeyance till the expiry of all the substantive sentence of imprisonment.

**Example.**---A prisoner is sentenced on the 9th June 1973, to two years rigorous imprisonment and a fine of rupees one hundred (100) or in default six months further rigorous imprisonment. On the 9th of July of the same year he is sentenced on another charge to rigorous imprisonment for eighteen months and on the 15th of October, 1973, he is again sentenced on a third charge to rigorous imprisonment for two years. The sentence of six months imprisonment in default of payment of fine shall begin from the 9th December 1978, (the date on which all the substantive sentences expire being the 8th December).

**Note.**---This covers the case of a prisoner whose first sentence of imprisonment is in default of payment of fine. Any substantive sentence of imprisonment subsequently passed shall count from the date of the first sentence, and the imprisonment in lieu of fine shall taken effect last, although a portion of it may have been already served when the substantive sentence was awarded.

**50. Imprisonment under section 106 or section 118 of the Code in addition to substantive sentences.**---(1) If any person, in respect of whom an order requiring security is made under section 106 or section 118 of the Code, is, at the time such order is made, sentenced to or undergoing a sentence of imprisonment the period for which such security is required shall commence on the expiry of such sentence.

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

**51. Sentence awarded to an escaped convict. How to take effect.**--- When an additional sentence of imprisonment is passed on an escaped convict who has been recaptured, such sentence shall take effect in following manner:

(a) if the new sentence is severer in its kind then the sentence which such convict was undergoing when he escaped, the new sentence shall take effect immediately, and the expired portion of original sentence, shall be served subsequently; and

(b) when the new sentence is not more severe, it shall take effect after he has served the unexpired portion of his original sentence (see sections 396,397 and 398 of the Code.

**Rule 52 to Rule 62----[Deleted]**

**63. Superintendent to order a Prisoner to give his thumb impression.**---The order to a convict to give his thumb impression is a lawful order and should upheld by the Superintendent, who should take steps to see that it is enforced. An officer of the prison must order a prisoner to allow his thumb impression to be taken.

**64. Prisoners to be given information on these rules.**---(1) Every prisoner on admission shall be provided with written information, in a language he can understand, about these rules governing the treatment of prisoners, the disciplinary requirements of the prison, the prescribed methods of seeking information and making complaints, all such other matters as are necessary to enable him to understand both his rights and obligations and to adapt himself to the life of the institution. If a prisoner is illiterate, the aforesaid information shall be conveyed to him orally. The Superintendent shall make adequate measure to make every prisoner acquainted with the purpose of applicable rules for the time being in force.

(2) A copy of these rules in National or Provincial language shall be hung up in every barrack in some conspicuous place in every prison.

(3) A prisoner who is a foreign national must be informed of his entitlement to contact a diplomatic representative of the prisoner’s choice.

(4) The Diplomatic Mission of his country may be contacted through Department.

(5) A complete set of these rules shall be placed in the Prison’s library and prisoners shall be given access for reading and understanding.

**65. Convicted prisoners to be provided with history tickets.**---(1) Every prisoner shall be provided with a history ticket in duplicate in the prescribed form at the time of admission. The Assistant Superintendent incharge of admissions shall record the full information required by the columns provided in the ticket. The Medical Officer shall record the prisoner’s age, weight, state of health and the class of labour for which he is fit. Entries of weighment shall be recorded monthly. Admission and discharges from hospital with the disease from which he suffered and also admission and discharges from the convalescent party shall also be recorded. Extra or alternate diet shall not be recorded on history ticket by the Medical Officer, but shall be recorded in his journal for approval of the Superintendent.

(2) The Superintendent shall check allotment of labour in the history ticket. He shall record in his own hand all punishments awarded to a prisoner. Entries of special remission promotions and employment in, out parties shall also be made by him.

(3) Entries relating to appeals, letters received and sent, interviews, issue of clothing and award of ordinary remissions shall be made and initialed by the Assistant Superintendent or other officer entrusted by the Superintendent with these duties.

**66. Maintenance and custody of history tickets.**---History ticket shall be so maintained as to be a continuous record of the prisoner’s conduct and employment throughout the period of imprisonment. The history ticket should be stored in a locked almirah and duplicate copy shall be handed over to the prisoner. The almirah shall be kept in a central place in the prison under the charge of an Assistant Superintendent or other official appointed by the Superintendent. If a history ticket is lost or spoiled, a duplicate shall be prepared with the permission of the Superintendent. All punishments and other entries shall be traced from the record and copied. The Deputy Superintendent shall check and sign a certification on the new ticket that all entries have correctly recorded. The word “duplicate” shall be clearly marked on the ticket and it will show the date and the reason of preparation under the Superintendent’s signature. Tickets of under-trial and civil prisoners shall also be kept in prison like the history tickets of convicts. At weekly parade the ticket will be issued just before and received immediately after the Superintendent’s inspection.

**67. Computerization and retention of records.**---(1) The history ticket of every prisoner shall be retained in safe custody for future reference. History ticket of the convicted prisoner shall be of uniform and standard size in every prison.

(2) A computerized record of all prisoners shall be maintained in the Prison and Inspectorate General of Prisons. A digital network shall be established to connect all prisons and Inspectorate General of Prisons.

**Chapter-4**

**Prisoners Property**

**68. Property to be received by Prison’s official.**---All cash, jewelry, articles of clothing and other property received with or found on the person of a prisoner, on his admission to the Prison or sent subsequently by the police, or tendered for him by his relatives or friends, prior to his release, shall be received and taken over by the Assistant Superintendent incharge of admission or other officer on duty.

**69. List of property to be entered in admission register and read -over to the prisoner.**---Such moneys and property shall be entered in the admission register and prisoner’s property register and in the list of prisoner’s property attached with the prisoners warrants and read over to the prisoner in the presence of the Superintendent, who shall attest the entries in the register and in the list of prisoner’s property. If the prisoner can write, he shall be required to sign the list in token of its correctness, otherwise his thumb impression shall be affixed thereto. Entries in the admission register shall also be signed by the Deputy Superintendent as far as cash, jewelry, and other valuable properties are concerned and by the Assistant Superintendent incharge of the prisoner’s property in regard to clothing and other articles. Any list sent by the police with the property shall be filed with the warrant.

**70. Condition of clothing and full description of valuables to be recorded.**---The condition of clothing, whether new, part-worn, or rags, shall always be recorded in the admission register and prisoners property register and in the list of prisoner’s property. If the clothing is woolen the fact should be specifically mentioned. In the case of jewelry and other valuable property, full description, weight and the estimated value shall also be recorded. All additions, erasures or alterations to the list of any prisoner’s property, shall be initialed by the Superintendent.

**71. Receipt to be obtained of the official who receives the property.**---When such property is made over by an official receiving it to another official, the receipt of the latter official will be taken in the admission register. All cash, jewelry and other valuable articles shall remain in the custody of the Deputy Superintendent.

**72. Superintendent may refuse to receive property.**---The Superintendent may receive or refuse any property tendered for a prisoner by his friends or his relatives at the time of admission, or subsequently., and furnish copy of such order to the person, tendering the property refused to be received.

**73. Money to be entered in cash book on admission.**---(1) The receipt of all moneys belonging to the prisoners shall be entered in the cash book and all transactions shall be posted in the “prisoners’ cash account register”.

(2) Money which is the property of the prisoners shall not be held for a long time by the Deputy Superintendent but shall be paid into the treasury at convenient intervals to the credit of personal ledger account of prisoner. For this purpose a separate prisoner’s cash deposit account with the treasury shall be maintained. The cash balance retained by the Deputy Superintendent, shall not be in excess of the normal amount required for disbursements each month and any money in excess of the anticipated expenditure shall be remitted to the treasury at the end of each month.

**74. Valuable property.**---(1) The Deputy Superintendent shall keep all the valuable property belonging to the prisoners in his custody in the treasure chest in small bags or packets. Special envelopes should be provided for the purpose on which number, name, sentence and date of sentence of the prisoner shall be written. Such property shall be entered in the register of valuable articles.

(2) The Deputy Superintendent shall enter these packets in the register of valuable articles according to the admission number of prisoner. The register shall be re-written every alternate year. When a Deputy Superintendent is transferred the register shall be checked and signed by both the relieved and the relieving officers.

(3) The Superintendent shall check all the valuable property of the prisoner with the register and admission register him-self as to its accuracy at least once a year and record the result in his order book.

**75. Certain articles may be allowed to prisoners.**---(i)Prisoners may be allowed to keep the following articles for use in the Prison:

|  |  |  |
| --- | --- | --- |
| (1) | Jersey. | 2 |
| (2) | Bunyan. | 2 |
| (3) | Towels. | 2 |
| (4) | Blanket, softwool, Razai. | 1 |
| (5) | Socks. | 2 pairs. |
| (6) | Lota. | 1 |
| (7) | Hair oil. | 1 Vial. |
| (8) | Tooth brush. | 1 |
| (9) | Tooth paste or powder. | 1 |
| (10) | Comb, hair brush. | 1 |
| (11) | Small mirror. | 1 |
| (12) | Metal glass. | 1 |
| (13) | Spoon. | 1 |
| (14) | Mug, cup or piala along with plate for taking tea made of plastic or china clay. | 1 |
| (15) | Plate made of Plastic, china clay, enamel etc. | 1 |
| (16) | Mug made of Plastic enamel, etc. | 1 |
| (17) | Disposable shaving razor. | 1 |
| (18) | Shaving cream. | 1 |
| (19) | Shaving brush. | 1 |
| (20) | Jam & pickle in small quantity. | 1 bottle. |
| (21) | Biscuits standard size. | 2 packets. |
| (22) | Bottle of squash or sharbat. | 1 bottle. |
| (23) | Pull-overt sweater may be used under the shirt during winter. | 1 |
| (24) | Under-wear or nicker. | 1 |
| (25) | Jai-Namaz and Tasbeeh. | 1 |
| (26) | Spectacles for eyesight, sun glasses. | 1 |
| (27) | Hearing aid for deafness. | 1 |
| (28) | Reading material i.e. books and magazines preferably educative in Islam. | 1 |
| (29) | Match box or lighter. | 1 |
| (30) | Yogurt (Dahi). | 1 |
| (31) | Shoes / Chappals each. | 2 Pairs. |
| (32) | Writing Paper, Pen/Pencil, Sharpener and rubber. | 1 |
| (33) | Books/Papers. | Reasonable number/ quantity. |
| (34) | Wrist Watch. | 1 |
| (35) | Walking Sticks or Wheel Chair for the physically disabled. | 01 |

(2) The Superintendent may refuse to allow a prisoner to have in their possession any items which the Superintendent considers prejudicial:

(a) to the security or good order of the Prison;

(b) to the health and safety of any person within the Prison; and

(c) if a prisoner brings in any medicines, the Medical Officer shall decide what use shall be made of them, taking into account the medical history of the prisoner and report, recommendations and prescriptions of an independent doctor.

(3) A tin container of four-gallon capacity may also be allowed for keeping articles of personal use by a convicted and under-trail prisoner.

(4) Women prisoners may be allowed, in addition to the articles listed in preceding rule, to retain in moderation, certain ornaments of small value but not made of gold, or glass, such as a ring, nose-nail and bangles. Superintendent may, however, for reasons to be recorded in writing, refuse to allow retention of ornaments in any particular case for disciplinary reasons. Women prisoner shall be responsible for the safe custody of such articles, which shall be entered in their history tickets and initialed by a Deputy Superintendent. Assistant Superintendent.

**(ii). Prohibited articles.---**Prohibited articles are those articles which are specified by the Inspector General, as being not permitted in each category of Prison and each prison shall maintain and display a current list of prohibited articles for the benefit of prisoners, staff and visitors:-

(a) a prisoner must not possess a prohibited article; and

(b) it is prohibited for any person to:

(i) convey a prohibited article to a prisoner; or

(ii) throw or otherwise convey a prohibited article into a Prison; or

(iii) conceal or deposit a prohibited article in any place, whether inside or outside a Prison, intending it to come into the possession of a prisoner.

**76. Dealing of property of prisoners.**---Prisoner property shall be dealt with in accordance with the followings:

(a) articles of a perishable nature or which are likely to deteriorate by storage or of bulky nature, may with the consent of the prisoner in writing, either be sold, and the sale proceeds credited to the prisoner’s account or be handed over to his friends or relatives;

(b) if a prisoner is suffering from a contagious or an infectious disease, at the time of his admission, his clothes shall be destroyed forthwith, and a note made in the admission register and prisoners property register;

(c) damaged or filthy clothes shall also be destroyed and the fact recorded in the admission register and prisoners property register;

(d) the clothing of every prisoner, sentenced to rigorous imprisonment for two years or more, on the rejection of his appeal, shall be sold by public auction, and the proceeds credited to the prisoner’s account. An entry to this effect shall also be made in admission register and prisoners property register by the Assistant Superintendent; and

(e) the clothing of every prisoner with a sentence of less than two years shall be carefully packed and kept in the private property godown.

**77. Clothing to be stitched in bundles and labeled.**---The clothing of prisoners retained in Prison under clause (e) of the preceding rule shall be thoroughly washed, repaired and stitched, into bundles before being stored in the property godown. Every bundle shall be labeled giving the admission number, name, sentence and date of sentence and the contents of the packet. The bundles shall be arranged alphabetically.

**78. Disposal of cash property of the prisoners.**---(1) The cash property of prisoners paid to them on release or disposed of otherwise during any month, shall be paid by the Deputy Superintendent from the cash property of prisoners received during the same month.

(2) In case the cash received, be in excess of that disbursed, the balance shall be remitted into the treasury at the close of the month. If the disbursement is in excess of receipts at any time, the difference shall be paid from the permanent advance, which shall be recouped by withdrawal from the prisoner’s cash account in the treasury.

(3) The receipt and the disposal of any money belonging to prisoners shall be entered in the cashbook and when articles belonging to prisoners are sold the amount realized shall also be entered on the list of private property attached to each prisoner’s warrant.

(4) The Superintendent shall occasionally satisfy himself that the amount of cash deposited in the treasury to the credit of the prisoners corresponds the amount shown in the cashbook under the same head.

**79. Disposal of property on transfer of a prisoner.**---On the transfer of a prisoner from one Prison to another, his money and property shall be sent with him to the prison to which he is transferred.

**80. Disposal of clothing of certain prisoners on transfer.**---The clothing of every prisoner sentenced to two years or more shall, whenever possible, be disposed of as laid down in clause (4) of rule 77 before the prisoner is transferred to any other Prison.

**81**.---- **[Deleted]**

**82. Property may be made over to a relative or friend.**---The Superintendent may, at the request or with the consent of a prisoner in writing, make over the whole or any part of his money or other property in Prison to any person he may specify except a prisoner; provided that the Superintendent may withhold and retain so much of the money or other property of such prisoner as he may think necessary for providing him with sufficient clothes and money on release.

**83. Confiscation and disposal of money and prohibited articles in a prisoners possession.**---(1) A prisoner at the time of his admission to Prison on transfer otherwise shall be warned in the main gate to surrender any money or other articles which he may possess. Any cash or other articles voluntarily surrendered shall be deposited in his cash account or kept with his property.

(2) Any money with other prohibited articles, found in a prisoner’s possession after admission to the Prison shall be confiscated. The Superintendent may award a portion of the money recovered on search to the person who discovers it, on the following scale:

Up to Rs.2,000 50 %

Rs.3,001 to Rs.10,000 40 %

Rs.10,001 to Rs.15,000 33 %

Above Rs.15,000 25 %

full amount so recovered shall be entered in the cashbook. After disbursement of the award to the finder, the balance of such confiscated money shall be deposited in the treasury under head “XXII-Jails and convict settlement-A-Jails Miscellaneous”.

(3) The Superintendent shall cause to be destroyed all prohibited articles such as poisonous or intoxicating substances, knives and other weapons of assault, etc., of minor value found on a prisoner. Valuable articles shall be sold by public auction and the sale proceeds deposited into the local treasury.

(4) Where any money beyond permitted limit, as specified in sub-rule (2) or other prohibited articles are found in a prisoner’s possession after his admission to the Prison, an inquiry shall be instituted by the Superintendent himself to determine as to how the prisoner came to be in possession of the money or other prohibited article, and if negligence or collusion on the part of a Prison official is found, departmental proceeding shall be taken against such official, and a report in this behalf be submitted to the Inspector General.

**84. Prisoners may be allowed to issue cheques.**---Cheques may be issued by prisoners while confined in prison on the following conditions, namely:

1. a cheque for not more than ten thousand (10,000) rupees shall be allowed at one time once a week for maintenance of the dependents of the prisoner;

(b) the signature of the prisoner shall be duly attested by the Superintendent; and

1. if a cheque for more than ten thousand (10,000) rupees is required at any time, the relatives of the prisoners shall get a written permission from the Magistrate.

**85. Disposal of the property of an escaped prisoner.**---The money and other property of an escaped prisoner shall be retained in Prison for one year from the date of his escape. If he is not recaptured within that period, his property shall be sold and the proceeds together with cash deposit, if any, deposited into local treasury as unclaimed property.

**86. Property of deceased prisoners.**---(1) On the occurrence of a prisoner’s death, his relatives shall be informed through the Deputy Commissioner of the details of the prisoner’s property, any wish expressed by him before his death as to its disposal and the approximate price it is likely to fetch, if sold by auction.

(2) If instructions are received within a reasonable time that the relatives want the property, it shall be sent to the legal heirs of the prisoner, through the Deputy Commissioner of his district, all transit charges being paid by such heirs. In the absence of such instructions, the property shall be sold and the proceeds together with the cash deposit, if any, sent to the legal heirs by money order after deducting the money order commission, through the Deputy Commissioner.

**87. Purchase of articles from a prisoner’s cash account.**---(1) A prisoner who has money in his account may be allowed to purchase such articles from tuck-shop as permitted under these rules. A receipt for the articles purchased shall be obtained from the prisoner and pasted in the admission register. Necessary entries shall be made in the prisoner’s cash account and property register.

(2) Any money received for a prisoner from outside or earned in the Prison shall be paid to the Prisoner and if beyond the permitted limit shall be returned to his relatives or friends, as the Superintendent deems, if necessary.

(3) Prisoners may withdraw cash from their account for purchasing any article in Prison or arranging for any permitted article to be delivered to the prison.

(4) The Inspector General shall set a limit on the amount of money permitted to be held in a prisoner’s account.

(5) Prisoner is not allowed to keep more than rupees ten thousand only (10,000) cash in his possession.

**88. Receipt for cash and property delivered to a prisoner on release or his relative.**---When cash and other property is delivered to a prisoner on release he shall affix his thumb-impression or signature in the admission register and the property register in the columns provided for the purpose in token of its receipt, cash or property may be handed over to a relative or friend of a prisoner, a receipt shall be obtained and pasted in the admission register and the property register.

**89. Compensation for loss of property.**---If any part of a prisoner’s money or other property is lost while in the custody of any Prison official the prisoner shall be compensated at the expense of the official responsible for such loss. The Superintendent shall decide the quantum of compensation payable to the prisoner on the basis of the money or property lost shall be substituted.

**Chapter-5**

**Appeals and Petitions**

**90. Facilities to prisoners for filing appeals.**---The Superintendent shall inform every convicted prisoner, on first admission to Prison, of the period within which an appeal from the order under which he has been committed to Prison may be filed. If the prisoner desires to appeal, every facility shall be given to him for the purpose. A request for appeal, made within the period allowed, shall be attended to forthwith.

**91. Limitation for appeals.**---(1) The provisions of the Code, relating to appeals and limitation should mutatis mutandis applicable to these rules.

(2) The presentation of a petition of appeal by a convicted prisoner to the Superintendent shall, for the purpose of the Limitation Act, 1908 (Act No. IX of 1908), be equivalent to the presentation of the same to the Court, in accordance with section 420 of the Code. 

(3) The Superintendent shall not withhold the appeal of any convicted prisoner, even though it is apparently barred by limitation.

**92. Interview for the purpose of appealing.**---Every convicted prisoner shall be allowed reasonable opportunity of interviewing his relatives, friends and legal advisors for the purpose of preparing his appeal. Every such interview shall be allowed within sight, but out of hearing of the Prison official supervising the interview. If a relative or agent of the convicted prisoner undertakes to submit an appeal on his behalf, the arrangement must be authorized by a power of attorney to which the convicted prisoner shall affix his signature or thumb-impression. This shall be attested by the Superintendent, or in his absence by the Deputy Superintendent.

**93. Prohibition against writing appeals without permission.**---No prisoner or officer of the Prison shall prepare, write out, or submit any appeal or petition on behalf of any prisoner, without the previous permission in writing of the Superintendent.

**94. Procedure in the case of prisoners without friends, relatives or counsel.**---(1) If a convicted prisoner without a friend, relative or counsel to act for him, elects to appeal, the Superintendent shall apply to the Court concerned for a copy of the judgment or order against which the appeal is to be filed. If several persons are sentenced in the same case, only one copy of judgment shall suffice for all the prisoners electing to appeal from the same Prison.

(2) On receipt of the copy of the judgment or order, a prisoner if literate shall be allowed to write his own appeal or to have the assistance of a literate person to write an appeal on his behalf. If the prisoner is not able to write, the Superintendent shall cause his appeal to be written for him by another prisoner or a Prison official strictly in accordance with the dictation of the appellant, unless the prisoner wishes to use the services of a lawyer.

(3) An appeal preferred by a prisoner from the prison should, before dispatch, be read over to him in the presence of the Superintendent. If the prisoner approves of the appeal, he shall affix his signature or thumb impression on it. The Superintendent shall sign the document and cause the official seal of the Prison to be stamped on it.

(4) The Superintendent shall forward the appeal, with a copy of the judgment or order appealed against, direct to the appellate Court as required by section 420 of the Code. The Appellate Court shall itself requisition the record from the Record Room.

(5) **Counsel for appeal.**---A convicted prisoner may be allowed the services of an advocate at Government expense to draft and file an appeal on his behalf or to petition for revision or clemency.

**95. When an appeal is not desired.**---If any prisoner states that he does not wish to appeal, the fact shall be recorded on his history ticket and initialed by the Superintendent. The date on which a convict decides to appeal or not to appeal should also be recorded. Subsequent entries relating to the appeal and its result shall also be recorded thereon.

**96. Prisoners not to be transferred pending appeal.**---With the exception of such class of prisoners for whom transfer orders are from time to time issued, prisoners who have not completed the period allowed for appeal without appealing or until the decision of their appeals should not ordinarily be transferred to another prison. If any such prisoner is transferred, it is the duty of the transferring prison to apply for a copy of the judgment, and forward it promptly to the prison where the prisoner has been transferred.

**97. Appeals of prisoners transferred.**---When any communication relating to the appeal of a prisoner who has been transferred, is received, it shall be forwarded without delay by registered post to the Superintendent in which the prisoner is confined after noting the same in the admission register of the prison from which the prisoner has been transferred.

**98. Reminder enquiring the result of the appeal.**---If the result of an appeal to the Deputy Commissioner or the Judge is not communicated within one month, or in the case of an appeal to the High Court, within three months of the date on which the appeal was submitted, the Superintendent shall send a reminder to the Court concerned and repeat the enquiry at reasonable intervals until it is communicated. The result of appeal shall, when received, be communicated to the prisoner concerned and entered in his history and admission register. The letter conveying the result of appeal should be filed with the prisoner’s warrant.

**99. Procedure when a court directs retrial of a prisoner.**---If an appellate Court directs that a prisoner be re-trialed and a warrant for his release on bail or for his custody pending trial is not received at the same time, the prisoner shall, unless he has to undergo a sentence on another warrant, be removed to the under-trial prisoner’s ward, and the Superintendent shall apply to the Court for a warrant for his custody pending trial.

**100. Petition from prisoners sentenced by Court Martial.**---(1) In case of any order of conviction passed by the Court Martial, no appeal, under these rules, can be made to the HighCourt or Supreme Court as the case may be, however, such convict himself or through Superintendent, as the case may be, may file a petition to the concerned authorities within the time limit under the Pakistan Army Act, 1952, the Air Force Act, 1958 or the Navy Act.— as the case may be.

(2) The petition shall be forwarded to the officer commanding of the unit to which the prisoner belonged who shall forward the same along with the record of the proceedings to the highest authority. Appeals or petitions addressed to the President of Pakistan or to any Civil authority shall be forwarded to the Judge, Advocate General, General Head-quarters, Rawalpindi, Director of Personnel, Naval Head-quarter, Islamabad or Director of Personnel, Air Force Headquarter, Islamabad as the case may be, for disposal.

**101. Petition for clemency.**---(1) Every prisoner shall be at liberty to submit a petition to Government for clemency, and shall, if he so desires be accorded reasonable facilities for preparing and submitting such a petition. Except in the case of petition against the execution of sentences of death, all such petitions shall be accompanied by copies of the judgment of the Court of conviction and of any Superior Court, which may have, dealt with the case on appeal or revision. These shall be supplied by the petitioners themselves.

(2) Once a petition for clemency has been rejected no second or subsequent petition shall be forwarded to Government for consideration unless there are fresh grounds, which the Superintendent shall himself certify quoting the previous references.

(3) While forwarding the petition for clemency of a prisoner his mercy petition role on the prescribed form along with a report by the Medical Officer on the present state of health of the prisoner shall also be sent. Any outstanding achievement gained by a prisoner such as in education or industry etc., shall also be brought to the notice of Government.

(4) All petitions for clemency shall ordinarily, be addressed to the Governor of the Province and shall be routed through the Inspector General.

**102. Appeals and petitions to Supreme Court.**---(1) Appeals can only be preferred to the Supreme Court of Pakistan in pursuance of special leave to appeal granted by the Court upon a petition in that behalf presented by or on behalf of the intending appellant

(2) All petitions and applications for special leave to appeal shall ordinarily be lodged in the Supreme Court of Pakistan within thirty (30) days from the date of the judgment or order against which appeal is to be filed; provided that the Supreme Court of Pakistan may for sufficient cause, extend the time. For this purpose an application for condonation of delay setting forth cogent reasons shall have to be filed along with the petition of appeal.

(3) The petitioner, may either direct or through his relatives to file a petition for special leave to appeal in the Supreme Court of Pakistan, through a properly constituted attorney enrolled in that Court or present his petition for special leave to appeal and the following documents to the Superintendent who shall, after obtaining signature or thumb-impression of the petitioner thereon, forward the same to the Registrar, Supreme Court of Pakistan for disposal:



(a) a certified copy of the judgment of the High Court appealed against;

(b) a certified copy of the judgment, of the Lower Court in case of an appeal from a conviction by the High Court reversing an order of acquittal passed by the lower Court; and

(c) an application for condonation of delay if petition for special leave to appeal is preferred after the prescribed time.

(4) No Court fee is to be affixed to any of the documents filed in the Supreme Court of Pakistan.

(5) The decision of the Supreme Court of Pakistan shall be communicated to the Superintendent of the prison, in which the petitioner is confined.

**103. Petition for special leave to appeal to Supreme Court by or on behalf of condemned prisoner. Execution to be postponed.**---(1) In accordance with the Supreme Court Rules, 1956, the petition for special leave to appeal should ordinarily be lodged in the Supreme Court of Pakistan within thirty (30) days from the date of the judgment or order sought to be appealed from. The execution of all condemned prisoners shall remain postponed from the date of the High Court’s judgment pending final orders from Government.

(2) If intimation is received from or on behalf of the condemned prisoner that it is intended to apply to the Supreme Court of Pakistan, within thirty days of the date on which the Superintendent has informed him of the confirmation of his sentence by the High Court for special leave to appeal, proof must be furnished to Government that the appeal has-been filed in the Supreme Court of Pakistan. The Superintendent of the prison shall also communicate the case to the Registrar of the Supreme Court of Pakistan and shall request him to confirm that an appeal has actually been filed on behalf of the prisoner. If appeal has been filed through the prison, the Superintendent shall inform the Government of this fact.

**104. Petition for mercy from or on behalf of condemned prisoner.**---(1) Immediately on receipt of intimation of the dismissal by the Supreme Court of Pakistan of his appeal or application for special leave to appeal or of the breaking down of his application for special leave to appeal, in case the condemned prisoner has made no previous petitions for mercy, the Superintendent, shall inform the condemned prisoner concerned that if he desires to submit a petition for mercy it shall be submitted in writing within fourteen (14) days of the date of such intimation. The prisoner shall be given access to legal counsel to assist him with his petition.

(2) If a condemned prisoner submits a petition within the period of fourteen (14) days prescribed by sub-rule (1) the Superintendent shall forthwith dispatch it to the Secretary, together with a covering letter reporting the date fixed for the execution by the Sessions Judge, and shall certify that the execution has been stayed pending the receipt of the orders of Federal Government on the petition. If no reply is received within thirty (30) days from the date of the dispatch of the petition, the Superintendent shall remind the Secretary, drawing attention to the fact, but he shall in no case carry out the execution before the receipt of Government’s reply. If after consideration Government rejects the petition, it shall be forwarded to the Secretary to the Government of Pakistan, Ministry of Interior. In case, however, Government of Pakistan decides to commute the sentence, the petition to the President shall be withheld and intimation of this fact shall be sent to the petitioner and to the Superintendent of the prison where the prisoner is confined.

(3) If the condemned prisoner submits a petition after the period prescribed by sub-rule (1) above the Superintendent shall at once forward it to Government stating that, pending a reply the sentence will not be carried out. If such petition is, however, received by the Superintendent till evening on the day preceding that fixed for the execution, he shall at once forward it to Government and at the same time Fax the substance of it, giving the date of execution and stating that the sentence shall not be carried out pending the receipt of the orders of Federal Government.

(4) If the condemned prisoner submits a petition after the period prescribed, it shall be within the discretion of Federal Government to consider the petition and to postpone execution and also to withhold or not to withhold the petition addressed to the President whether Federal Government considers, the petition addressed to it or not. In the following circumstances, however, Government, whether it considers the petition or not, shall forward the petition to the Secretary to Government of Pakistan, Ministry of Interior and shall simultaneously postpone execution pending the receipt of the orders of the President:



(a) where the sentence of death was passed by an appellate Court on an appeal against the prisoner’s acquittal, or on an application for enhancement of sentence preferred by Government, or as a result of an enhancement of sentence by the appellate Court on its own motion; or

(b) where the circumstances of the case are such which in the opinion of Government render it desirable that the President should have an opportunity of considering it. Such cases shall include those of a political character and cases in which for any special reason considerable public interest has been arisen.

(5) Government shall withhold a petition submitted by a condemned prisoner when a petition containing a similar request has already been submitted to the President of Pakistan. The petitioner shall be informed of the fact of withholding the petition and of the reason thereof.

(6) While forwarding a petition for mercy to the President of Pakistan from a prisoner under sentence of death, Government shall forward with it the records of the case and its observations and comments on the grounds urged for commutation, and if it had previously rejected a petition addressed to itself and a brief statement of the reasons thereof.

(7) Government shall transmit petitions for mercy alongwith the records of the case, to the Secretary to Government of the Pakistan, Ministry of Interior, as expeditiously as possible, and upon receipt of the President’s orders shall immediately send an acknowledgement in the same manner as is used for communicating the orders. If the petition is rejected, orders will be communicated by a duly registered express letter and receipt thereof shall be acknowledged by express letter. Orders commuting death sentences shall be communicated by telegram or Fax or any other source of communication in all cases and the receipt thereof shall also be acknowledged by telegram or Fax or any other source of communication.

(8) Petitions for mercy submitted on behalf of a prisoner under sentence of death by his relative, or friend or lawyer shall be dealt with in the manner provided under these rules for dealing with a petition from the prisoner himself. A petitioner on behalf of a condemned prisoner shall be informed of the orders passed in the case. If the petition is signed by more than one person it will be sufficient to inform the first signatory. The prisoner shall also be informed of the fact of the petition having been submitted on his behalf and of the orders passed thereon.

(9) In the event of its coming to knowledge of the Superintendent at any time before the execution of the sentence that altogether exceptional circumstances have arisen which plainly demand a reconsideration of the sentence, he is at liberty, anything in the foregoing rules notwithstanding, to report the circumstances by telegram Fax or any other source of communication to Government and ask for its orders and to defer execution till they are received.

(10) The Superintendent shall at once report back to the Secretary all communicating orders to him regarding petitions for mercy, by way of acknowledgement of their receipts.

(11) When acknowledging the orders of Federal Government and the intimation that the petition has been forwarded for the orders of the President of Pakistan, the Superintendent shall certify that the execution remain stayed pending the orders of the President of Pakistan.

(12) On receipt of intimation about the rejection, by the President of Pakistan, of a petition submitted by or on behalf of a condemned prisoner or a prisoner undergoing sentence of imprisonment, Government shall inform the Superintendent of the Prison concerned about it. The Superintendent shall make an entry in the relevant register accordingly. 

(13) If, after the rejection of the petition by the President of Pakistan, orders are received from Government regarding the commutation of the death sentence of a condemned prisoner or the release of a prisoner before the due date of release, without any indication as to the approval of the President of Pakistan having been obtained in this behalf the Superintendent shall at once send to Government a Fax pointing out that the petition of the prisoner had already been rejected by the President of Pakistan and enquiring whether the prior approval of the President of Pakistan has been obtained by Government to the commutation of the death sentence release of the prisoner. A copy of the order shall be endorsed by him to the Ministry of the Interior.

(14) If the reply from Government is in the affirmative, the orders of Government shall be implemented forthwith and intimation in this regard sent to Government as well as to the Ministry of Interior.

**105. Fixing of date of execution.**---In the event of the final order of Government to carry out execution, the Superintendent shall appoint a day for execution not more than a week later than the date on which such orders actually reach him irrespective of the date fixed by the Judge on the black warrant, so as to permit of the usual attendance antecedent formalities for example summoning of relative and friends for last interview, the making of will etc., being observed in due order and without participation. The date so fixed shall be intimated to Government when acknowledging of the order of execution.

**106. Superintendent to visit his office on the morning of execution.**---On the morning of any execution, the Superintendent shall, before proceeding to the cell of the condemned prisoner, enter his office and assure himself that there is no communication awaiting him connected with the execution.

**107. Instruction regarding submission of mercy petitions of condemned prisoners.**---The following instructions are laid down for the preparation and submission of mercy petition of condemned prisoners by the Superintendent,-

(a) each and every mercy petition submitted by a condemned prisoner shall simultaneously be addressed to the President of Pakistan, and the Governor of the Province and should be in duplicate;

(b) if the petition is submitted in Urdu or any other language it shall be accompanied by carefully prepared translation in English in duplicate, which to ensure its accuracy should be examined by the Superintendent. The documents shall be attested by the Superintendent;

(c) the mercy petition roll, in duplicate, shall also accompany the petition;

(d) in case where the condemned prisoner takes plea of young or old age, unsound mind or ill-health, two copies of the medical report by the Medical Officer shall also be submitted, stating therein the correct age, ailment, infirmity, etc., as the case may be;

(e) if, in the opinion of the Superintendent and the Medical Officer, the prisoner was below eighteen (18) years of age on the date of occurrence of the crime or above sixty (60) years on the date of submission of the mercy petition, a copy of the birth certificate or particulars of birth viz., date of birth of the prisoner and the name of the Village/Neighbourhood Council where the entry of birth was recorded and registration with National Database Registration Authority may be obtained from the relatives of the prisoner and forwarded to Government; and

(f) all correspondence pertaining to condemned prisoner shall always be made in pink coloured envelopes inscribed “Death case Immediate” standardized for use in all prisons.

**108. Procedure of opening communications relating to condemned prisoners in Prison.**---There must be in each prison an official designated by name who shall be responsible for receiving and opening all communications received in the prison at all times of the day and night, from Government or elsewhere in general and in respect of condemned prisoners in particular. All such communications shall immediately be brought to the notice of the Superintendent, or in his absence, the Deputy Superintendent, as the case may be.

**109. All letters to be signed by the Superintendent or Deputy Superintendent.**---All letters acknowledging the receipt of letters of Government in death cases must be signed by the Superintendent or the Deputy Superintendent.

**110. Orders to be communicated by Fax or through messenger.**---Orders of the Governor, rejecting the petitions for mercy from condemned prisoners, shall be communicated by an express letter and should be promptly acknowledged by the Superintendent by post. The orders of the President declining to interfere and ordering the carrying out of the execution shall be conveyed by Government by Fax or through messenger and will be repeated back to Government by Fax by the Superintendent. The orders of commutation of death sentence and the postponement of execution shall also be communicated by telegraph and shall be acknowledged, by the Superintendent, by Fax or through messenger.

**111. Procedure when acknowledging orders of Government.**---When acknowledging any orders of Government postponing the execution, the Superintendent shall state in his acknowledging letter that the execution has been postponed pending further orders of Government.

**Chapter -6**

**Release of Prisoners**

**112. Name of prisoner with a sentence of less than four months to be entered in release register.**---On admission to prison of a prisoner with a substantive sentence of less than four months, his name shall be entered in the release register (Dairy No. 4), under the date on which his sentence shall expire. If special remission is awarded, subsequently, the date shall be altered accordingly.

**113. Check dates to be fixed for prisoners with sentence of four months or over.**---The names of prisoners whose substantive sentences are of four months or over shall be entered in release register (Dairy No. 4), according to the check date at the time of admission. For every such prisoner a date called the check date shall be fixed. This date shall be the date on which the prisoner shall complete two-thirds of his sentence. The check date shall be recorded on the history ticket, warrant and remission sheet and all entries shall be signed by the Deputy Superintendent.

**114. Management and custody of warrants.**---The date of sentence and the date of release of a prisoner and the register number given him, shall be endorsed on his warrant and signed by the Deputy Superintendent. The warrants shall be arranged according to the date of release and put together in open folds in monthly bundles and docketed outside with the month and year. Each bundle shall occupy, a separate receptacle in the warrant almirah, of which the Assistant Superintendent incharge of release shall keep the key. No prisoner shall be allowed to have access to the warrants under any circumstances.

**115. Monthly examination of warrants.**---The warrants of all prisoner, whose release becomes due in any month, shall be examined on the twentieth (20th)day of the month preceding to ascertain their correctness.

**116. Fixation of final date of release.**---The date of release of a prisoner shall be fixed at least one month before the check date calculated for him under rule 113, after crediting the prisoner with the remissions already earned and those, which he is likely to earn in the interval. After the date has been checked and approved by the Deputy Superintendent, the prisoner’s name shall be entered in the release register under the date finally fixed. The Assistant Superintendent in charge of releases and the Deputy Superintendent shall initial the entries of final date of release in the release register, remission sheet and the history ticket.

**117. Prisoner to be informed of his date of release.**---A prisoner whose final date of release has been finally fixed shall be informed of the date on which he is to be released. He shall also be provided with a service post card (if he wishes), to inform his relatives about the date on which he shall be released.

**118. Prisoners in respect of borne whom under section 565 of the Code is made to notify their intended residence.**---(1) Fourteen days before any prisoner, in respect of whom an order under section 565 of the Code has been made, is to be released, the Superintendent shall explain to the prisoner the nature of the order and the requirements of the rules made by Government under said section and shall call upon him to state the place at which he intends to reside after release.

(2) The Superintendent shall then report to the Superintendent of Police the name and other particulars necessary for identification of the prisoner and the place at which such prisoner intends to reside after release.

**119. When release falls on a holiday.**---A prisoner whose date of release falls on a Sunday or any of the Gazetted holidays shall be released on the preceding day; provided that if for any reason, a civil prisoner or a political detainee is entitled to be released on a Sunday or a Gazetted holiday, he shall be released on that day.

**120. Time of release of prisoners.**---(1) No prisoner shall be released after the hour of lockup or before the opening of the prison on any day.

(2) Prisoners shall ordinarily be released in the forenoon.

(3) Every prisoner whose release has been ordered by a Court on any working day, shall be released on the same day, as soon as possible, after the receipt of the released order.

**121. Prisoner to produce his kit on release.**---Every prisoner shall be required to return his complete prison kit in a clean condition before he is brought up for release.

(2) A prisoner shall be put up before the Superintendent for release in his private clothes or if he has no clothes of his own, in the clothing for released prisoners provided by the Superintendent.

**122. Procedure when the sentence expires.**---(1) When the sentence of a prisoner expires, the Assistant Superintendent incharge of releases, shall bring him before the Deputy Superintendent together with his warrant and the admission register. After thorough checking and identification, by the Deputy Superintendent, the Assistant Superintendent shall produce the prisoner before the Superintendent for release and he shall be released at the Prison gate in the presence of the Assistant Superintendent.

(2) Every order for the final discharge of a prisoner shall be signed by the Superintendent.

**123. Identification of prisoners on release.**---Every prisoner shall, before being released, be carefully identified by reference to the personal description, picture, Computerized National Identity Card if available and marks of identification recorded in the admission register, and the Superintendent and the Deputy Superintendent shall satisfy themselves, respectively that the prisoner put up is entitled to be released and that his sentence has been duly executed except in respect of any remission earned and granted under the remission system.

**124. Release orders.**---(1) An order of release of a prisoner, whether convicted or under-trial, shall be carried out with reasonable promptitude, and the prisoner shall ordinarily be released the same day, unless his further detention is required under some other authority. If the order is received in the absence of the Superintendent, the Deputy Superintendent shall release the prisoner on his own responsibility. The warrant of such prisoner shall be signed by the Superintendent on his next visit to the Prison.

(2) All release orders received by post shall ordinarily be complied with on the same day and if received late in the evening shall be acted upon the next day.

(3) Release orders, reduction warrants, bail orders and notices intimating payment of fine shall be sent to the Prison authorities through an official messenger of the Court or through registered post and not through the friends or relatives of the prisoner. Release order etc. sent locally shall be received by the Assistant Superintendent incharge of releases.

(4) Release orders, reduction warrants, etc., sent locally shall be received in the Prison during the office hours only.

(5) In case of two or more prisoners convicted in the same case, there must be a separate release order or reduction warrant, as the case may be, for every prisoner.

**125. Over detention to be reported to the Inspector General.**---The case of every prisoner detained in confinement after the date on which he is entitled to be released shall be reported to the Inspector General.

**126. Warrant of release of a prisoner transferred.**---On receipt of warrant for the release of a prisoner who has been transferred to another Prison, such warrant shall be forwarded without further delay by registered post to the Prison in which the prisoner is confined.

**127. Release order to be duly authenticated.**---The Superintendent shall not release any prisoner on the authority of any informal document. Release orders duly signed by the Magistrate and impressed with the seal of the Court shall alone be acted upon. All release orders before being acted upon should be carefully scrutinized by the Deputy Superintendent in order to see that the seal of the Court and signature of the Magistrate are genuine and that the particulars noted in the release orders correspond with the original commitment warrant. In case of doubt a reference should be made to the Court concerned before the order is carried out.

**128. Release on the authority of a Fax.**---No prisoner shall be released on the authority of a Fax except in the case of a Fax dispatched by the Secretary. All such Fax shall be confirmed telephonically.

**129. When a prisoner may be released on recognizance.**---If the warrant of an appellate Court directs that a prisoner shall be released on bail or on his own or another person’s recognizance, the Superintendent shall not release such prisoner until he shall receive from the Magistrate 1st Class, intimation in writing that such bail or recognizance has-been duly given and that such prisoner may be set at liberty in accordance with the terms thereof.

(2) The personal bond or recognizance of a prisoner whose release has been ordered shall be attested by the Superintendent or in his absence, by the Deputy Superintendent.

**130. Prisoners on release to be furnished with certificate.**---Every released prisoner shall be furnished with a release certificate signed by the Superintendent, to the effect that he has completed his term of imprisonment, the amount of remission, if any, being stated therein. A report on his character and conduct in Prison and of proficiency in any industry learnt by him in Prison shall also be included in the certificate, if the prisoner so desires, but not otherwise.

**131 to 132--- [Deleted]**

**133. Meal to prisoners on release.**---Prisoners shall be supplied with meals before release.

**134 to 135---[Deleted]**

**136. Railway pass and subsistence allowance to prisoners.**--- Prisoners released from Prison may be given free railway pass and subsistence allowances laid down in the preceding rule.

**137. Release of women prisoners.**---(1) When a women prisoner is due for release the Superintendent shall inform the woman’s relatives about the date of her release so that they may come and receive her at the Prison gate.

(2) If relatives do not turn up to receive her and if she is below thirty years of age, she shall be sent to her own home or residence of his relatives escorted by a woman warder or a respectable woman entertained for the purpose.

(3) In the event of release of a woman prisoner upon acquittal or otherwise when the release is effected late, she may be allowed to stay for the night in the women’s ward to enable her to proceed to her home the next morning.

(4) If the woman prisoner refused to go with parents, spouse of relatives, she shall be shifted to Dar-ul-Aman or any place declared by Government by the orders of Magistrate.

**138. Release of juvenile prisoner.**---(1) Notice of the date of release of every, convicted juvenile prisoner shall, one month before such date, be sent to his relatives to receive him at prison on release, if he has such relatives. 

(2) If no relatives appear to receive the prisoner, he shall be escorted by a warder to his own home.

**139.---[Deleted]**

**140. Release of prisoners undergone life imprisonment and long term prisoners.**---(1) Every prisoner, who undergone life imprisonment shall, in case of two special remissions, undergo a minimum of fifteen (15) years substantive imprisonment. No remission is granted to such convict except, as per provisions of the Act or these rules, as the Government may deem appropriate.

(2) The case of all prisoners sentenced to imprisonment for life shall be referred to Government through the Inspector General, after they have served fifteen (15) years substantive imprisonment for consideration with reference to section 401 of the Code.

(3) The cases of all prisoners sentenced to cumulative periods of imprisonment, aggregating twenty-five years or more, shall also be submitted to Government, through the Inspector General, when they have served fifteen (15) years substantive sentence for orders of Government.

**141. Case of a prisoner seriously ill on release.**---No prisoner, suffering from an acute or serious illness, shall be discharged from Prison against his will or until in the opinion of the Medical Officer he can be safely discharged or can be admitted to a civil hospital.

**142. Return of warrants of released prisoners.**---(1) The warrant of a prisoner released on expiry of sentence or on bail shall be returned to the Court which issued it, with an endorsement showing the date and cause of release and the date on which the warrant is returned.

(2) The warrant of every prisoner who dies in prison shall be returned to the Court concerned by which he was convicted or committed.

(3) Warrants of escaped prisoners who remain at large and are not recaptured, shall be returned to the Court concerned ten (10) years after the date of escape with a certificate signed by the Superintendent showing the date on which the prisoner escaped.

(4) If any prisoner is required to undergo two or more sentences under separate warrants, such warrants shall be returned when all the sentences have been executed.

(5) After execution of the sentences the warrants of commitment of prisoners sentenced by Court Martial shall be sent to the officer Commanding of the Unit in which the Court was held.

(6) Warrants of under-trial prisoners released on bail should be immediately returned to the Court concerned.

**143. Release of prisoners suffering from disease.**---(1) The Superintendent shall refer the case for release of a prisoner suffering from serious illness to Government, provided that-

(a) the disease is likely to prove fatal if the prisoner remains in prison; or

(b) there is reasonable chance of recovery if the prisoner is released; or

(c) the prisoner has not done any willful act, since he has been in Prison, to produce or aggravate his disease; or

(d) the Medical Officer and the Medical Superintendent of the District Headquarter hospital recommend the release and certify that the disease is of the nature described; or

(e) the prisoner has not more than six months to remain in Prison before the expiry of his sentence.

(2) The prisoner shall be informed, before release that his liberation is conditional on the sanction of Government, and that if such sanction is withheld, he shall have to return to Prison to serve the remainder of his sentence. The prisoner’s friends shall be sent for and a security bond taken from them, before he is released, that they shall give him up if required to do so.

(3) The case shall be immediately reported to the Inspector General in the prescribed form for submission to Government.

**144. Action in case of difference of opinion.---**If the Judge dissents from the Superintendent’s recommendations, the case shall be submitted, though the Inspector General to Government for orders.

**145. Release of prisoner on short parole.**---(1)The Deputy Commissioner of the district concerned, after considering the circumstances, may release a well behaved detenue or prisoner other than a prisoner, convicted or under trial, as the case may be, under the Anti-Terrorism Act, 1997 (Act No. XXVII of 1997), on parole for a maximum period of twenty-four (24) hours, on furnishing surety to his satisfaction.

(2) The Home Secretary, in cases where the request for parole exceeds the period of twenty-four (24) hours, while considering all the circumstances, specified in sub-rule (1), may release such prisoner on parole for a maximum period of seven days, on furnishing surety to his satisfaction.

(3) The security of the prisoner, released on parole, under sub-rule (1) or sub-rule (2), as the case may be, shall be the responsibility of the police.

(4) **Cases not provided for in the foregoing rules.**---Cases not provided for in the foregoing rules shall be dealt with by Government under the provisions of section 401 of the Code.

**146. Release of prisoners on grounds of old age, infirmity or illness.**--- (1) The Superintendent may recommend a prisoner for premature release who owing to old age, infirmity or illness is permanently incapacitated from the commission of further crime of the nature of that for which he has been convicted. The case shall be submitted to Government through the Inspector General. It shall be accompanied by the recommendations of the Medical Officer. The Inspector General shall, in all such cases, obtain the medical opinion of the Medical Board which shall be convened by the Director of Health Services.

(2) **Pre-release preparation.**---Sentenced prisoners shall be assisted one year prior to release by procedures and special programmes enabling them to make the transition from life in Prison to a law-abiding life in the free society:

(a) in case of those prisoners with longer sentences in particular, steps shall be taken to ensure a gradual return to life in free society. Open prison shall be established in the Province for pre-release preparation;

(b) Prison authorities shall work closely with Parole Officers and other departments that supervise and assist released prisoners, to enable those convicted prisoners who are going to be released within one year to re-establish themselves in the community, in particular with regard to family life and employment;

(c) each convicted prisoner shall be released on parole one year before his final date of release subject to the satisfaction of Superintendent jail except the Anti-Terrorism Act, 1997 (Act No. XXVII of 1997) and National Accountability Bureau convicts. Such convicts shall be handed over to Parole Officer for reintegration of the convict in society; and

(d) any prisoner with a long-term or chronic health condition shall be given a medical examination prior to release and, if the prisoner so agrees, steps shall be taken by the medical practitioner to ensure continuity of health care when the prisoner returns to the community.

**Chapter -7**

**Transfer of Prisoners**

**147. (1) Power of Inspector General to transfer of prisoners.**---The transfer of prisoners from one prison to another within the Province shall be directed by the Inspector General.

**(2) General principles applying to the transfer of prisoners.**---The transfer of prisoners shall be undertaken in a manner which ensures security and at the same time protects the dignity of the prisoner:

(a) when prisoners are being removed to or from other place such as a Court or hospital, they shall be exposed to public view as little as possible, and proper safeguards shall be adopted to protect them from insult, curiosity and publicity in any form and ensure their anonymity;

(b) the transport of prisoners in conveyances with inadequate ventilation or light, or in any way which may subject them to unnecessary physical hardship, shall be prohibited;

(c) the transport of prisoners shall be carried out at the expense of the Police Department and equal conditions shall be maintained for all prisoners;

(d) all prisoners shall be examined by the Medical Officer prior to transfer to another Prison;

(e) a prisoner’s possessions and Prison file shall transfer with him, save in exceptional circumstances; and the medical file of the prisoner shall be transferred with him, the prisoner shall be informed about such transfer; and

(f) after the transfer every prisoner shall have the right to inform his family of his transfer to another place such as Court or hospital, as the case may be, by telephone or written correspondence.

**148.---[Deleted]**

**149. Sanction of Government necessary for transfer of a prisoner to another Province.**---The transfer of prisoners from one Province to another Province for execution of sentence release or production in a Court, requires the previous sanction of Government. When such a transfer is rendered necessary by any general or special order, the Superintendent shall submit the descriptive roll in duplicate of the prisoner to the Inspector General for transmission to Government.

**150. Transfer of prisoners to other Provinces on reciprocal basis.**--- Transfer of prisoners on administrative grounds from one Province to another Province may be arranged mutually between the respective Inspectors General on reciprocal basis.

**151. Transfer of condemned prisoners.**---Transfer of a prisoner under sentence of death from one Prison to another shall be directed by the Inspector General, subject to the approval of Government.

**152. Prisoners to be transferred to undergo sentence.**---(1) The following classes of prisoner shall be transferred in the manner prescribed in the succeeding rules, when necessary to undergo sentences-

(a) long term prisoners;

(b) juvenile and women prisoners;

(c) prisoner detained under the Reformatory Schools Act, 1897 (Act No. VIII of 1897) and the Khyber Pakhtunkhwa Borstal Institution Act, 2012 (Khyber Pakhtunkhwa Act No. XIV of 2012);

(d) Court Martial prisoners;

(e) habitual prisoners;

(f) leper and tubercular prisoners;

(g) prisoners whose transfer is necessary to relieve overcrowding;

(h) prisoners with special qualifications whose services are required elsewhere;

(i) influential violent or dangerous prisoners;

(j) prisoners where transfer is necessary, in the interest of their health; and

(k) prisoners whose transfer is necessary or desirable for any other reason, e.g.; insecurity of the Prison, character of the prisoner, or his having or relatives amongst the staff.



(2) The Superintendent may transfer prisoners under clauses (a) to (e) without the sanction of Inspector General. Transfers under clauses (f) to (i) shall not be made without the previous sanction of the Inspector General. Leper or tubercular prisoners whose condition is serious may, however, be transferred in anticipation of sanction, but formal sanction for such transfers must be obtained.

**153. Transfer of prisoners for local or disciplinary reasons.**---The Superintendent may recommend to the Inspector General transfer to another Prison of any prisoner whose detention in the Prison is considered to be inexpedient for local or disciplinary reasons or for any other sufficient cause. The reasons for transfer should always be communicated to the Superintendent to which, the prisoner is transferred and should also be recorded on the history ticket of the prisoner.

**154. Transfer of adolescent, habitual and other prisoner.**---All male adolescent prisoners under the age of twenty-one (21) years, with sentences of three months or over, shall immediately on conviction be transferred to the Borstal Institution and Juvenile Prison.

(2) All women prisoner with sentence of two months or over shall immediately on conviction be transferred to the women’s prison or to such nearest jail where such facility is available.

(3) All adult habitual prisoners shall be transferred to the habitual prison, if such a prison declared by Government for the purpose.

(4) All Court Martial prisoners shall, immediate1y on admission, be transferred to prison situated near their homes and if long termers, to Central Prison nearest their homes.

**155. Transfer of leper, tubercular and other infectious diseases prisoners.**---Leper, tubercular and other infectious diseases prisoners shall be transferred to prisons specially reserved for them. Medical history and record of the case must invariably accompany these prisoners, in case of tubercular prisoners the Fax shall also be sent. Early diagnosis of all cases of tuberculosis is essential not only to give the patients a chance of recovery but also to remove a source of infection to others. If the case is serious one, transfer may be made in anticipation of sanction and formal sanction may be obtained afterwards.

**156. ---[Deleted]**

**157. Adult male prisoners where to be confined.**---Subject to the limitation of the length of sentences, adult male prisoners shall ordinarily be confined in the prisons to which they are committed or transferred to other prisons in accordance with the policy of transfer of prisoners which shall be framed by the Inspector General.

**158. Powers of Inspector General as to detention and transfers.**--- Nothing contained in these rules regarding the confinement of prisoners in prisons, shall be deemed in any way to interfere with the powers of the Inspector General to direct, in his discretion, by general or special order, that any class or classes of prisoners shall be confined or transferred to any prison or class of prisons:

Provided that in the case of an under trial prisoner who is transferred to another prison, the Court trying such prisoners shall forthwith be informed of such transfer.

**159. to 160.--- [Deleted]**

**161. Prisoner not ordinarily to be transferred.**---(1) Subject to the provision of rule 152, prisoners shall not ordinarily be transferred from the prison to whom they were in the first instance committed until the result of the appeal is known or if appeal is not preferred, time for appealing has elapsed.

(2) Prisoners confined in default of furnishing security or of payment of fines shall not be ordinarily transferred.

**162. Transfer of old, infirm and sick prisoners.**---(1) The infirm and prisoners over sixty (60) years of age shall not be transferred without the special sanction of the Inspector General.

(2) Sick prisoners shall not be transferred till they are fit to travel. In case their transfer is necessary for any reason, application for special sanction must be accompanied by a brief medical history of the case and the ground for desiring the transfer.

**163. Medical examination of prisoners, before transfer.**---Every prisoner shall be medically examined before transfer and unless certified fit to undertake the journey, shall not be removed from the prison.

**164. Prisoners not to be transferred when epidemic prevail.**---(1) No prisoner shall be transferred without the special sanction of the Inspector General from one prison to another when there is an outbreak of epidemic in either the transferring or the receiving prison and for two weeks after the prisons have been declared free from infection. Special precautions shall be taken to guard against infection when a transfer has to be made along a route where any infection is known to prevail.

(2) On the outbreak of an epidemic in a Prison, the Superintendent shall immediately inform the Inspector General who shall stop all transfer to and from that prison until the Prison has been declared free from infection.

**165. Descriptive roll to be submitted.**---When applying for the transfer of a prisoner to another prison, his descriptive roll shall be submitted to the Inspector General giving reasons for desiring the transfer. The roll shall, however, also be submitted in cases where transfer has been effected in anticipation of sanction.

**166. Documents to be sent with a prisoner on transfer.**---(1) The following documents shall be sent with each prisoner on transfer, namely:

(a) warrant or warrants;

(b) remission sheet;

(c) list of prisoner’s property;

(d) history ticket written up-to-date;

(e) prisoner file and prisoner medical file (confidentially);

(f) descriptive roll; and

(g) list of Prison property accompanying him.

(2) All these documents should be numbered serially and the number of warrants mentioned specially.

**167. Action when a transfer ordered cannot be carried out.**---When an order received for the transfer of any prisoner cannot be carried out owing to illness, release on appeal or other reasons, the descriptive roll conveying the sanction for transfer shall be returned to the Inspector General stating the reason for not affecting the transfer.

**168. Time of arrival of prisoners.**---Prisoners should be dispatched so as to reach the receiving prison during daytime. Night journeys shall be avoided as far as possible. Dates shall be so arranged that the prisoners do not arrive at their destination on Sundays or Gazetted holidays.

**169. Notice for requisition of police escorts.**---Notice of the intended transfer of prisoners or the production of prisoners before a Court shall be given in writing to the Superintendent of police. When transfer is to be effected immediately for special reasons, escort shall be requisitioned by telephone. Requisition for the police escort shall state the number and class of prisoners to be guarded, whether men or women and if there are any violent or dangerous characters amongst them.

**170. Duty of Superintendent with regard to prisoners to be sent to court.**---(1) Upon delivery of any order under section 41 of the Prisoners Act, 1900, to the Superintendent in which the prisoner named therein is confined, that officer shall cause him to be taken to the Court in which his attendance is required, so as to be present in such Court at the time in such order mentioned and shall cause him to be detained in custody in or near the court until he has been examined or the Judge or the Magistrate authorize him to be taken back to the Prison in which he was confined. The Superintendent of police is responsible for providing escort and for the safe custody of prisoner till he is re-delivered to the prison. Condemned prisoners, lifers, dacoits and terrorist prisoners shall be mentioned and classed as dangerous prisoners.

(2) Identification of non-local police escort shall be confirmed by requiring of Roznamcha report in the nearest police station and through telephone from the police station or police lines concerned.

**171. Order to be transmitted through the District and Sessions Judge.**---Subject to the provisions of sections 37 and 39 of the Prisoners Act, 1900, when any prisoner, for whose attendance an order under section 41 of the said Act is made, is confined in any district other than that in which a Court making or counter-signing the order is situated, the order shall be sent by the Court by which it is made to the Judge within the local limits of whose jurisdiction the prisoner is confined and the Judge shall cause it to be delivered to the Superintendent in which the prisoner is confined.

**172. Intimation to the receiving prison.---**When prisoners are transferred from one prison to another, the Superintendent shall send intimation to the Superintendent of the receiving prison by a letter or a telegram as may be considered necessary, informing him of the date and the time of their arrival at destination.

**173. Scale of Police escort for prisoners.---**(1) The scale of police escort for prisoners is:

|  |  |
| --- | --- |
| For one prisoner. | One Head Constable and two Constables. |
| For two to four prisoners. | One Head Constable and three Constables. |
| For five to seven prisoners. | One Assistant Sub-Inspector, two Head Constable and six Constables. |
| For six to nine prisoners. | One Sub-Inspector, two Head Constable and seven Constables. |
| For ten to twelve prisoners. | One Inspector, two Head Constable and ten Constables. |
| For high profile prisoners. | One Deputy Superintendent of Police or Inspector, ten Elite Force Constable having Armourd Personnel Carrier (10-15) Constable (3-5) Head Constable (Keeping in view of the nature of prisoners). |

(2) If the prisoner or prisoners are disparate and dangerous, the Superintendent of police furnishing the escort shall increase the strength at his discretion and provide security mobile.

(3) Police escort shall be held responsible for the safe custody of prisoners until they are again made over to the Prison.

**174. Prisoners to be handcuffed before removal.**---Male prisoners shall be handcuffed before removal from prison.

**175. ---[Deleted]**

**176. Food and water of prisoner on transfer.**---(1) Prisoners on transfer or about to be sent to Court shall be given cooked food before leaving the prison.

(2) If the journey is a short one and the prisoner shall reach the Prison before the next meal he shall get his food from that Prison on arrival.

(3) If the journey is such that the prisoner cannot reach the Prison before mealtime, the officer-in-charge of the police escort shall receive diet money for each prisoner at the rate of one hundred rupees per meal. All advances for diet money or for incidental expenses shall be accounted for by the official to whom the money is entrusted.

(4) It is the duty of the police escort to see that new prisoners get their food before they are taken to the Prison if they are likely to arrive there too late for a meal.

(5) In all cases, the prisoners shall be given adequate clean drinking water during the transfer process, by the police guarding them.

**177. Diet of prisoner removed from Prison.**---(1) The Inspector General shall, from time to time fix the scale of diet for prisoners removed under these rules. The officer-in-charge of the escort shall provide and ensure that each prisoner receives diet in accordance, with such scale. When the Court is situated in the same station where the prisoner is confined, the Superintendent shall supply the prisoners cooked food before sending them to Court. When the Court is situated at a distance, diet money at the rate of one hundred rupees per prisoner per meal shall be paid to the police escort by the Superintendent.

**178. to 181 ---[Deleted]**

**182. Adjustment of traveling expenses.**---All expenses connected with the transfer of prisoners as well as the police escort shall be borne by the Police Department.

**183. Police Department to defray conveyance charge of prisoners.**---(1) The Police Department shall defray all charges including conveyance etc., for movement of all prisoners to and from Courts. Secure means of transportation shall be used from transfer of prisoners.

(2) Production of prisoners in the Courts shall be the responsibility of the local police.

**184. Classes to be kept separate on transfer.**---Women prisoners shall, when on transfer, be kept completely apart from male prisoners and male juveniles from adult males. Further separation of the various classes shall be carried out as far as practicable

**185. Conveyance to prisoners.**---(1) All conveyance on transfer and Court production of prisoners shall be provided by the Police Department.

(2) Women prisoners shall be provided with a suitable conveyance and shall travel during daytime. A female warder may accompany them on transfer if required.

**186. Prisoners to be searched before transfer-Receipt to be taken.**---(1) Before transfer the prisoners shall be paraded inside the prison, and the Deputy Superintendent shall satisfy himself that all the prisoners have sufficient clothing and are properly dressed.

(2) Prisoners shall ordinarily wear their own clothes on transfer. Those who have no clothes of their own, or whose clothes have been disposed of otherwise, shall wear prison clothes.

(3) They shall be carefully searched in the presence of the Assistant Superintendent in charge of transfers and officer-in-charge of the police escort, from whom a receipt shall be taken for the prisoners property and documents handed over to him.

**187. to 188. ---[Deleted]**

**189. Documents etc., to be examined on arrival.**---On the arrival of the prisoners at their destination the Assistant Superintendent in charge of admissions shall examine carefully the warrants, history tickets, prisoner file, prisoner medical file, the lists of property, both Government and private, compare them with the property actually received and shall furnish the necessary receipts.

**190. Receipts for prisoners, etc., Government property to be returned.**---The receiving prison shall duly acknowledge the receipt of the prisoners and other documents and property relating to them. One copy shall be made over the police and the other sent to the dispatching prison. Identical articles of clothing and other Government property sent with the prisoners shall be returned to the dispatching prison.

**191. ---[Deleted]**

**192. Procedure when property is missing.**---If it be found on the arrival of the prisoners at their destination that the property received does not correspond with the lists, immediate notice of the fact shall be given to the Superintendent of the transferring prison, who shall institute an enquiry in the matter.

**193. Illness of a prisoner on transfer-ultimate disposal.**---When a prisoner on transfer becomes ill as to be unable to complete the journey, he shall taken to the nearest police station and be moved to the nearest prison where he shall be received. His warrant, property and all papers connected with him shall be made over to the Superintendent of the prison, where he is detained who shall inform the Superintendent of the prisons from and to which the prisoner was proceeding, of the occurrence. On recovery the prisoner shall be forwarded with his papers, etc., to his destination. In the case of death, the fact, with date, shall be noted on his warrant, which with the other papers and property accompanying him shall be returned to the prison from where he came.

**194. Death of prisoner before he can be received in any prison.**---If a prisoner dies on transfer and before he can be received in any prison enroute, the officer incharge of the police escort shall report the fact to the Deputy Commissioner or the officer-in-charge of the sub-division, as the case may be, in which the death takes place, with a view to an enquiry being held into the circumstances attending it. A copy of the proceedings, together with the warrant, documents and property accompanying the prisoner, should be forwarded to the Superintendent of the prison from where he came. Such Superintendent shall submit a copy of the proceeding of the enquiry to the Inspector General.

**195. Escape enroute.**---If an escape occurs en route, intimation, of the same shall be given, as soon as possible to the nearest authorities and to the Superintendent of the prison from which the prisoner came, with a view to his recapture. If he is not immediately recaptured, his property and other documents shall be returned to the prison from which he was dispatched.

**196. Recapture of a prisoner who escapes on transfer.**---A prisoner who escapes on transfer shall, if recaptured, be sent to the prison from which he was dispatched. A report of the recapture of a prisoner shall be sent to the Inspector General.

**197. Transfer of prisoner to Civil Hospitals in case of serious illness.**---(1) Where it is necessary to remove a convicted prisoner or an under-trial prisoner to hospital outside the prison for operative or other special treatment, which cannot be given in the prison,-

(a) the orders of Government shall be obtained through the Inspector General, in cases in which a prisoner is to be admitted to the hospital for treatment; provided that in emergent cases the Superintendent is authorized to anticipate the approval of Government;

(b) in case in which a convicted or under-trial prisoner is taken to hospital for treatment as an outdoor-patient only or for X-ray examination, the Superintendent is empowered to authorize his visit. The same procedure shall also apply to the transfer of women prisoners to hospital in maternity cases; and

(c) where a Court directs that an under-trial prisoner be taken to a hospital as an outdoor patient or for an X-ray examination, the Superintendent shall as soon as possible, arrange for such under trial prisoner to be taken to the hospital for such purpose and if the Medical Superintendent of the hospital or the Civil Surgeon certifies that it is necessary to admit such under-trial prisoner in the hospital, the Superintendent shall authorize the admission of the under trial prisoner in the hospital:

(2) In all the above cases, the report shall be made to the Government through Inspector General after prisoner has been discharged from the hospital.

(3) In all cases in which a prisoner is removed to hospital for the purposes of an operation, the removal shall take place, as close as possible, for the time fixed for operation and the prisoner shall be brought back to the prison hospital, as soon as this can be done on doctor concerned advice, without putting his health at risk.

(4) Prisoners admitted in hospital outside the prison shall always be guarded by the police. Women prisoners shall be guarded by women police as well as guarded by the police enroute.

(5) All expenses incurred by the hospital authorities in connection with the treatment of prisoners from prison will be borne by the Health Department.

**Chapter -8**

**Remission System**

**198. ---[Deleted]**

**199. Remission system.**---Remission system is an arrangement by which a prisoner sentenced to imprisonment, whether by one sentence or by consecutive sentences, for a period of four months or more may by good conduct and industry become eligible for release when a portion of his sentence ordinarily not exceeding one-third of the whole sentence has yet to run.

**200. Nature of remissions.**---Remission under these rules may be ordinary or special.

**201. Cases in which no ordinary remission is earned.**---Ordinary remission shall not be earned in respect of:

(a) any sentence of rigorous imprisonment amounting to less than four months;

(b) any sentence of simple imprisonment, except for any continuous period not being less than one month, during which the prisoner labours voluntarily; and

(c) any sentence of rigorous imprisonment in default of payment of fine; provided that if this sentence is in addition to a substantive sentence of four months or more, ordinary remission shall also be earned in respect of such sentence.

**202. Ordinary remission not earnable for certain offence committed after admission to Prison.**---If a prisoner is convicted for an offence committed after admission into prison or for an assault committed after admission to prison, on a warder or other officer, the remission of whatever kind earned, by him excluding remission awarded by Government under section 401 of Code or under Article 45 of the Constitution of Pakistan, awarded for blood donation, surgical sterilization and for passing examinations, up to the date of the said conviction may in part or whole be forfeited with the sanction of the Inspector General.

**203. Re-admission to the remission system.**---The Superintendent may, with the previous sanction of the Inspector General, re-admit to the remission system any prisoner who has been removed therefrom as punishment for prison offences. Any such, prisoner shall earn remission under these rules from the commencement of the month following such re-admission.

**204. Scale of ordinary remission.**---(1) Ordinary remission to be awarded to a prisoner, other than a prisoner employed on prison service, shall be according to the following scale:

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

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

(2) Ordinary remission to be awarded to prisoner employed on prison service as specified in the table below, shall be according to the scale specified against each category of such service. Five days remission per month alongwith all other remissions shall be given for under-trail period after conviction:

|  |  |  |
| --- | --- | --- |
| **S.No.** | **Prisoners’ classification as per labour allotment.** | **Extent of award of ordinary remission per month.** |
| 1. | Cook. | 07 days. |
| 2. | Educational Teacher. | 08 days. |
| 3. | Sweeper. | 08 days. |
| 4. | Mason Barber, Numberdar, Hospital Attendant, Cleaner and prisoners who work on  Sundays and holidays. | 06 days |
| 5. | Prisoners working in Prison factory. | 06 days. |

**205. Scale of award of remission when a prisoner is unable to labour through causes beyond his control.**---(1) A convicted prisoner, who is unable to labour through causes beyond his control, such as his being in Court, in transit from one prison to another, in hospital or in an invalid gang, shall be granted remission under rule 204 on the scale earned by him during the previous month, if his conduct prior to and during the period in question has been such as to deserve such grant.

(2) A convicted prisoner, whose absence from work is due to his own misconduct in Prison, shall not be allowed remission for labour under rule 204 for the period of absence, when the Medical Officer reports that the prisoner’s absence from labour is due to causes within his control and is caused by action of the prisoner himself with a view to avoid work or to get admission into or to remain in hospital.

(3) A prisoner under sentence of death whose death, sentence is subsequently commuted to imprisonment for life or rigorous imprisonment for any period on appeal or otherwise, shall be entitled to award of ordinary remission under sub-rule (1) of rule 204 from the date of award of such death sentence.

**206. Application of remission system.**---(1) Remission shall be calculated from the first day of the calendar month next following the date of the prisoner’s sentence.

(2) A prisoner, who after having been released on bail or because his sentence has been temporarily suspended is afterwards   
re-committed to Prison, shall be brought under the remission system on the first day of the calendar month next following his re-admission, and shall on his return to Prison, be credited with any remission which he may have earned prior to his release on bail or the suspension of his sentence.

(3) Remission awarded to prisoners specified in sub-rule (2) or rule 204, shall be calculated from the first day of the next calendar month following the appointment of employment as such.

**207. Power of officers to awarded remission.**---Ordinary remission shall be awarded by the Superintendent or subject to his control and supervision by the Deputy Superintendent, Assistant Superintendent or any other officer, specially empowered in this behalf.

**208. Remission to be awarded quarterly.**---(1) Ordinary remission, other than annual and triennial remission, shall be awarded quarterly, and as nearly as possible, on 1st January, 1st April, 1st July and 1st October, and shall be recorded on the history ticket of the prisoner concerned.

(2) Prisoners shall be informed of the remission they have earned and they are expected to remember it.

**209. Procedure for awarding remission.**---(1) An officer awarding ordinary remission shall, before making the award, consult the prisoner’s history ticket in which every punishment awarded must be carefully recorded.

(2) If a prisoner has not been punished during the quarter, otherwise than by a formal warning, he shall be awarded full ordinary remission for that quarter under these rules.

(3) Prisoner has been punished during the quarter, otherwise than by a formal warning, two days remission shall be deducted from the month in which he has been punished and the balances of remission to which he is entitled shall be awarded; provided that not more than two days shall be deducted for one month even if the number of punishment is more than one in that month.

(4) All remission recorded on the prisoner’s history ticket shall be entered every quarter on the remission sheet and signed by the Superintendent.

**210. No remission for the month of release.**---No prisoner shall receive ordinary remission for the month in which he is released; provided that if in calculating the date of his release it is found that the grant of the full amount of remission for any month would bring the prisoner’s date of release within the very month, remission just sufficient to admit of his being released on the 1st day of the following month shall be given.

**211. Annual good conduct remission.**---(1) Any prisoner eligible for ordinary remission under these rules who for a period of one year commencing from the first day of the month following the date of his sentence or recommittal to prison or the date on which he was last punished for a prison offence, has not committed any prison offence whatever, shall be awarded fifteen (15) days ordinary remission in addition to any other remission earned under these rules.

(2) A prisoner who complete three (03) years of his sentence without having committed during the whole of his period any Prison offence, what so ever shall in addition to the annual remission of fifteen (15) days under sub-rule (1), be granted, at the end of the third (3rd) year of his sentence, a further remission of thirty (30) days for good conduct; provided that the total remission earned shall not in any case exceed the maximum remission permissible under these rules.

(3) Prison offences punished only with a warning shall not be taken into account for the award of remission under this rule.

**212. Remission to prisoners who donate blood.**---(1) A convicted prisoner shall be allowed to donate blood and for such donation he shall be awarded thirty (30) days extra remission.

(2) The number of times a prisoner shall be allowed to donate blood and earn remission therefore shall be in accordance with the Table below:

**TABLE**

|  |  |  |  |
| --- | --- | --- | --- |
| **Period of imprisonment.** | **Nature of Imprisonment.** | **Interval permissible between each donation** | **Extent of donation.** |
| One (1) month up to six (6) months. | Simple or rigorous or in lieu of fine. | - | One only |
| Exceeding 6 (six) months up to 5 (five) years. | Simple or rigorous or in lieu of fine. | Six months. | Three times |
| Exceeding 5 (five) years and above. | Rigorous. | Six months. | Four months |

(3) Remission granted under this rule-

(a) is not liable to forfeiture like ordinary   
remission; and

(b) shall be exclusive of the limit of one-third remission prescribed under rule 217.

**213. Remission to a prisoner who undergoes surgical sterilization.**---A prisoner, who voluntarily undergoes surgical sterilization (vasectomies tuberligation), shall be awarded thirty days specia1 remission. He shall also be allowed to receive a monetary award, if any, from the Population Welfare Department of Government.

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

(a) marked diligence in teaching other prisoners to read and write;

(b) special proficiency in learning to read and write or passing an examination;

(c) marked success in teaching a handicraft;

(d) special excellence in work or greatly increased out-turns of work of good quality;

(e) protecting a Prison officer or a prisoner from attack;

(f) special assistance to an officer of the Prison in case of an out-break of fire or similar emergency;

(g) special economy in the use of clothes;

(h) assisting in detecting or preventing breaches of prison discipline or regulations; and

(i) regular prayers and observance of fasts during Ramadan.

**215. Education remission.**---A convicted prisoner, who has not already passed an examination specified in the table below, may appear in any one of the said examination in an academic year, and shall on passing such examination be entitled to earn remission once as per scale given in sub-rule (2):

Provided that, in case of passing examinations at serial No.2, shall be entitled to earn one remission for each such examination, but shall not be entitled to earn more than two remission:

Provided also that he is certified by the Superintendent to have been of good character.

|  |  |
| --- | --- |
| **TABLE** | |
| **S.No.** | **Name of the Examinations.** |
| 1. | Examination of understanding the meanings of Holy Quran, of acquiring proficiency in understanding fundamentals of Islam. Moreover, non-Muslims may appear in examination of under the meanings, as their respective Holy Books and acquiring proficiency in understanding the fundamentals of their respective religions. |
| 2. | Oriental languages examination in Arabic, Urdu, Bengali, Punjabi, Persian, Sindhi, Pashto language and Al-Lisan-ul-Arabic from a recognized Board or University. |
| 3. | An examination conducted by a Technical Institution recognized by Government/Federal Government. |
| 4. | Primary Education i.e 5th Class. |
| 5. | Middle (in full subjects). |
| 6. | (i) Matriculation (in full subjects).  (ii) Intermediate (in full subject). |
| 7. | B.A (in full subjects). |
| 8. | L.L.B. |
| 9. | M.A in one subject only for the purpose of remission. |
| 10. | Examination of reading Holy Quran to be conducted by a Committee constituted under this rule for prisoners who learn to read Holy Quran during confinement and a Committee for non-Muslim prisoners. |
| 11. | Hafiz-e-Quran. |
| 12. | Translation of Holy Quran or Tafseer. |
| 13. | Sania Aama (Equivalent to Matric). |
| 14. | Sania Khasa (Equivalent to F.A). |
| 15. | A’lia (Equivalent to B.A). |
| 16. | A’limia (Equivalent to M.A). |

(2) (a) The scale of remission shall be as follows:

|  |  |  |
| --- | --- | --- |
| 1. | For prisoners undergoing substantive sentence upto two (2) years. | Four (4) months. |
| 2. | For prisoners undergoing substantive sentence exceeding two (2) years but not exceeding six (6) years. | Six (6) months. |
| 3. | For prisoners undergoing substantive sentence exceeding six (6) years but not exceeding ten (10) years. | Eight (8) months. |
| 4. | For prisoners undergoing substantive sentence exceeding ten (10) years. | Twelve (12) months. |

(b) A prisoner who learns the Holy Quran by heart or learns translation / Tafseer of Holy Quran during his stay in the Prison and is certified as such by the Committee, constituted under sub-rule (5) shall, in addition to the above remission, be entitled to the following scale of remission namely:-

|  |  |  |
| --- | --- | --- |
| 1. | For convicts undergoing sentence upto three (3) years. | Six (6) months. |
| 2. | For convicts undergoing sentence exceeding three (3) years but not exceeding six (6) years. | Twelve (12) months. |
| 3. | For convicts undergoing sentence exceeding six (6) years but not exceeding 10 years. | Eighteen (18) months. |
| 4. | For convicts undergoing sentence exceeding ten (10) years. | Two (02) years. |

(3) Remission under this rule shall be granted by the Inspector General and the recommendation for such remission shall be accompanied by the provisional certificate, degree or diploma.

(4) Remission under this rule shall be exclusive of the limit of one-third remission prescribed in rule 217.

(5) For the purpose of examination of reading Holy Quran, Hifz-e-Quran or translation of Holy Quran / Tafseer, examinations of Holy Books and understanding of fundamentals of their respective religion (For non-Muslims), the committee shall consist of:

(a) Superintendent;

(b) District Khatib or religion clerics of the respective religion for non-Muslims;

(c) Representative of Education Department; and

(d) Representative of the concerned Trust.

**216. Extent of special remission.**---Special remission may be awarded by the following authorities upto the extent mentioned against each:

|  |  |  |
| --- | --- | --- |
| **S. No.** | **Authority awarding remission.** | **Extent of award\_\_\_\_\_\_\_\_\_\_\_.** |
| 1. | Superintended. | Not exceeding thirty (30) days in one (01) year. |
| 2. | Inspector General. | Not exceeding sixty (60) days in one (01) year. |
| 3. | Government. | Not exceeding sixty (60) days in one (01) year. |
| 4. | Federal Government. | Not exceeding sixty (60) days in one (01) year. |

(2) An award of special remission shall be entered in the history ticket and remission sheet of the prisoner concerned, as soon as possible, after it is made and the reasons for every award of special remission by the Superintendent shall be briefly recorded thereon.

**217. Extent of total remission.**---The total remission, both ordinary and special awarded to a prisoner under these rules, other than remission for donating blood awarded under rule 212, surgical sterilization under rule 213, and for passing an examination under rule 215, shall not exceed one- third of his sentence:

Provided that Government may, on the recommendations of the Inspector General, grant remission beyond the one-third limit in very exceptional and deserving cases.

**218. Remission under section 401 of the Code.**---Special remission is awarded by Government on occasions of public rejoicing. It is granted unconditionally under sub-section (1) of section 401 of the Code or under Article 45 of the Constitution of the Islamic Republic of Pakistan and is not governed by these rules.

**219. Remission in calculating date of release.**---Account of remission shall be kept in days and in calculating the date of release of a prisoner, the number of days of remission earned, shall be converted into months and days, at the rate of thirty days to a month.

**220. Release of Prisoners on earning remission.**---When a prisoner has earned such remission as entitles him to release, the Superintendent shall release him unconditionally.

**221. Remission to be endorsed on warrant on release.**---When a convicted prisoner is released under rule 220, the total amount of remission earned by him shall be endorsed on his warrant and in the admission register of convicted prisoners in the column of disposa1 and the endorsement shall be signed by the Superintendent.

**222. Remission to be entered an history ticket and remission sheet of prisoner on transfer.**---(1) When a prisoner is transferred to another prison, the total amount of remission earned by him upto the end of previous month shall be endorsed on his remission sheet and entered in his history ticket, the entries being signed by the Superintendent and the remission sheet together with the other documents shall be sent with the prisoner to the prison to which he is transferred.

(2) The total amount of remission earned by prisoner at the time of his transfer shall also be recorded in the admission register against the endorsement of transfer.

(3) The receiving prison shall be responsible that the information and documents referred to in sub-rule (1) are duly obtained.

(4) Each prison, at which a prisoner serves a portion of his sentence shall be held responsible for the correct calculation and record of remission earned by him in that prison.

**223. Remission sheet.**---Remission sheet shall be attached to the warrant of every convicted prisoner with a sentence of four months or more after his admission into the prison. Columns pertaining to particulars shall be filled in at the same time and entry of check date of release shall be signed by the Assistant Superintendent and the Deputy Superintendent, remission sheet shall be retained in the office of the prison for a period of one year after the release of a prisoner.

**Chapter -9**

**The Classification and Separation**

**of Prisoners**

**224. Classes of prisoners.**--- A prisoner confined in prison may be-

(a) a criminal prisoner, which includes:

(i) a convicted prisoner; and

(ii) under trial prisoner;

(b) a civil prisoner;

(c) detainees under the West Pakistan Maintenance of Public Order Ordinance, 1960 (W.P. Ord. No. XXXI of 1960);

(d) prisoner under sentence of death and condemned prisoners; and

(e) lunatic prisoners.

**225.(1) Classification and Categorization of convicted prisoners.**---convicted prisoners shall be classified into:

(a) foreigners and special class;

(b) ordinary class; and

(c) political class.

**225.(2) Classification of prisoners.**---Every prisoner shall be classified by the Superintendent according to:

(a) age;

(b) gender;

(c) offence or matter in respect of which the prisoner is committed to prison;

(d) whether convicted or under trial prisoner;

(e) period of sentence if convicted;

(f) previous criminal record;

(g) risk of self-harm and suicide;

(h) risk of harm to other prisoners and staff;

(i) whether likely to be at risk from other prisoners due to the nature of the offence;

(j) risk of escape;

(k) fitness for work; and

(l) nationality.

any classification must take into account the opinion of the Medical Officer as to the prisoner’s health and welfare.

**225.(3) Categorization of prisoners.**---All prisoners shall be categorized on admission according to the security risk that they pose, in accordance with these rules. No person imprisoned should be held under a security categorization or subjected to any greater restriction or severity than is necessary to ensure his safe custody and good order in the prison. To achieve this objective, the following shall be ensured, namely:

(1) each prisoner shall be assigned an appropriate level of supervision and security level on admission;

(2) the level of security necessary shall be reviewed   
at regular intervals throughout a person’s   
imprisonment; and

(3) life sentence prisoners and those with long sentences shall have the opportunity to transfer to lower security level if their behaviour met the criteria set out by the Department.

**226. Casuals and habituals.**---Convicted prisoners are classified into casuals and habituals:

(a) casuals are first offenders and who lapse into crime not because of a criminal mentality but on account of their surroundings, physical disability or mental deficiency; and

(b) habituals are:

(i) ordinary habitual prisoners; and

(ii) professionals or repeaters.

(2) Ordinary habitual prisoners are those frequently lapse into crime owing to their surroundings or some physical or mental defects.

(3) Professionals or repeaters are men with an object, sound in mind and in body, competent, often highly skilled, who deliberately and with open eyes prefer a life of crime and know all the tricks and maneuvers necessary for that life. They may be first offenders.

**227. Classification of convicted prisoners according to age.**---Convicted prisoners are further classified as under:

(a) juveniles;

(b) adolescent over eighteen (18) and under twenty-one (21) years of age; and

(c) adults over the age of twenty-one (21).

**228. Nature of sentence.**---There shall be two classes of convicted prisoners according to the nature of their sentence, i.e.

(a) those undergoing rigorous imprisonment; and

(b) those undergoing simple imprisonment.

**229. Classification of under-trial prisoners.**---Under-trial prisoners shall be classified as under:

(a) sent to Sessions; and

(b) sent to other Courts.

**230. Classification of women prisoners.**---Women prisoners shall be classified in the same manner as is provided in the case of males.

**231.(1) Allocation and separation of Prisoners.**---Prisoners shall be kept separate as under:

(a) in a prison containing men as well as women prisoners, the women shall be imprisoned ideally in a separate prison, or separate part of the same prison in such manner as to prevent their seeing, conversing or holding any communication with the male prisoners. The women prisoners shall be supervised exclusively by women staff;

(b) where Government has established separate Prison exclusively for women prisoners, the entire staff of such prison shall consist of females, except those guarding outside wall and entrance. All searches of women prisoners on entrance shall be undertaken by women staff out of the sight of male staff;

(c) convicted juvenile shall be kept in a Borstal Institution;

(d) under-trial prisoners shall be kept separated from convicted prisoners; and

(e) civil prisoners shall be kept separate from criminal prisoners.

**231.(2)** **Separation.---**The Superintendent shall allocate prisoners within a prison having regard to:

(a) the categorization and classification of a prisoner;

(b) the supervision level of a prisoner; and

(c) any other matter affecting the management of a prisoner.

**232. Further provisions regarding separation.**---Separation of the following prisoners shall, to the extent to which it can in each prison be observed, be carried into effect:

(a) under-trial prisoners, who have been committed to Sessions, shall be kept separate from under-trial prisoners who have not been committed to session and those who have been previously convicted shall be kept separated from those who have not been previously convicted;

(b) casual convicted prisoners shall be kept separated from habitual convicted prisoners;

(c) simple imprisonment prisoners shall be kept separated from the rigorous imprisonment prisoners;

(d) convicted prisoners who are under sixteen (16) years of age shall be kept separated from convicted prisoners, who are more than sixteen (16) years of age;

(e) every habitual criminal shall, as far as possible, be confined in a special prison in which only habitual criminals are kept. The Inspector General may, however sanction the transfer to such special prison of any prisoner not being a habitual prisoner, whom for reasons to be recorded, the Superintendent believes to be of so vicious and depraved a character, as to make his association with other casual prisoners. Undesirable prisoners so transferred shall not otherwise be subjected to the special rules affecting the habitual criminals; and

(f) political prisoners may be kept separated from each other, if deemed necessary.

**233. Exception to the rule regarding separation.**---When in any Prison only one prisoner exists in any class and separation would amount to solitary confinement, such prisoner, if he so desires, be permitted to associate with prisoners of another class in such a manner so as not to infringe the provisions of section 27 of the Act.

**234. Association and segregation of prisoners.**---Subject to the provisions of rule 231 convicted prisoners may be confined either in association or individually in cells or partly in one way and partly in the other.

**235. Segregation of under-trial prisoners.**---Under-trial prisoners may be confined separately in cells, when in the opinion of the Superintendent, it is necessary in the interest of the prison discipline to do so, or under the orders of the Inspector General or Government.

**236. Occupation of vacant cells.**---Cells not in a use for purposes of punishment or otherwise, shall be occupied by the convicted prisoners for the purpose of separation subject to the following conditions:

(a) juveniles shall, in preference to any other class of prisoners, be confined in cells both by day and night;

(b) prisoners convicted under section 366 (A), 376 and 377 of the Pakistan Penal Code, 1860 (Act No. XLV of 1860), shall in preference to prisoners other than juveniles be placed in cells both by day and night; and

(c) habitual prisoners shall be placed in cells both by day and night in preference to casual prisoners.

**237. Separation of habituals.**---Habitual prisoners shall be subject to the system of separation prescribed in the preceding rules in relation.

**238. Separation of casuals.**---If at any time there are more cells in any prison than suffice for the separation of all habituals of the casual class shall be confined in cell by night only in rotation.

**239. Procedure when separation by day is not feasible.**---A convicted prisoner, who would ordinarily come under the operation, of any of the preceding rules relating to the separation of prisoners, but cannot be confined in a cell by day, by reason that he is required for some prison service, shall be confined in a cell by night.

**240. Separation of prisoners to prevent the commission of any offence.**---If in the opinion of the Superintendent, the presence of any prisoner in association with others is detrimental to good order and discipline and is likely to encourage or lead to the commission of any offence, such prisoner may be kept separate in a cell.

**241. Separation to be as complete as possible.**---Subject to the provisions of rule 233, the separation of the various classes of prisoners shall be carried out to the fullest extent as far as possible. If there are not a sufficient number of latrines, bathing rooms and feeding arrangements to keep the classes completely apart, such arrangement for separation as are under the circumstances practicable shall be made.

**242. to 249.---[Deleted]**

**Chapter -10**

**Foreigners and Special Class**

**Prisoners**

**249.A Classification of political prisoners.**---Classification of po1itical prisoners shall be determined by the competent authority ordering their detention in prison.

**249.B Foreign national prisoners.**---(1) Prisoners who are foreign nationals shall be informed, without delay, of their right to request contact and be allowed reasonable facilities to communicate through official channels with the diplomatic or consular representative of the state to which they belong through the Department.

(2) Prisoners who are nationals of States without diplomatic or consular representation in the country, and refugees or stateless persons, shall be allowed similar facilities to communicate with the diplomatic representative of the State which takes charge of their interests or any national or international authority whose task it is to protect such persons.

(3) In the interests of foreign nationals in Prison, who may have special needs, prison authorities shall co-operate fully with diplomatic or consular officials representing prisoners and with non-Governmental organizations that may be able to meet those needs.

(4) Specific information about legal assistance shall be provided to prisoners who are foreign nationals.

(5) Where relevant bilateral or multilateral agreements are in place, the transfer of non-resident foreign-national prisoners to their home country shall be considered as early as possible during their imprisonment, following the application or informed consent of the prisoner concerned, in accordance with the Foreigners Act, 1946 (XXXI of 1946).

**249.C Other vulnerable groups (older prisoners, disabled, etc).**---Prison authorities shall develop protocols for specific categories of vulnerable prisoners, including but not limited to:

(a) older prisoners;

(b) physically disabled prisoners;

(c) prisoners with learning disabilities;

(d) prisoners with long-term or chronic health conditions;

(e) mentally ill prisoners;

(f) trans-gender prisoners; and

(g) religious minorities.

**249.D Discipline.**---Prisoners (vulnerable group) shall, at all times behave in an orderly manner, and shall be required to show due respect to Prison officials and visitors. In all respects the prisoners shall be subject to the rules which apply to ordinary prisoners.

**250. to 270. ---[Deleted]**

**Chapter -11**

**Simple Imprisonment**

**Prisoners**

**271. Application of general rules.----**Except as otherwise provided in this Chapter, these rules shall apply to prisoners sentenced to simple imprisonment. They shall be subject to as little restriction as is consistent with the maintenance, of order and discipline in the prison.

**272. Restriction against transfer.**---Prisoners sentenced to simple imprisonment shall ordinarily be detained in the prisons to which they are committed.

**273. ---[Deleted]**

**274. Clothing for military prisoner.**---Military prisoners, sentenced to simple imprisonment, shall on no account be allowed to be allowed to wear convict uniform in prison. Any such prisoner who does not possess private clothing, except his uniform shall be provided with necessary clothing by the Superintendent. This shall no exceed not exceed the scale provided for the prisoners sentenced to rigorous imprisonment.

**275. Utensils and bedding.**---Every simple imprisonment prisoner shall be supplied with utensils and bedding on the scale provided for prisoners sentenced to rigorous imprisonment. He shall be required to keep such clothing, bedding and other necessaries, as may be issued to him, in a clean and orderly condition.

**276. To keep the wards and yards clean.**---Prisoners sentenced to simple imprisonment shall keep their wards and yards clean. They shall not be compelled to perform any menial duties or any work of a degrading nature.

**277. Simple imprisonment prisoners who elect to labour.**---A simple imprisonment prisoner shall not be required to work, unless, he elects to do so. A simple imprisonment prisoner who has elected to labour:

(a) choose such work as may be available in the prison;

(b) work in association with prisoners, sentenced to rigorous imprisonment, but shall sleep at night in the barrack reserved for simple imprisonment prisoners;

(c) discontinue work, if he so desires; and

(d) receive the benefits of the remission system under rule 204,

but not be punished for neglect of work, short work or refusal to work except by withdrawal from the remission system.

**278. Separation of simple imprisonment prisoners who do not labour.**---(1) Simple imprisonment prisoners, who do not elect to labour, shall remain during the daytime in the part of the prison assigned to them and shall not enter the factory enclosure or communicate with labouring prisoners.

(2) A simple imprisonment prisoner shall participate in all formative activities of the prison, such as education, religious and moral instructions and games and sports according to his needs and aptitude, as may be determined by the Superintendent under these rules.

**279. Walking exercise for non-labouring prisoners.**---A prisoner who does not elect to labour shall be allowed to exercise at least one hour in the morning and one hour in the afternoon, and may be compelled to take walking exercise for not more than an hour in the morning and an hour in the evening, if, the Superintendent and the Medical Officer consider it advisable in the interest of his health.

**Chapter -12**

**Juvenile Offenders.**

**280. to 286. ---[Deleted]**

**287. Power of Courts to pass a sentence of detention in a Adolescent Training Centre Institution in the case of an inmate under twenty-one (21) years of age.**--- When any male prisoner, between eighteen (18) to twenty-one (21) years of age, is convicted of an offence by a Court of Sessions or Magistrate empowered under section 30 of the Code or is ordered to give security for good behaviour and fails to give such security, and when by reason of his criminal habits or tendencies association with persons of bad character, it is expedient, in the opinion of the Judge or the Magistrate, as the case may be, he shall be detained in a Adolescent Training Centre established by Government from time to time, such Judge or Magistrate may, in lieu of passing a sentence of rigorous imprisonment, passed an order of detention for a term which shall be in accordance with the provisions of any other relevant law for the time being in force.

**288.** **Power of Superintendent to present prisoner, between eighteen (18) to twenty-one (21) years of age, before the Judge for detention in a Adolescent Training Center.---** Whenever it appears to the Superintendents that any male prisoner, between eighteen (18) to twenty-one (21) years of age sentenced to rigorous imprisonment for an offence or committed to or confined in prison for failing to give security for good behaviour, shall be detained in a Adolescent Training Centre or Reformatory Centre, he shall cause such prisoner to be produced before the Judge, in whose jurisdiction the prison is situated, and if the Judge, in whose jurisdiction the prison is situated, after making such enquiry as he may deem proper, is satisfied that the prisoner shall be detained, he may order the prisoner to be removed from prison and detained for a period equal to the unexpired term of the imprisonment to which he was sentenced or of the period for which security was required from him, as the case maybe.

**289. Enquiry to be made regarding the age at the offender before the passing of an order of detention.**---Before passing an order of detention under any law for the time being in force, pertaining to detention of juvenile delinquents the Judge or the Magistrate, as the case may be, shall enquire or cause an enquiry to be made into the question of the age of the offender, and after taking such evidence, if any, as may be deemed necessary or proper, shall record the evidence thereon.

**290. Transfer of Juvenile delinquents.**--- All Juveniles not more than the age of eighteen years (hereinafter to referred to as the “Juvenile”), ordered to be detained under any relevant law for the time being in force, shall be immediately be transferred to the Borstal Institution.

**291. ---[Deleted]**

**292. Juveniles female prisoners where to be confined.**---Juvenile female convicted prisoners shall be transferred immediately on conviction to the women’s prison.

**293. ---[Deleted]**

**294. Separation of juveniles.**---In every prison, which is provided with a separate juvenile ward, such ward shall be cellular for the purpose of separation of prisoners at night. If a suitable ward does not exist, juvenile prisoners shall be confined in cell by night.

**295. Treatment of juvenile.**---All juvenile shall receive careful individual attention. The features of their treatment are-

(a) sustained work;

(b) physical, mental and moral training with a view to teach them self-discipline; and

(c) careful arrangement for their future after discharge or release and;

1. give the young offenders whose mind and character are still pliable such training as is likely to create in them a high standard of social behavior.

**296. ---[Deleted]**

**297. Industrial training of Juveniles.---** A juvenile shall be encouraged to pick up the industry of his choice. He shall be given the choice of any of the industries taught in the person, compatible with his profession, or other circumstances as far as possible. If he shows no special inclination or aptitude, the Superintendent may decide the industry which he should be taught giving full considerations to his hereditary calling and which he may follow after release enable him to earn an honest livelihood.

**298. Education.**---(1) Every juvenile shall be brought under a course of instruction, in reading, writing and arithmetic for two hours daily. The standard of general education shall be to the Matric standard as laid down for schools by the Elementary and Secondary Education Department of Government. It shall be in the power of the Superintendent to raise the standard and to increase the subjects taught in the case of interested Juvenile. Every muslim Juvenile shall be taught Nimaz and Quran Sharif with its meaning.

(2) A well-stocked library shall be provided in the prison.

**299. Physical drill, gymnastics and games.**---(1) Physical drill, gymnastics indoor and outdoor games and training in scouting shall be provided for all juveniles. Instructions in first aid and sanitation shall be regularly imparted.

(2) A spacious playground shall be provided in the prison.

**300. ---[Deleted]**

**301. Treatment of juveniles in prison other than the Borstal Institution.**---In prisons other than the Borstal Institution, where juveniles may be confined, efforts shall be made to teach the Nimaz, elementary education and industrial training under proper supervision.

**302. Employment of a prisoner as Instructor.**---It shall be necessary at any time to employ a prisoner for the instruction of the juvenile prisoners, an elderly well-behaved casual prisoner shall be specially selected by the Superintendent himself for this purpose. He shall, on no pretext, be left alone with the juveniles. Juveniles shall not be employed as instructors, as such duties are performed by the paid staff.

**303. to 304. ---[Deleted]**

**Chapter –13**

**Women Prisoners and**

**Children**

**305. Separation of prisoners.**---Women prisoners both convicted and under-trial, shall, as required by section 27 of the Act, be rigidly secluded from male prisoners so as to prevent their seeing, conversing or holding any communication with them. The women’s enclosure shall be so situated as not to be visible from any part of the male prison.

**306. Allocation and treatment of women prisoners.**---(1) Women prisoners with sentences of two months or more shall ordinarily be transferred to the women’s prison.

(2) The prison authorities shall pay particular attention to the requirements of women, such as their physical, vocational, social and psychological needs, when making decisions that affect any aspect of their detention.

(3) Women prisoners shall be allocated, to the extent possible, to prisons close to their home or place of social rehabilitation, taking account of their caretaking responsibilities, as well as the individual woman’s preference and the availability of appropriate programmes and services.

**307. Disposal of women prisoners.**---(1) Women prisoners with sentences of less than two months shall be confined in the prison to which they are committed.

(2) When the number of women prisoners confined in any prison is in excess of the available accommodation, the excess number shall ordinarily, irrespective of the length of sentences, be transferred to the women’s prison.

**308. Age group of prisoners.**---Women prisoners fall into the following age groups:

(a) juveniles, those under 18 years of age;

(b) adolescent, those from 18 to 20 years of age; and

(c) adults, those over 20 years of age.

**309. Separation of different classes of women prisoners.**---The following classes of women prisoners shall be kept apart from one another:

(a) unconvicted from convicted prisoners;

(b) juveniles and adolescent from adult prisoners; and

(c) habitual from casual prisoners; and

(d) prostitutes and procuresses from respectable women.

**310. Provision where there is only one woman prisoner.**---Where there is only one female prisoner in the Prison, arrangement shall be made for a women warder to remain with her both by day and night. In case of a prisoner, who is ineligible for transfer under rule 306, the Superintendent shall if he considers her detention in that prison inadvisable, seek the orders of the Inspector General as to her transfer.

**311. Removal from the women’s enclosure.**---(1) No women prisoner shall leave or be removed from the women’s enclosure except for transfer, attendance in Trial Court, release, or under orders of the Superintendent, for any lawful purpose.

(2) Every women prisoner, who is authorized to leave the women’s enclosure, shall be accompanied by and be in the custody of a Warder from the time she leaves the enclosure until she has been brought back to it.

**311.A Regime activities and work.**---Women prisoners shall have access to a balanced and comprehensive programme of activities. The administration of the prison shall be flexible enough to respond to the needs of pregnant women, nursing mothers and women with children. Childcare facilities or arrangements shall be provided in prison in order to enable women prisoners to participate in prison activities.

**312. Work.**---Women convicted prisoners shall ordinarily be employed on needlework, knitting and other domestic industries. They shall not be employed on grinding grain or similar irksome work.

**313. Bar to certain kinds of punishment.**---(1) A woman prisoner shall not be punished by the imposition of handcuffs.

(2) If absolutely necessary, handcuffs may be imposed on any woman prisoner for the purpose of restraint only.

(3) Punishment by close confinement or disciplinary segregation shall not be applied to pregnant women, women with infants and breastfeeding mothers in prison.

(4) Disciplinary sanctions for women prisoners shall not include a prohibition of family contact, especially with children.

(5) Instruments of restraint shall never be used on women during labour, child birth and immediately after birth.

**314. Conditions under which male officers may enter women’s enclosure.**---(1) A male officer of the prison may enter the women’s ward by day only if he has a legitimate duty to attend to and is accompanied by the Warder all the time he remains inside the ward or enclosure. Should it be necessary to enter the women’s ward at night, the Head Warder on duty shall call the Deputy Superintendent, and the Warder and these three officers shall enter together. Warders acting as escorts to visitors or officials shall remain outside the enclosure.

(2) Women prisoners shall be attended and supervised only by women officers. This does not, however, preclude male members of the staff, particularly doctors and teachers, from carrying out their professional duties in institutions or parts of institutions set aside for women.



(3) The part of the institution set aside for women shall be under the authority of a responsible woman officer who shall have the custody of the keys of all that part of the institution;

**315. Search of women prisoners.**---Women prisoners shall be searched by a women warder and the search should not be carried out in the presence of a male officer.

**316. Certain ornaments may be allowed to women prisoners.---**(1) Women prisoners may be allowed to retain, in moderation, certain ornaments of small value such as a ring, a nose-nail and bangles (glass or silver). Superintendent may, however, at his discretion, refuse to allow the retention of ornaments in any particular case for disciplinary reasons.

(2) Women prisoners shall be responsible for the safe custody of such articles, which should be entered on their history tickets and initialed by the Deputy Superintendent.

(3) Women prisoners may be permitted to replace churis’ at their expense.

**317. Amenities for women prisoners.**---(1) Women prisoners shall be supplied with a comb. They shall be given one medium size soap cake and one medium size bottle of mustard oil per prisoner every week for washing and dressing their hair. They shall also be allowed the use of a mirror shall be fixed in the wall in each ward. Sanitary toilets and bathrooms shall be provided in the women’s ward.

(2) Every women prisoner shall be provided with a cot, a mattress and a pillow.

**318. Supply of food.**---Cooked food shall be brought to the women’s enclosure by a reliable convicted prisoner accompanied by a warder and placed outside the enclosure gate from where it shall be taken inside by the Warder or an elderly woman prisoner.

**319. Cleanliness of women’s enclosure.**---Women prisoners shall attend to the cleanliness of their enclosures. Conservancy work shall be done by paid sweepers. Sweepers so admitted shall not be permitted to go out of the sight of the women warder or hold any communication by word or gesture with the women.

**320. Keys of women’s enclosure - lock of main entrance.**---(1) The keys to the various locks in use in the women’s enclosure shall during the daytime be in the possession of the Warder when she is on duty. The entrance door of the women’s ward shall be locked on the outside by the Head Warder who shall keep the key. The entrance door of the ward shall also be locked on the inside by the Warder.

(2) Before leaving the women’s enclosure, the Warder shall lock all the prisoners into their sleeping wards or workshops and having done so, shall lock the door of the main entrance and make over the keys to the Deputy Superintendent.

(3) When the Warder leaves the ward, the main entrance door shall be locked on the outside by two locks. The key of one of these locks shall be handed over by the Warder alongwith her other keys to the Deputy Superintendent. The key to the other lock shall remain by day in the custody of the Head Warder on duty and by night at the main gate.

**321. Women’s prison.**---(1) Women’s prison shall be located away from men’s prison. The charge of the office of the Superintendent may be held by the Superintendent of the neighboring prison as an additional duty, but the supervisory, custodial and instructional staff shall all be female. Duties of gatekeeper and guarding of main wall from outside may be performed by male warders.

(2) No male official or visitor shall enter the Women’s Prison unless accompanied by the Deputy Superintendent, the Assistant Superintendent or the Warder, as the case may be.

(3) Only ladies shall be allowed as non-official visitors for the women’s prison.

**322. Women prisoners in an advanced stage of pregnancy.**---The case of every woman prisoner in an advanced stage of pregnancy shall be reported to the Inspector General for reference to Government with, a view to the suspension and remission of her sentence or otherwise. A full statement of the case by a lady doctor shall accompany the report.

**323. Child birth in prison.**---As far as possible child birth in Prison shall be avoided, but if this is not possible, the services of a lady Medical Officer or failing it a qualified midwife shall be requisitioned. In districts where there is a maternity and child welfare centre, the authorities in charge of such centre shall be requested to depute a lady doctor or a qualified midwife to attend cases of women prisoners confined in the women’s ward. No charge may be made for the service of a lady doctor or midwife so deputed to Prison, but they shall be entitled to conveyance charges to and from the prison, which shall be paid by Government.

**324. Under-trial women prisoners expecting confinement.**---The case of under-trial women prisoners expecting confinement shall be referred to the Judge with a view to the release of such prisoners, but if release on bail is not possible, provisions, laid down in these rules shall be followed.

**325. Children born in prison.**---In the event of a child being born in a Prison, notice of the birth shall be sent to the municipal authorities. The fact that the child was born in prison shall not be mentioned in the birth certificate.

**326. Children to be allowed to remain with their mother.**---(1) Women prisoners shall be allowed to keep their children with them in prison at least until they attain the age of six years.

(2) Decisions as to when a child is to be separated from its mother shall be based on individual assessments and the best interests of the child.

(3) The removal of the child from prison shall be undertaken only when alternative care arrangements for the child have been identified. In the case of foreign-national prisoners such arrangements shall be made in consultation with consular officials.

(4) After children are separated from their mothers and placed with family or relatives or in other alternative care, women prisoners shall be given the maximum possible opportunity and facilities to meet with their children, provided that the best interests of the children is protected and public safety is not compromised.

(5) Proper facilities of recreation, health and schooling shall be provided to such children. They may be allowed with the consent of their mother to go outside of the prison with their relatives for such times as may be allowed by the Superintendent.

**327. Cases in which a child cannot be kept in a prison.**---A woman prisoner may be allowed to keep her child over eight year of age in prison depending on the individual assessment and if suitable alternative care arrangements cannot be identified, always taking into account the best interests of the child. On a child becoming disqualified for further retention or when a woman prisoner dies or is executed and leaves a child, the Superintendent shall inform the Deputy Commissioner of the place where the prisoner resided and the later shall arrange for the proper care of the child. Should the relatives or friends of the prisoner be unable or unwilling to support the child, the Deputy Commissioner shall arrange for the removal of the child to healthy nursery surroundings through the special societies managing such institutes. The child shall be returned to the mother on release.

**327.A Care for children.**---(1) Children in prison shall be provided with such clothing as the Superintendent may prescribe in writing. The scale of diet for children is prescribed in rules pertaining to dietary provisions, but may be changed depending on individual requirements as determined by the Superintendent.

(2) Children living with their mothers in prison shall be provided with on-going health-care services and their development shall be monitored by specialists, in collaboration with community health services.

(3) The environment provided for such children’s upbringing shall be as close as possible to that of a child outside prison.

(4) Children in prison with their mothers shall never be treated as prisoners.

**327.B Healthcare.**---(1) The health screening of women prisoners shall include comprehensive screening to determine primary health-care needs,-

(a) mental health-care needs, including post-traumatic stress disorder and risk of suicide and self-harm;

(b) the reproductive health history of the woman prisoner, including current or recent pregnancies, childbirth and any related reproductive health issues;

(c) the existence of drug dependency;

(d) sexual abuse and other forms of violence that may have been suffered prior to admission; and

(e) depending on risk factors, women prisoners may also be offered testing for HIV, with pre- and post-test counseling, on a voluntary basis.

(2) Women’s right to confidentiality with regard to their reproductive health history shall be respected. Vaginal examinations of women prisoners shall always require the consent of the woman prisoner.

(3) If a woman prisoner requests that she be examined or treated by a woman physician or nurse, a woman physician or nurse shall be made available, to the extent possible, except for situations requiring urgent medical intervention. If a male medical practitioner undertakes the examination contrary to the wishes of the woman prisoner, a woman staff member shall be present during the examination.

**328. ---[Deleted]**

**Chapter -14**

**Prisoners Under Sentence**

**of Death**

**329. Warrant of commitment for sentence of death.**---As soon as a prisoner is sentenced to death, the police officer who attends the trial, shall inform the Superintendent of the fact. If the sentence is passed by the Sessions Judge, that officer shall issue a warrant of commitment pending confirmation of the sentence by the High Court. When the sentence has been confirmed by the High Court or is passed by the High Court, the Sessions Judge, or the High Court, as the case may be, shall transmit a black warrant, to the Superintendent in which the prisoner under sentence of death is confined.

**330. Search and confinement conditions.**---(1) Every prisoner under sentence of death shall be searched immediately on arrival in the prison by, or under the orders of, the Deputy Superintendent and every article of clothing and other articles of whatever description shall be taken away from him, except for those articles allowed under rule 75.

(2) After having furnished him with Prison clothing, bedding, aluminum utensils and light chappals, the Deputy Superintendent shall remove him to a cell or barrack of special security arrangements and forthwith make arrangements for his watch and ward.

(3) Particular attention shall be paid to providing appropriate regimes for prisoners under sentence of death and shall include raised awareness of the risks of suicide and self-harm. Prisoners under sentence of death shall be;

(a) afforded access to legal and family visits; and

(b) given the same opportunities for recreation and access to health care, including access to exercise for at least two (02) hours per day.

**331. Cell to be examined, facilities be provided.**---(1) The Deputy Superintendent or Assistant Superintendent in charge of prisoner under sentence of death shall examine every cell and barrack of special security arrangement in which a prisoner under sentence of death is to be confined. He shall satisfy himself that it is secure and does not contain any article which the prisoner could possibly use as a weapon of offence or as an instrument with which to commit suicide, or which in the opinion of the Superintendent, is in expedient to permit in such cell or barrack.

(2) All cells, used for the confinement of prisoners under sentence of death, shall be provided with flush toilet seats and low-level water taps. Privacy should be ensured.

(3) Electric fan shall be provided in every such cell but precautions should be taken to ensure that the prisoner is unable to reach it.

**332. Special guard over condemned prisoners or under sentence of death prisoners.**---Every condemned prisoner or under sentence of death prisoners shall be confined in a cell apart from all other prisoners and shall be placed both by day and night under the charge of special guards.

**333. Information to be supplied to prisoners.**---The date fixed for the execution, the periods within which appeals or petition must be submitted, and the result of the petition in each case, shall be intimated to condemned prisoner or under sentence of death prisoner by the Deputy Superintendent or the Assistant Superintendent.

**334. Light at night.**---Electric light shall be provided from sunset to sunrise in condemned prisoner’s cell, so that he may at all times remain under observation.

**335. Munj mat not to be issued.**---Munj mat shall not be issued to any condemned prisoner. An extra blanket shall be issued.

**336. The guarding of condemned prisoners.**---The duty of guarding condemned or under sentence of death prisoners shall always be entrusted to the most trust worthy warders of the establishment.

**337. Number of warders required for guarding.**---(1) One sentry for continuous duty day and night over a condemned prisoner, three warders are required, each to give nine (09) hours of duty.

(2) When there are two or more condemned or under sentence of death prisoners confined in a prison at the same time, in cells or barracks situated at some distance from one another, a separate warder shall be placed over each enclosure, but if the cells are contiguous, one warder shall be posted to guard a maximum of eight prisoners.

(3) For any number of prisoners in excess of eight, an extra warder if available shall be posted over when the cells are contiguous.

(4) When two or more cells are occupied, the warder shall walk up and down in front of them, so that each prisoner may be brought into view at short intervals.

**338. Duty of warder over condemned or under sentence of death prisoners.**---(1) The warder on duty over the condemned prisoners shall be armed with a cane stick a whistle and a walky talky set to raise alarm when necessary.

(2) He shall be posted in, or immediately outside the door of the cell yard, accordingly as the condemned or prisoner under sentence of death is in the cell or cell yard of death prisoners respectively, and shall keep him constantly in view.

(3) He shall allow no person except authorized prison visitors, including the legal assistant of the condemned or under sentence of death prisoner, the Superintendent, Medical Officer, Deputy Superintendent Assistant Superintendent and Head Warder on duty and the authorized menials of the prison under proper guard, to go near or communicate with the prisoner, without an order in writing from the Superintendent, when not accompanied by him.

(4) Interviews between the prisoner and his legal counsel shall be in sight but out of hearing of the warder.

**339. Management of keys conditions under which the doors may be opened.**---(1) The keys of a cell or barrack of special security in which a condemned or under sentence of death prisoner is confined shall be kept by the head warder on duty. In case of an alarm, in the event of emergency, such as attempt by the condemned or under sentence of death prisoner to commit suicide, escape or any other offence, he shall enter the cell and take all possible steps to frustrate it.

(2) The door of a cell or special security barrack in which a condemned prisoner is confined shall not ordinarily be opened unless the prisoner has been first handcuffed and so securing him against the possibility of using violence. If he refuses to be handcuffed, he may be taken out if three warders and an Assistant Superintendent are present.

(3) The locks in use in a condemned cell or under sentence of death shall be such as cannot be opened by any other key in use in the prison. Locks of these are as shall be changed on monthly basis.

**340. Occupation of cell yards, precautions to be taken.**---(1) A condemned prisoner shall unless disallowed for special reasons by the Superintendent in writing, be permitted to occupy the courtyard for one hour, each morning and evening. Not more than two such prisoners out of eight prisoners at a time shall be allowed to do so.

(2) During the time a condemned prisoner occupies a courtyard, both the cell and the yard doors shall be kept locked. Handcuffing during the walk shall be applied only in respect of terrorists or dangerous criminals.

(3) A condemned prisoner shall not be removed from his cell or special security barrack to the yard or vice versa for any purpose, except in the presence of the Head Warder.

(4) A prisoner sweeper or other prisoner allowed to enter the cell special security barrack of a condemned or under sentence of death prisoner to perform any duty, shall be first carefully searched and while carrying out his work, shall be kept under close supervision by the Warder on duty.

(5) When handcuffs are to be applied before the cell door is opened, the prisoner shall be asked to thrust his hands between two of the bars of the grated door. The handcuffs can be removed in a similar manner, when he has been locked in the cell.

**341. Duty of Head Warder over condemned prisoners.**---The Head Warder on duty shall visit the cells or special security barrack occupied by condemned or under sentence of death prisoners frequently at uncertain hours during the day and night, and shall satisfy himself that the Warders are alert on duty, the prisoners present and the cells secure. He shall report forthwith to the Assistant Superintendent Incharge Sector any neglect on the part of the sentry or any unusual or suspicious conduct on the part of a prisoner.

**342. Condemned prisoners to be searched twice daily.**---The Assistant Superintendent in charge shall have every condemned or under sentence of death prisoner carefully searched morning and evening. He shall have the cells carefully examined in his presence and shall satisfy himself that the prisoner has no forbidden articles in his possession and that the cell or special security barrack is sound and secure. He shall also examine the prisoner’s food and be present when it is issued. He shall report in his report book that he has carried out these duties.

**343. Diet, precautions to be taken.**---All prisoners under sentence of death shall be allowed the ordinary diet of convicted prisoners. All food intended for consumption by a condemned or under sentence of death prisoner shall be examined by the Deputy Superintendent, Assistant Superintendent or Medical Officer, who may withhold any article he regards with suspicion and report the circumstances to the Superintendent. The food shall be delivered to the prisoner in the presence of the Head Warder on duty.

**344. Condemned or under sentence of death prisoners allowed to use books.**---A condemned prisoner or prisoner under sentence of death who can read shall be encouraged to read suitable books from the prison library. He may also be permitted to obtain at his own expense such books, as may be, approved by the Superintendent. Newspapers shall also be allowed.

**345. Smoking by condemned prisoner or prisoner under sentence of death.**---Condemned prisoners or prisoners under sentence of death are allowed to smoke at their own expense.

**346. ---[Deleted]**

**347. Precautions for women prisoners.**---In case of women prisoner under sentence of death:

(a) the prisoner shall be guarded by Female Warders;

(b) the search of the prisoner shall be conducted by a Female Warder without the presence of any male official, but the cell shall be, examined by the Assistant Superintendent;

(c) the food shall be distributed by a Female Warder in the presence of the Assistant Superintendent; and

(d) the prisoner shall not be handcuffed when she is allowed into the cell yard.

**348. Women certified to be pregnant.**---When a woman prisoner sentenced to death is certified by Medical Officer to be pregnant, the warrant with the fact noted on it, shall be returned to the Sessions Judge, who is empowered to direct the postponement of the execution pending the orders of the High Court.

**349. When a women declares herself pregnant.**---When a women prisoner sentenced to death declares herself to be pregnant and the Medical Officer is unable to certify the correctness or otherwise of the statement, he shall record the fact in writing and the interval of time necessary to enable him to arrive at a definite decision. This record along-with the warrant shall be forwarded to the Judge.

**350. The sentence may be postponed or commuted.**---If a women sentenced to death is found to be pregnant, the High Court shall order the execution of the sentence to be postponed, and may if it thinks fit, commute the sentence to imprisonment for life.

**351. Evidence of condemned prisoners.**---When the evidence of a condemned prisoner or under sentence of death prisoner is required, the Court shall proceed to the prison for the purpose, and shall not require the prisoner’s attendance under Part IX of the Prisoners Act, 1900:

Provided that if the presence of a prisoner under sentence of death is required by a Session Judge or High Court, as the case may be, for the purpose of taking additional evidence in the case under section 428 of the Code, the prisoner’s attendance may be required under Part IX of the Prisoners Act, 1900.

**352. Communication of date and time of execution.**---When the date of execution has been finally fixed, the Superintendent shall inform the Deputy Commissioner and the relatives and friends of the condemned prisoner by post and through the Deputy Commissioner and District Police Officer concerned of the date and time of the execution.

**353. Officer responsible for executions, mishap to be reported.**---(1) The Superintendent is responsible that the arrangements for an execution are complete and are made in good time and that the gallows, rope, cap and pinioning straps are in the good order. The Superintendent shall not delegate to any subordinate the charge of the arrangement for an execution. He shall ordinarily remain at headquarters during (24) twenty-four hours preceding the execution.

(2) The occurrence of any mishap or violation of these rules shall he reported to the Inspector General by the Superintendent.

**354. Place of execution.**---(1) Executions shall normally take place at the District Prison of the district where gallows available in which the prisoner was sentenced, unless the warrant otherwise directs.

(2) If a condemned prisoner requests for change of place of execution for any cogent reason, his petition shall be forwarded to Government, through the Inspector General, for orders. If Governmentorders change in the place of execution, the warrant shall be returned to the Sessions Judge who issued it for altering the place of execution on the warrant.

(3) Dead body of any prisoner who dies in jail or any condemned prisoner who is executed shall be transported to his home at Government expense if not received by relatives or friends. Where the dead body is not claimed by the relatives it shall be buried in the prison graveyard.

**355. Description and testing of rope.**---(1) A manila or cotton rope   
two and a half centimeter (2.5 cm) in diameter, shall be used for executions. At least five such ropes in serviceable condition shall be maintained at every prison or executions are to take place. The rope shall be 5 m and 80 cm in length, well-twisted and fully stretched. It shall be of uniform thickness capable of passing readily through the noose ring and sufficiently strong to bear the strain of 127 Kilograms with a 2 m and 13 cm drop.

(2) The ropes and gallows shall be tested in the presence of the Superintendent, one day before the date fixed for execution. If a rope does not pass the test, another one shall be substituted and tested.

(3) Ropes that have been tested shall be locked up in a place of safety under the supervision of Deputy Superintendent.

(4) On the evening before the execution, the gallows and ropes shall be examined to ascertain that they have not been damaged since the test.

(5) The rope shall be tested by attaching to one end a bag of sand equal to one and a half times the weight of the prisoner to be executed and dropping this weight the distance of the drop calculated for the prisoner.

(6) The Superintendent shall condemn a rope which shows signs of wear or when he has any reason to suspect its reliability. No rope more than five years old shall be used at any execution. A label duly signed by the Superintendent shall be sewn on to each end of every execution rope showing the date of its purchase.

**356. Regulation of drop.**---(1) The drop is the length of the rope from a point on the rope outside the angle of the lower jaw of the condemned prisoner as he stands on the scaffold, to the point where the rope is embraced in the noose after allowing for the constriction of the neck that takes place in hanging.

(2) The following scale of drop proportionate to the weight of the prisoner is given for general guidance, the Superintendent must use his discretion and also be guided by the advice of the Medical Officer and the physical condition of the prisoner:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | Kilogram | Grams | Centimeter | Millimeter |
| For a prisoner under: | 45-310 Weight | | 2. | 13 |
| For a prisoner under: | 54-320 Weight | | 1. | 82 |
| For a prisoner under: | 63-510 Weight | | 1. | 67 |
| For a prisoner under: | 81-654 Weight | | 1. | 52 |

|  |  |  |
| --- | --- | --- |
| (i) | For a prisoner under 100 Kgs weight | = 7 |
| (ii) | For a prisoner under 100 Lbs, weight | = 7 feet |
| (iii) | For a prisoner under 120 Lbs. Weight | = 6feet |
|  | For a prisoner under 140 Lbs. Weight | = 5 ½ feet |
|  | Height | =5’--5” |
|  | Neck | 0—9” |
|  |  | 4’—8” |
|  | Weight | 135 Lbs. |
|  |  | 5’—6” |
|  |  | 4’—8” |
|  | Drop | 0--10” |

(3) The length of the rope shall be equal to the distance from beam to the plank plus the difference between the drop and the height upto the angle of lower jaw of the condemned prisoner. If such height comes out to be more than drop, the difference is to be deducted and the end of the rope in that case shall be slightly above the plank.

**357. The Executioner.**---(1) Executions shall be carried out by the executioner.

(2) Each Headquarters prisons shall employ an executioner for the purpose on permanent basis.

**358. Officer to attend execution.**---The Superintendent, the Medical Officer and a First Class Magistrate, deputed by the District and Sessions Judge shall be present when an execution is being carried out. The Medical Officer must not be below the rank of grade 17. When the Superintendent is also a Medical Officer, it is not necessary for another Medical Officer to attend.

**359. Prison guards at executions, police force when necessary.**---(1) When the execution is to take place inside the prison, a guard of twelve Warders shall be present at the main gate with rifles and ten rounds of ammunition per man, half an hour before the time fixed for execution. The guard shall not enter the prison unless called upon to suppress any disturbance or when spectators are admitted.

(2) When the execution is to take place outside the prison walls for any reason, the Superintendent shall send intimation of the fact to the Superintendent of police, two clear days before the date fixed for the execution to enable him to arrange for the attendance of Police guard of one Sub-Inspector, two Head Constables and twelve Constables and more, if any disturbance is apprehended. The Police guard shall be in addition to the Warder guard of the prison, which shall also fall in the same manner as when the execution is inside the prison.

**360. Prisoners to be locked up at the time of execution.**---Whenever an execution is being carried out, the prisoners shall remain locked-up in their barracks and cells till the execution is over and the body is removed.

**361. Time and day of execution.**---(1) Executions shall take place at the following hours:

|  |  |
| --- | --- |
| May to August. | 4:30 A.M. |
| March, April, September and October. | 5:30 AM. |
| November to February. | 6:30 AM. |

(2) Executions shall not take place on Sundays, Gazetted holidays, the day following Sunday and holiday and in the month of Ramzan Sharif.

**362. Procedure to be adopted at execution.**---(1) The Superintendent and Deputy Superintendent shall visit the condemned prisoner in his cell a few minutes before the hour fixed for execution. The Superintendent shall first identify the prisoner as the person named in the warrant and read out a translation of the warrant and sequence of rejection of appeal and mercy petitions in national or regional language to the prisoner in the presence of the Magistrate. Any other document requiring signature by the prisoner, such as his will, shall thereafter be signed by him and attested by the Magistrate. The Superintendent shall then proceed to the scaffold, the prisoner remaining in his cell. In the presence of the Deputy Superintendent the hands of the prisoner shall, next be pinioned behind his back and his fetters, if any, be removed.

(2) The condemned prisoner shall then be taken to the scaffold under the charge of the Deputy Superintendent and guarded by a Head Warder and six Warders, two proceedings in front, two behind, and one holding each arm.

(3) On the arrival of the condemned prisoner at the scaffold where the Superintendent, Magistrate and Medical Officer have already taken their places, the Superintendent shall inform the Magistrate that he has identified the prisoner. The prisoner shall then be made over to the executioner.

(4) The condemned prisoner shall mount the scaffold and shall be placed directly under the beam to which the rope is attached, the Warder still holding him by the arms.

(5) The executioner shall next strap his legs tightly together, place the cap over his head and face and adjust the rope tightly round his head and face and adjust the rope tightly round his neck, the noose being 3 cm and 7 mm to the right or left of the middle line and free from the flap of the cap.

(6) The Warder holding the condemned prisoner’s arms then withdraw and at a signal from the Superintendent, the executioner shall carry out the sentence.

**363. Body to remain suspended half an hour return of warrant.**---(1) The body shall remain suspended for half an hour and shall not be taken down till the Medical Officer declares that life is extinct.

(2) The Superintendent shall return the warrant of execution to the Court awarded sentence with an endorsement to the effect that the sentence has been carried out.

**364. ---[Deleted]**

**Chapter -15**

**Undertrial Prisoners**

**365. Admission of under-trial prisoners.**---The Assistant Superintendent incharge of admissions shall, when admitting an under-trial prisoner to prison, question him and satisfy himself that the name and other particulars entered in the warrant are correct. In case of the name and other particu1ars do not appear to be correct, he shall after admitting the prisoner, make an immediate report to the Court by which the warrant is issued.

(2) Under prisoners are presumed to be innocent and shall be treated as such unless convicted by a trial court.

**366. Warrants of detention.**---A Court may order an accused person to be detained or remand to custody in prison. No prisoner shall be detained or remanded to prison for a period exceeding fifteen days at a time, except in case of prisoners committed for trial in a Court of Sessions. Every such order made by a Court other than the High Court, shall be in writing and signed by the presiding Judge or of such Court.

**367. Examination of warrant.**---The Assistant Superintendent shall see that the warrant authorizing the prisoner’s detention in the Prison lock-up bears the date of committal and the date on which the prisoner is to be produced before the Court. When a warrant is incomplete or the remand granted is for an indefinite period, the Superintendent shall, as soon as possible, return the warrant for correction to the Court which issued it.

**368. Date of production of prisoners in Sessions cases.**---In Sessions cases, as soon as, the date is fixed for production of the prisoner, it shall be endorsed on the warrant and the prisoner shall be informed of the date fixed, so that he may make necessary arrangements for the conduct of his defence.

**369. Medical examination and treatment.**---Every under-trial prisoner on admission to prison shall be examined by the Medical Officer and the procedure laid down in rule 18 of these rules shall be followed.

**370. Under-trial prisoner’s ticket.**---Every under-trial prisoner shall on admission to the prison be provided with an under-trial prisoner’s ticket on the prescribed form.

**371. Periodical weightments.**---Under-trial prisoners shall be weighed on admission to the prison and their weights entered on their tickets.

**372. Examination by the Superintendent.**---Every under-trial prisoner shall be brought for examination before the Superintendent, who shall satisfy himself that a careful record of the identification marks, the left thumb-impression is made in the admission register and that all other particulars have been correctly filled in.

**373. Permission to use his own bedding.**---Every under-trial prisoner shall be allowed to use his own bedding, the detail of which shall be recorded in the register of under-trial prisoners and read out to the prisoner in the presence of the Superintendent. The entries in the register shall be countersigned by the Superintendent. An under-trial prisoner who is unable to provide himself with sufficient bedding shall be supplied by the Superintendent with such bedding as may be necessary.

**374. Disposal of money or other property recovered by police at arrest.**---(1) Money or other property found on the person of or belonging to an under-trial prisoner, other than necessary wearing apparel, is taken charge of by the police, who is required to enter on the back of the prisoner’s warrant, a list of all such articles. In case of a prisoner transferred to another prison the articles shall be forwarded to the prison to which he is transferred.

(2) Articles of clothing brought to prison by an under-trial prisoner shall be entered in the appropriate column of admission register.

**375. Maintenance from private sources.**---An under-trial prisoner may be permitted by the Superintendent to purchase or receive from private sources, food, bedding and other necessaries, subject to the following restrictions:

(a) the articles shall be examined by the Assistant Superintendent and the Medical Officer before being introduced into the prison;

(b) nothing that may be considered injurious to health or unnecessary or unsuitable by the Superintendent shall be allowed. Intoxicating drugs and spirituous liquors are prohibited; and

(c) in case of any epidemic disease being prevalent, in the city, food from private sources may be stopped temporarily on the advice of the Medical Officer.

**376. Prohibition against hiring or selling of food.**---No part of any bedding or other necessaries belonging to an under-trial prisoner shall be given, hired or sold to any other prisoner, and any prisoner transgressing this rule shall lose the privilege of purchasing food or receiving it from private sources for such time as the Superintendent thinks proper.

**377. Maintenance of private accounts.**---Under-trial prisoners may be permitted to receive money upto rupees five thousand (5000/-) from their friends or relatives to purchase articles permissible under these rules.

**378. Permission to cook his own food.**---Within the limits compatible with the good order of the institution, and with the Superintendent’s permission, undertrail prisoners may, if they so wish, apart from food provided to them by the Prisons Administration ration, have their additional food procured from the outside at their own expense, either from tuck shop of the Prison or through their family or friends.

**379. Privilege of purchasing food may be withdrawn.**---(1) If any prohibited or injurious article is found concealed in food or other things supplied to an under-trial prisoner from private source, the privilege of purchasing or obtaining food from such sources shall be withdrawn. 

(2) The Superintendent may for any sufficient reason, refuse to allow the purchase or delivery of any article to an under-trial prisoner, which he considers unnecessary or unsuitable.

**380. Supply of Prison diet.**---All under-trial prisoners shall be supplied with food at Government expense. Such food shall be prepared in the prison cook house and served by cooks.

**381. Work for under-trial prisoner.**---(1) Under-trial prisoners may, if they so wish, be employed on any productive work inside the prison. Every under-trial prisoner shall be required to keep himself, his clothing and bedding clean and may also be required to keep his cell or ward clean, but no work of a degrading nature shall be taken from him.

(2) Under-trial prisoners shall be given access to education and other activities in prison on a voluntary basis.

**382. Report of previous convictions.**---(1) The Superintendent of Police shall invariably in writing inform the Superintendent about the nature and background of dangerous characters of prisoners on their admission to prison, to take timely precautions for the safety and security in the prison.

(2) When the Superintendent or any prison official receive information that an under-trial prisoner has been previously convicted, such information shall be communicated forthwith to the Court concerned.

**383. Separation of under-trial prisoners.**---Under-trial prisoners shall be strictly segregated from convicted prisoners. The under-trial prisoners ‘wards shall be placed under the charge of Head Warder and visited regularly by the parties employed on sweeping and supplying food and water.

**384. Special directions by Court.**---Any special directions given by the Court, regarding the separation of an under-trial prisoner, shall be carried out. Such separation shall not be accompanied by irksome conditions, to prevent him from communicating directly or indirectly with other prisoners concerned in the same case, except those necessary to secure the object in view.

**385. Under-trial prisoner not to alter their appearance.**---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 difficult to recognize him. The hair of an under-trial prisoner, may, however, be cut at any time when it is considered necessary by the Medical Officer or Superintendent.

**386. Punishments.**---An under-trial prisoner is liable to be punished for breaches of prison discipline, with any of the punishments as enumerated in Chapter 23 of these rules.

**387. Books, newspapers, etc.**---Under-trial prisoners may be allowed to use their own books approved by the Superintendent up to a reasonable limit in addition to those available in the prison library. They may be allowed to read at their own expense magazines and newspapers on the approved list.

**388. Identification parades.**---(1) When intimation is sent by a Magistrate, that an under–trial prisoner is to be put up for identification by witnesses, the Superintendent shall issue instructions to prevent the prisoner from disguising himself or changing his appearance in such a way as to make recognition difficult.

(2) The prisoner to be identified shall be placed amongst a number of prisoners as similar to him as possible in dress, stature and appearance and shall not be allowed to conceal his face or stature, so as to impede recognition.

(3) The identification parade shall be held at a place which is not visible from the main gate. No other person shall be allowed to stand nearby. The proceedings shall be attended by an Assistant Superintendent, who shall carry out any orders given to him by the Magistrate conducting the identifications. The witnesses in no case shall be harassed or helped by any prison official or a prisoner.

**389. Search of prisoner going to Courts.**---A receipt shall be obtained from the officer incharge of the police guard for the under-trial prisoners sent to Court and such officer shall certify in the gate keeper’s register that he has searched the prisoners. All under-trial prisoners shall be searched again at the main gate on return from the Court before they being taken over from the police.

**390. Time for meal.**---Prisoners attending Courts shall be given their full morning meals before they are sent out in the morning and arrangement shall be made to enable them to have evening meal in the Prison on their return.

**391. Early return of under-trial prisoners from Courts.**---Under-trial prisoners shall be returned to the prison not later than the time mentioned in rule 11 of these rules. The Superintendent shall draw the attention of the Judge to any instance in which this rule has not been observed.

**392. Notice of discharge or release on bail.**---If an under-trial prisoner is discharged in Court or released on bail while attending Court, the notification of the fact shall be brought back by the police escort who took charge of the prisoners for conveyance to Court. If the notification is not received the same day, the Superintendent shall without delay call the attention of the Court to the matter.

**393. Conveyance charges to be paid by the police.**---The expenditure of every kind during conveyance of under-trial prisoners to and from Courts or from one district to another shall be paid by the police.

**394. ---[Deleted]**

**395. Monthly list to be sent to the Judge.**--- (1) The Judge shall visit atleast once a month the under-trial prisoners confined in the prison or prisons under his jurisdiction with the express object of noting all those cases which appear to be delayed.

(2) The Superintendent shall submit a monthly list to the Judge and the Inspector General, giving the name and other particulars of all under-trial prisoners other than those committed to Sessions, who have been detained in Prison for more than three-months since their first admission.

**396. Under-trial prisoners unfit to attend Courts.**---In the event of an under-trial prisoner being unfit by reasons of sickness to attend Court on the date fixed, the Superintendent shall immediately send a report, issued by the Medical Officer, the case to the Court concerned for orders. The report and certificate of Medical Officer shall indicate when the prisoner is likely to be fit to attend the Court.

**397. Serious illness of an under-trial prisoner.**---When an under-trial prisoner is seriously ill, the Superintendent shall send a report of the fact to the Court concerned, and such report shall be accompanied by a medical report of the case in order to enable the Court to consider the possibility of ordering the release of the prisoner on bail.

**398. Notice of death to be sent to the trial Court.**---When an under-trial prisoner dies in prison, the Superintendent shall at once report the occurrence to the trial Court of such prisoner.

**399. Approvers.**---(1) All prisoners who have accepted the tender of pardon under the provisions of section 337 of the Code, shall be kept separate from all other classes of prisoners and shall be kept separate from each other, unless the Judge shall otherwise direct.

(2) Except under the orders of the Superintendent no prison official below the rank of Assistant Superintendent who is in charge of prisoners of other classes, and no Prison worker shall have access to any approver.

(3) The approvers shall be permitted to associate with a prisoner or prisoners of their own sex, subject to the control and approval of Government. If it is not practicable to arrange for such association, a paid Warder shall be posted on duty at the ward or cell, as the case may be, to keep such prisoner’s accompany.

(4) No letter, written communication of any kind, books, newspapers, packet or parcel of any description shall either be delivered to or sent by an approver, without the permission of the Superintendent. The Superintendent is allowed to withhold and confiscate any such letter, written communication packet, parcel, etc.

**400. Disciplinary action against under-trial prisoners outside the precincts of Prison.**---Under-trial prisoners, who commit certain offences while being conveyed from a prison to the Courts and from the Courts or other places back to prison, may be punished by the Superintendent. An under-trial prisoner does not cease to be under the control of the Superintendent when being taken from the prison to a Court or from a court back to prison. The fact that a Police escort accompanies a prisoner does not release him from the control of the Superintendent as regards, punishment for an act which constitutes a prison offence.

**400.A Contact with outside world.**---(1) An undertrail prisoner shall be allowed immediately to inform his family about his detention and shall be given all reasonable facilities for communicating with his legal counsel, family and friends, and for receiving visits from them, subject only to restrictions and supervision as are necessary in the interests of the administration of justice and of the security and good order of the institution.

(2) Communications with legal counsel shall not be subject to censorship and interviews with lawyers shall be conducted once a week and more at the discretion of the Superintendent.

(3) Undertrail prisoners shall be permitted a weekly visit by their family members, relatives, friends etc. The Superintendent may increase the number of officials, as he may deem necessary.

**Chapter -16**

**Civil Prisoners**

**401. Segregation of civil prisoners.---**Under sub-section (4) of section 3 of the Act, every prisoner who is not a criminal is a civil prisoner. Under sub-section (4) of section 27 of the Act, every civil prisoner shall be confined in an enclosure inside the prison entirely separate from the enclosures allotted to criminal prisoners.

**402. Classes of civil prisoners.**---Civil prisoners are of the following classes:

(a) civil prisoners committed to prison by the order of the Civil Court under section 32 of the Code of Civil Procedure (Act No. V of 1908);

(b) civil prisoners committed to prison by order of a Criminal Court under section 514 of the Code and those committed to prison in contempt of civil proceedings;

(c) revenue defaulters; and

(d) civil prisoners committed to prison under any other law for the time being in force.

**403. Application of these rules to civil prisoners.**---(1) Except as otherwise provided in this Chapter, these rules shall apply to civil prisoners.

(2) Civil prisoners shall not be subjected to any greater restriction or severity than is necessary to ensure safe custody and good order. Their treatment shall not be less favourable than that of under trial prisoners.

**404. Maintenance from private sources.**---A civil prisoner shall be permitted to maintain himself, and to purchase or receive from private sources at proper hours, food, clothing, bedding and other necessaries, but subject to examination and to such rules as may be approved by the Inspector General.

**405. Diet of certain civil prisoners - Permission to cook.**---(1) Civil prisoners who are supplied with prison diet, shall, unless the scale of substance allowance, if any, permits of a more liberal scale, be provided with diet prescribed for ordinary prisoners.

(2) Civil prisoners admitted into prison under rule 199, in Order XXI of the First Schedule of the Code of Civil Procedure, 1908 (Act No. V of 1908), for resisting or obstructing the execution of a decree shall be provided with ordinary prison diet at the expense of Government.

(3) Civil prisoners who are not provided with prison diet shall be permitted to cook and use their own diet and utensils.

**406. to 408. ---[Deleted]**

**409. Articles to be delivered to the Deputy Superintendent for examination.**---Articles supplied for the use of any civil prisoner shall be delivered to the Deputy Superintendent or other officer appointed by the Superintendent. Such articles shall be examined before being introduced into the prison. The Superintendent may withhold any articles for sufficient reason from a civil prisoner.

**410. to 412 ---[Deleted]**

**413. Supply of clothing and bedding to civil prisoners.**---Every civil prisoner unable to provide himself with sufficient clothing and bedding shall be supplied by the Superintendent with such clothing and bedding as may be necessary.

**414. ---[Deleted]**

**415. Extra expenditure on civil prisoners.**---If any extra articles of diet are ordered by the Medical Officer for a civil prisoner on medical grounds, any excess of expenditure over and above that can be made by the daily subsistence allowance, shall be paid by Government from the dietary head.

**416. Labour.**---No civil prisoner shall be put to work under any circumstances unless he is willing to do so.

**417. Punishments.**---Civil prisoners shall not be punished with imposition of handcuffs.

**418. Civil prisoners follow a trade and receive the earning.**---Civil prisoners may, with the permission of the Superintendent, work in prison on voluntarily basis.

**419. Books, periodicals and games.**---Civil prisoners shall be allowed books from the prison library and they shall be permitted to obtain at their own expense any books or newspapers from outside, subject to such safeguards against the introduction of improper literature as may be considered necessary. Civil prisoners shall also be allowed to engage in such indoor games as cards, chess or carom, and to occupy them in such manner as the Superintendent may consider proper.

**420. ---[Deleted]**

**Chapter-17**

**State Prisoners**

**421. to 432. ---[Deleted]**

**Chapter -18**

**Mental Prisoner**

**433. to 434. ---[Deleted]**

**435. Separation of mental prisoner.**---A prisoner, who is a mental be kept separate from other prisoners.

**436. Mental prisoners to be considered dangerous until certified harmless.**---A mental prisoner shall be considered dangerous until the Medical Officer has certified that he is harmless. The Superintendent and Medical Officer, shall from time to time, give such directions as may be necessary, for the proper guarding of the mental prisoner and shall warn the prison officers of any symptoms which may necessitate greater watchfulness.

**437. Non-criminal mental patient.---**(1)Non-criminal mental patients shall be detained in-

(a) the mental hospital; or

(b) where there is no mental hospital, they shall be detained in a civil hospital or dispensary, where in the opinion of the Magistrate, suitable accommodation and establishment for the reception and custody of metal patient exist; or

(c) in other cases, in the District Prison.

**438. Detention of non-criminal patients and procedure when period expires.---**The maximum period during which a non-criminal mental patient can be detained for observation is thirty (30) days. On expiry of this period, the Superintendent shall address the Magistrate or officer under whose warrant the person is detained, pointing out that the authorized period of detention has expired and requesting that an order for the release of the person detained or his transfer to a mental hospital be furnished. If within the next seven days, the Superintendent has not received the course order, he shall report the matter to the Inspector General.

**439. Maintenance charges of non-criminal mental patient.---**Non-criminal mental patients shall be entirely excluded from all statistical returns relating to prisons. Their maintenance charges for the period of observation shall be borne by the Prison Department. If the patients, after the period of observation are duly certified and reception orders issued, then the cost of maintenance from the date of the reception orders shall be met by the Health Department even though the patients be detained in prisons.

**440. Classification of mental prisoners.**---Mental prisoners shall include the following classes:

(a) prisoner, in respect of whose soundness of mind, doubts are entertained by the Magistrate trying the case, and who is sent to a prison for medical observation, under section 464 of the Code;

(b) prisoner, who by reason of unsoundness of mind, is incapable of making his defence, and who is in consequence, detained under section 466 of the Code, pending the orders of Government;

(c) prisoner, who is held to have committed an act which would have constituted an offence but for the unsoundness of his mind, and who has been acquitted on the ground that he was of unsound mind when the act was committed and is detained under section 471 of the Code, pending the orders as Government may deems proper; and

(d) a convicted or undertrail prisoner who becomes insane.

**441. Procedure when certain mental patient are committed to prison.---**(1) Whenever a person belonging to class (b) in rule 440 is detained in a Prison under section 466 of the Code, the Superintendent shall apply to Magistrate for an order for his transfer to mental hospital, in anticipation of the receipt of orders from Government.

(2) Whenever a person belonging to class (a) or class (b) of rule 440 is detained in a prison for more than a month the fact shall be reported to the Inspector General.

**442. Confinement and treatment of mental prisoners.**---(1) Whenever a mental prisoner is found to be dangerous, noisy or filthy in his habits, he shall be confined in a cell, and kept under strict and continuous supervision.

(2) For proper and effective treatment of mental prisoner, arrangements shall be made for periodic visits by Psychologists, Psychiatrists, Medical Specialists, Sociologists, besides the Medical Officer.

(3) Mental prisoners shall have access to exercise, for at least two (2) hours per day, to recreation and other activities which may benefit their mental health, subject to the approval of the Medical Officer, Psychiatrist or Psychologist, as the case may be. Mental prisoner shall be transferred to Mental Hospital without loss of time under intimation to the Court.

**443. Close observation of convicted prisoner feigning insanity.**---When a convicted prisoner is acting as if he was insane, the Superintendent shall put him under observation. The Medical Officer shall scrutinize his symptoms closely so as to preclude the possibility of a criminal feigning insanity.

**444. Procedure in case of a convicted prisoner of unsound mind.**---(1) Whenever it appears to the Superintendent that any convicted prisoner is of unsound mind, he shall, in the first instance, place the prisoner under the observation of Medical Officer in the Psychiatrist ward of the Prison.

(2) For proper and effective treatment of the prisoner, arrangements shall be made for periodical visits by Psychiatrists, Psychologists, Medical Specialists and Sociologists, besides the Medical Officer.

**445. ---[Deleted]**

**446. Conditions before transfer can be made.**---A mental prisoner shall not be transferred from a Prison to a mental hospital, unless-

(a) the Medical Officer certifies immediately before his transfer, that he is physically fit to undertake the journey; and

(b) it has first been ascertained that Psychiatric, incharge of the mental hospital, ensures that be sufficient treatment and capacity, regarding such prisoner and available in such hospital.

**447. Transfer in anticipation of sanction in urgent cases.**---In urgent cases, if the prisoner is noisy, filthy or dangerous, Superintendent may, if he considers it necessary and with the previous consent of the Psychiatrics of the mental hospital concerned, transfer the prisoner to the mental ward of Prison in anticipation of the sanction of Inspector General.

**448. ---[Deleted]**

**449. Time spent in mental hospital to count towards sentence.**---When an insane prisoner has become of sound mind, and an order for his return to Prison has been issued by Psychiatrist, the time during which he was detained in the mental hospital shall be reckoned as sentence undergone.

**450. Procedure when a recovered mental prisoner has a relapse.**---(1) When a recovered mental prisoner undergoing probation in a Prison has a relapse of insanity, he shall be immediately returned to the mental hospital in anticipation of the orders of Inspector General.

(2) The Superintendent shall forthwith apply to the Inspector General for the confirmation of his action.

**451. Treatment of mental prisoners returned to prison.**---When a recovered mental prisoner is returned to the prison, he shall be assigned some suitable work and such liberty as the Medical Officer may consider safe.

**452. ---[Deleted]**

**453. Procedure when mental prisoner is reported capable of making his defence.**---If such prisoner is confined under the provisions of section 466 of the Code and if a qualified Psychiatrist certifies that in his opinion, such person is capable of making his defence, he shall be taken before the Magistrate or Court, as the case may be, at such time as the Magistrate or Court appoints and the Magistrate or Court shall deal with such prisoner under provisions of section 468 of the Code and the certificate of the Psychiatrist shall be admissible as evidence.

**454. ---[Deleted]**

**455. Discipline and punishment of mental prisoner.**---(1) A mental prisoner cannot be punished for any offence committed by him, but such restrain can be imposed as are necessary to prevent him from injuring himself or others or causing inconvenience.

(2) A mental prisoner under section 471 of the Code when not actually insane, is subject to the same discipline as a prisoner sentenced to rigorous imprisonment, except that be cannot he put to labour.

(3) A mental prisoner confined under observation, if sane, is liable to prison discipline.

**Chapter -19**

**Numberdars**

**456. to 457. ---[Deleted]**

**458. Nomination of Numberdars.**---All nomination to the position of Numberdar shall be made by the Superintendent:

Provided that no prisoner, who does not possess the necessary qualifications, as provided in rule 459, shall at any time be so nominated without the previous sanction of the Inspector General.

**459. Eligibility for nomination of Numberdar.**---A prisoner with a normal vision in both eyes and who is physically and mentally fit to perform the duties of a Numberdar, as ascertained the Medical Officer, shall be eligible for appointment to such position and in addition to fulfill the following conditions:

(a) he is a prisoner of the casual class, but in the case of prisons reserved for habituals, where prisoners of the habitual class shall be eligible for appointment; provided that no habitual with more than two previous convictions shall be appointed as Numberdar in the habitual barracks;

(b) his substantive term of imprisonment is not less than four months;

(c) he has completed one-third of his sentence including remission;

(d) he is well-behaved and handworking prisoner;

(e) he has, at the time of his appointment, earned at least three-fourth of the remission which it was possible for him to obtain;

(f) he has not been convicted under sections 121, 121-A, 122, 123, 123-A, 124, 124-A, 125, l27, 128, 130, 131, 132, 161, 162,165, 167, 224, 225, 231, 232, 234, 310, 311, 328, 364, 364-A, 372, 376, 377, 396, 397, 408, 409, 420, 477, 497 and 498 of the Pakistan Penal Code, 1860 (Act XLV of 1860);

(g) he has not been convicted under the laws relating to terrorism;

(h) he is not a smuggler or goonda; and.

(i) he has a fixed abode having a permanent residence in a known place.

**460. Duties of Numberdar.**---The duties of a Numberdar shall be-

(a) to patrol inside the Ward and assist in maintaining discipline and order of barracks at night;

(b) to prevent prisoners leaving their berth except with permission and for a necessary purpose;

(c) to count the prisoners in his charge frequently, satisfy himself that all are present, and reply when called by the outside patrol;

(d) to prevent, as far as lies in his power, any breach of these rules by any prisoner in his charge, and to report the same to the immediate officer or official;

(e) to report cases of sickness;

(f) to assist in quelling any disturbance and, in case of necessity, defend any official;

(g) to perform such task as may be allocated to him during the day and render all proper assistance to the Warder-in-charge of his gang;

(h) when so required, act as a messenger within   
the prison walls and escort prisoners from one   
part of the prison to another during lock out hours only; and

(i) to watch the prison walls and prevent prisoners from lurking near them during lock out hours only.

**461. to 462. ---[Deleted]**

**463. Numberdar permanently incapacitated, may be reduced.**---If a Numberdar, from any cause at any time, becomes permanently incapacitate, physically or mentally, for all or any of the duties required of him, the Superintendent may, in consultation with the Medical Officer, remove him from the position.

**464. Strength of Numberdar.**---(1) The strength of Numberdar shall be fixed as under:

|  |  |  |
| --- | --- | --- |
| **Name of grade.** | **District Prison.** | **Central Prison.** |
| Numberdar. | 8% of authorized prison Population. | 6% of authorized prison population. |

(2) The Inspector General is empowered to increase or decrease the percentage of Numberdar, keeping in view of the prison requirements.

**465. Appointments of female Numberdars.**---Female prisoners are eligible for appointment as Numberdars for duty in the women prison or women ward in accordance with the rules contained in this Chapter:

Provided that they shall not be employed outside the barracks at night.

**466. Supply of whistles to Numberdars.**---Every Numberdar shall be provided with whistle for raising an alarm in case of an emergency.

**467. ---[Deleted]**

**Chapter -20**

**Dietary**

**467.A Diet-general principles.**---Prisoners shall be provided with a nutritious diet that takes into account their age, health, physical condition, religion, dietary needs, culture and the nature of their work according to the following standard:

(a) food shall be prepared and served hygienically;

(b) there shall be three meals a day with reasonable intervals;

(c) on the advice of the Medical Officer or Pharmacy Technician, as the case may be, the diet of a particular prisoners, may be changed, when it is needed on medical grounds; and

(d) clean drinking water shall be provided to every prisoner.

**468. Power to fix scales of Prison diet.**---The Inspector General, with the sanction of Government, from time to time, shall fix the scale of prison diet to be provided to prisoners-

(a) vary the scale of prison diet generally, or that prescribed in respect of the prisoners;

(b) prescribe a special scale of prison diet in respect of the prisoners confined in any prison or in the prisons situated within any specified local area; and

(c) prescribe a special scale of prison diet in respect of any period or during any season of the year.

**469. Prisoners to receive diet according to scale.**---Every prisoner shall be entitled to receive daily at the appointed meal hours, food according to the scale prescribed unless he is permitted under these rules to receive food from private sources. No prisoner shall at any time receive, consume or possess any articles of food or drink not provided under these rules.

**470. Power of Medical Officer to vary prison diet.**---In the case of any prisoner in which the Medical Officer considers the prescribed diet to be unsuitable or insufficient for reasons of health, he may recommend to the Superintendent in writing a special diet or extra articles of diet for such prisoner. The change in the dietary of any class of prisoners requires the sanction of the Inspector General.

**470. (ii) ---[Deleted]**

**471. ---[Deleted]**

**472. Weekly menu and scale.**---(1) The following scales are prescribed for weekly menu of all classes or categories of prisoners:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **S.No.** | **DAY.** | **BREAK FAST.** | **MIDDAY MEAL.** | **EVENING MEAL.** |
| 1. | Monday. | Tea, Paratha | Dal Channa | Potato, Beef |
| 2. | Tuesday. | Tea, Paratha | Dal Mash | Potato, Egg |
| 3. | Wednesday. | Tea, Paratha | Chicken Kari | Vegetable |
| 4. | Thursday. | Tea, Paratha | Dal Channa | Beef Pulao |
| 5. | Friday. | Tea, Paratha | White Channa | Dal Moong |
| 6. | Saturday. | Tea, Paratha | Potato, Chicken | Vegetable, Sweet rice |
| 7. | Sunday. | Tea, Paratha | Vegetable | Dal Masoor |

**(2). Scale of morning meal.**---The following scale is prescribed for morning meal per prisoner:

|  |  |  |
| --- | --- | --- |
| TEA, PARATHA | | |
| 1. | Atta. | 75 grams. |
| 2. | Packed milk. | 75 grams. |
| 3. | Sugar. | 20 grams. |
| 4. | Firewood. | 160 grams. |
| 5. | Tea leaves. | 03 grams. |
| 6. | Ghee. | 10 grams. |
| 7. | Iodized Salt. | 05 grams. |

(75) gram atta shall be cooked as paratha for issue to prisoners. If some prisoners do not favour tea, the Superintendent is authorized to issue them some suitable substitute; provided that the cost does not exceed that of the scale of tea leaves, sugar and packed milk.

**473. Scales for midday and evening meals.**---(1) The following scales are prescribed for each of the midday and evening meals per prisoner, of all classes and categories:

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **S.NO.** | **DAY.** | **MIDDAY MEAL.** | | | **EVENING MEAL.** | | | |
| **1.** | **Monday.** | **DAL CHANNA, ROTI** | | | **POTATO, BEEF, ROTI** | | | |
| 1. | Dal Channa. | 60 grams. | 1. | | Potato. | 100 grams. |
| 2. | Ghee. | 20 grams. | 2. | | Beef. | 100 grams. |
| 3. | Curry powder. | 03 grams. | 3. | | Ghee. | 20 grams. |
| 4. | Atta. | 275 grams. | 4. | | Tomato. | 10 grams. |
| 5. | Onion. | 15 grams. | 5. | | Atta. | 275 grams. |
| 6. | Firewood. | 200 grams. | 6. | | Firewood. | 200 grams. |
| 7 | Tomato. | 10 grams. | 7. | | Onion. | 15 grams. |
| 8. | Iodized Salt. | 07 grams. | 8. | | Curry Powder. | 03 grams. |
|  |  |  | 9. | | Iodized Salt. | 07 grams. |
| **2.** | **Tuesday.** | **DAL MASH, ROTI** | | | **POTATO EGG, ROTI** | | | |
| 1. | Dal Mash. | 60 grams. | 1. | | Potato. | 100 grams. |
| 2. | Ghee. | 20 grams. | 2. | | Egg. | 01 No. |
| 3. | Onion. | 15 grams. | 3. | | Ghee. | 20 grams. |
| 4. | Atta. | 275 grams. | 4. | | Tomato. | 10 grams. |
| 5. | Firewood. | 200 grams. | 5. | | Atta. | 275 grams. |
| 6. | Tomato. | 10 grams. | 6. | | Firewood. | 200 grams. |
| 7. | Curry Powder. | 03 grams. | 7. | | Onion. | 15 grams. |
| 8. | Iodized Salt. | 07 grams. | 8. | | Curry Powder. | 03 grams. |
|  |  |  | 9. | | Iodized Salt. | 07 grams. |
| **3.** | **Wednesday.** | **CHICKEN KARI, ROTI** | | | **VEGETABLES ROTI** | | | |
| 1. | Chicken. | 100 grams. | 1. | Vegetables. | | **150 grams.** |
| 2. | Ghee. | 20 grams. | 2. | Ghee. | | 20 grams. |
| 3. | Onion. | 15 grams. | 3. | Tomato. | | 10 grams. |
| 4. | Atta. | 275 grams. | 4. | Atta. | | 275 grams. |
| 5. | Firewood. | 200 grams. | 5. | Firewood. | | 200 grams. |
| 6. | Tomato. | 10 grams. | 6. | Onion. | | 15 grams. |
| 7. | Curry Powder. | 03 grams. | 7. | Curry Powder. | | 03 grams. |
| 8. | Iodized salt. | 07 grams. | 8. | Iodized Salt. | | 07 grams. |
| **4.** | **Thursday.** | **DAL CHANNA, ROTI** | | | **BEEF PULAO.** | | | |
| 1. | Dal Channa. | 60 grams. | 1. | Rice. | | 250 grams. |
| 2. | Ghee. | 20 grams. | 2. | Beef. | | 100 grams. |
| 3. | Curry powder. | 03 grams. | 3. | Ghee. | | 35 grams. |
| 4. | Atta. | 275 grams. | 4. | Tomato. | | **15 grams.** |
| 5. | Onion. | 15 grams. | 5. | Firewood. | | 600 grams. |
| 6. | Firewood. | 200 grams. | 6. | Onion. | | 15 grams. |
| 7. | Tomato. | 10 grams. | 7. | Iodized Salt. | | 07 grams. |
| 8. | Iodized Salt. | 07 grams. | 8. | Condiments  for Rice. | | 05 grams. |
| **5.** | **Friday.** | **WHITE CHANNA, ROTI.** | | | **DAL MOONG, ROTI.** | | | |
| 1. | White Channa. | **60 grams.** | 1. | Dal Moong. | | 60 grams. |
| 2. | Atta. | 275grams. | 2. | Atta. | | 275 grams. |
| 3. | Ghee. | 20 grams. | 3. | Ghee. | | 20 grams. |
| 4. | Onion. | 15 grams. | 4. | Tomato. | | 10 grams. |
| 5. | Firewood. | 200 grams. | 5. | Firewood. | | 200 grams. |
| 6. | Tomato. | 10 grams. | 6. | Onion. | | 15 grams. |
| 7. | Curry Powder. | 03 grams. | 7. | Curry Powder. | | 03 grams. |
| 8. | Iodized Salt. | 07 grams. | 8. | Iodized Salt. | | 07 grams. |
| **6.** | **Saturday.** | **POTATO, CHICKEN, ROIT.** | | | **VEGETABLES, ROTI, SWEET RICE.** | | | |
| 1. | Potato. | 75 grams. | 1. | Vegetable. | | **150 grams.** |
| 2. | Chicken. | 100 grams. | 2. | Ghee (for  Sweet Rice). | | 15 grams. |
| 3. | Ghee. | 20 grams. | 3. | Ghee (for  Vegetable). | | 20 grams. |
| 4. | Onion. | 15 grams. | 4. | Rice. | | 70 grams. |
| 5. | Atta. | 275 grams. | 5. | Sugar (for  sweet Rice). | | 50 grams. |
| 6. | Firewood. | 200 grams. | 6. | Zarda / Colour. | | 02 grams. |
| 7. | Tomato. | 10 grams. | 7. | Kishmesh. | | **15 grams.** |
| 8. | Curry Powder. | 03 grams. | 8. | Iodized Salt. | | 07 grams. |
| 9. | Iodized Salt. | 07 grams. | 9. | Tomato. | | 10 grams. |
|  |  |  | 10. | Atta. | | 255 grams. |
|  |  |  | 11. | Firewood. | | 300 grams. |
|  |  |  | 12. | Onion. | | 15 grams. |
|  |  |  | 13. | Curry Powder. | | 03 grams. |
| **7.** | **Sunday.** | **VEGETABLE, ROTI.** | | | **DAL MASOOR, ROTI.** | | | |
| 1. | Vegetable. | **150 grams.** | 1. | Dal Masoor. | | 60 grams. |
| 2. | Atta. | 275 grams. | 2. | Ghee. | | 20 grams. |
| 3. | Ghee. | 20 grams. | 3. | Atta. | | 275 grams. |
| 4. | Tomato. | 10 grams. | 4. | Tomato. | | 10 grams. |
| 5. | Firewood. | 200 grams. | 5. | Firewood. | | 200 grams. |
| 6. | Onion. | 15 grams. | 6. | Onion. | | 15 grams. |
| 7. | Curry Powder. | 03 grams. | 7. | Curry Powder. | | 03 grams. |
| 8. | Iodized salt. | 07 grams. | 8. | Iodized Salt. | | 07 grams. |

(2) Eggs issued on Tuesday shall be provided from 1st September to 30th April only:

(3) The following scale of condiments is allowed per prisoner for cooking pluao:

|  |  |  |
| --- | --- | --- |
| 1. | Alaichi Kalan. | 1.67 gms |
| 2. | Zeera. | 1.67 gms. |
| 3. | Dar Chini. | 1.66 gms. |

**474. Scale of fuel.**---(1) Scale of firewood may be increased from 560 to 600 grams. per prisoner per day in prison where the population does not exceed one hundred prisoners.

(2) Six (6) kilogram firewood shall be allowed for boiling one maund milk.

(3) Ordinary diet as provided in rule 472, 473 and 474 shall be provided to the spouses and with their children in family quarters.

**475. Issue of special diet on the auspicious occasions.**---(1) On the auspicious occasions of Eid-ul-Fitr, Eid-ul-Azha, Independence Day, Pakistan Day and any other day as ordered by Government, prisoners shall be served with the following scales of diet:-

|  |  |  |
| --- | --- | --- |
| **Morning Meal.** | | |
| 1. | Packed milk. | 75 grams. |
| 2. | Sugar. | 20 grams. |
| 3. | Firewood. | 160 grams. |
| 4. | Tea Leave. | 03 grams. |
| 5. | Ghee. | 50 grams. |
| 6. | Swayyan. | 80 grams. |
| 7. | Sugar for Swayyan. | 70 grams. |
| 8. | Packed milk for Swayyan. | 300 grams. |

|  |  |  |
| --- | --- | --- |
| **Midday Meal.** | | |
| 1. | Beef. | 125 grams. |
| 2. | Potato. | 100 grams. |
| 3. | Ghee. | 25 grams. |
| 4. | Tomato. | 40 grams. |
| 5. | Atta. | 280 grams. |
| 6. | Firewood. | 205 grams. |
| 7. | Onion. | 40 grams. |
| 8. | Iodized Salt. | 07 grams. |
| 9. | Curry Powder. | 03 grams. |

|  |  |  |
| --- | --- | --- |
| **Evening Meal.** | | |
| 1. | Rice Selah. | 300 grams. |
| 2. | Beef. | 200 grams. |
| 3. | Ghee. | 50 grams. |
| 4. | Tomato. | 50 grams. |
| 5. | Firewood. | 600 grams. |
| 6. | Onion | 50 grams. |
| 7. | Iodized Salt. | 07 grams. |
| 8. | Condiments for Rice. | 05 grams. |

(2) The same diet shall be provided to the Christian, Hindu and Sikh prisoners respectively on Christmas, Dusehra and Guru Nanak’s birthday.

**476. ---[Deleted]**

**477. Aftari to prisoners observing fast during Ramazan.**---(1) Prisoners who observe fasting during the month of Ramazan shall not be allowed morning meal prescribed in rule 472(2), but shall be provided tea for Sehri and Aftari each on the following scale:

|  |  |  |
| --- | --- | --- |
| 1. | Milk. | 100 milliliter |
| 2. | Sugar. | 30 grams |
| 3. | Tea leaves. | 03 grams |
| 4. | Firewood. | 58 grams |

(2) In addition Sharbat shall be provided during the month of Ramazan from 1st April to 30th September on the following scale per prisoner:

|  |  |  |
| --- | --- | --- |
| (i) | Sugar. | 50 grams. |
| (ii) | Sharbat. | 50 grams. |
| (iii) | Ice. | 200 grams. |

(3) Diet to non-muslim prisoners shall be provided in the day on proper times during the month of Ramzan.

**478. Food provided by private societies.**---Whenever any philanthropic society offers to provide special meal or fruits on any special occasion like Eids, etc; to the entire population of the prison, it may, at the discretion of the Superintendent be permitted to issue the food or fruit to the prisoners and the Superintendent shall record the fact in his order book.

**479. Rice diet.**---In the case of prisoners who are accustomed to rice diet the Superintendent may direct the issue of three hundred (300) grams of Selah rice for each meal in lieu of wheat atta. Prisoners on rice diet shall also be provided with morning meal as prescribed in rule 472(2).

**480. ---[Deleted]**

**481. Manner of issuing Dal.**---Dal Channa, Dal Moong, Dal Masoor and Dal Mash shall be issued split except White Channa as whole.

**482. ---[Deleted]**

**483. Issue of vegetables.**---(1) The Superintendent shall daily inspect the vegetables when they are cut up ready for use and see that they are of good quality and free from stalks, decayed or fibrous portions. The vegetables shall be weighed after they are ready for the pot. Arrangements must be made for ample and continuous supply of vegetable during hot and rainy months, more specially those kinds which are of anti-scorbutic value such as onions, tomatoes, cabbages, potatoes when obtainable and radishes.

(2) Fresh vegetables shall be used in the dietary. As far as possible only one vegetable shall be issued at one meal and to give variety to the food, there shall be change in the kinds of vegetables issued at different meals.

**484. Diet of convalescent prisoners.**---Diet to convalescent prisoners shall be provided as per scale prescribed in rules 472(2) and 473 in addition to such extra articles of diet as may be prescribed by the Medical Officer.

**485. Scale of diet for sick prisoners.**---(1) Patient prisoner admitted in the prison hospital shall be provided diet as per scale prescribed in rules 472(2) and 473.

(2) The Medical Officer may advise such extra items of diet to sick prisoners in hospital as may, in his opinion appear, necessary.

**486. Diet of patients and prisoners on convalescent list to be recorded.**---The diet scale and the details of the extras, if any, ordered for each patient admitted to the prison hospital and convalescent prisoners shall be recorded on the bed-head tickets in the case of patients in prison hospital and on the history tickets in the case of prisoners on infirm and convalescent list, under the initials of the Medical Officer.

**487. Extra diet for nursing mothers.**---A nursing mother with a child admitted to prison, shall receive, in addition to the ordinary diet five hundred (500) milliliter packed milk and thirty (30) grams sugar daily. This issue shall cease when the child is one year old.

**488. Diet for the pregnant women.**---Pregnant women prisoners shall receive ordinary diet in addition to such extra items of diet as advised by the Medical Officer.

**489. Diet scale for children.**---(1) A child admitted to prison with his mother shall receive according to age, one or other of the following allowances of food daily:

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| 1. | Under twelve months. | Packed Milk. | 500 milliliter. | Sugar | 30 grams. |
| 2. | Over twelve months and upto 03 years. | Packed Milk. | 500 milliliter. | Sugar | 30 grams. |
| Rice. | 117 grams | Dal | 29 grams. |
| Salt. | 10 grams | Ghee | 12 grams. |

(2) Extra when necessary shall be given as the Medical Officer may advise.

(3) Diet shall be provided to the children above the age of three years and below the age of six years as per menu or scale prescribed in rules rules 472(2) and 473. However, scale of their diet per head per time shall be as follow:

|  |  |  |
| --- | --- | --- |
| **1. Morning Meal (Tea with Paratha).** | | |
| 1 | Atta | 50 grams |
| 2 | Packed Mlik | 30 grams |
| 3 | Sugar | 08 grams |
| 4 | Firewood | 90 grams |
| 5 | Tea Leaves | 03 grams |
| 6 | Ghee (for Paratha) | 10 grams |
| 7 | Iodized Salt | 03 grams |

|  |  |  |
| --- | --- | --- |
| **2. Midday and Evening Meals.** | | |
| 1 | Atta. | 100 grams. |
| 2 | Ghee. | 15 grams. |
| 3 | Dal Channa. | 50 grams. |
| 4 | Onion. | 10 grams. |
| 5 | Tomatoes. | 08 grams. |
| 6 | Salt Iodized. | 03 grams. |
| 7 | Firewood. | 210 grams. |
| 8 | Curry Powder. | 01 grams. |
| 9 | Potato. | 50 grams. |
| 10 | Beef. | 75 grams. |
| 11 | Dal Mash. | 40 grams. |
| 12 | Eggs. | 01 No. |
| 13 | Chicken. | 70 grams. |
| 14 | Vegetable. | 70 grams. |
| 15 | Rice for pulao. | 120 grams. |
| 16 | Condiments(for rice). | 03 grams. |
| 17 | White channa. | 50 grams. |
| 18 | Dal Moong. | 40 grams. |
| 19 | Dal Masoor. | 40 grams. |
| 20 | Ghee(for sweet Rice). | 12 grams. |
| 21 | Ghee for Pulao. | 20 grams. |
| 22 | Rice (sweet). | 45 grams. |
| 23 | Sugar(for sweet Rice). | 20 grams. |
| 24 | Zarda colour. | 01 grams. |
| 25 | Kishmish. | 15 grams. |
| 26 | Firewood for Sweet rice. | 70 grams. |

**490. Treatment of grain before grinding.**---Wheat before grind into flour should be thoroughly cleaned and freed from dirt, unsound or inedible grains and any other deleterious substances. The flour shall be sifted through a fine wire gauze with 22 to 25 holes to 2 cm and 2.5 mm.

**491. Cleaning and winnowing loss.**---(1) The maximum loss allowed for cleaning, winnowing and grinding the various grains and pulses is given below:

|  |  |  |  |
| --- | --- | --- | --- |
| **Article.** | **Loss -in cleaning per maund.** | **Loss in grinding per maund.** | **Bran.** |
| Wheat. | 467 grams. | 467 grams. | 467 grams. |

(2) Bran and husk shall be auctioned.

**492. The issue of uncooked rations.**---(1) The store-keeper shall weigh out the rations to the Assistant Superintendent, the Warder incharge of the cook house, and the Medical Officer who shall be responsible that the correct quantities are issued. Ghee be added in Dal and vegetables in the presence of the Medical Officer, the Assistant Superintendent and the Prisoners Food Committee to be constituted by the Superintendent from time to time.

(2) The time for the issue of raw rations from the grain godown shall be fixed by the Superintendent and shall be strictly adhered to. The whole day’s ration shall be issued once in the morning.

**493. Charge of cook house.**---Each cook house shall be under the charge of a Warder and an Assistant Superintendent, who shall be held responsible for any irregularity detected in connection with the preparation of food. This shall not absolve the Deputy Superintendent and other officers from responsibility in connection with the correct weight and quality of rations.

**494. Issue of ghee and condiments.**---Ghee and condiments for the whole day shall be issued once in the morning and shall be kept in two boxes duly locked, separate for each meal. The condiments and ghee shall be added to the Dal and vegetables while they are being cooked in the presence of Assistant Superintendent, the Medical Officer and the Prisoners Food Committee.

**495. Scales, weights and measures.**---Properly adjusted beam-scales and standard weights shall be used for weighing supplies in bulk and individual rations. These shall be frequently tested by the Superintendent. Pieces of bricks, stones or other unauthorized weights shall not be used as weights. Dal and vegetable measures of standard pattern shall be kept in sufficient number for distribution of food to prisoners. All complaints made by the prisoners regarding the quantity, quality or cooking of food shall, on the first opportunity, be brought to the notice of the Superintendent.

**496. Method of kneading flour and making roti.**---(1) The cooks shall perform the duty of preparing food with care and attention. The flour issued to the cookhouse shall be fresh and free from adulteration. It shall be soaked in water for half and hour and then slowly and thoroughly kneaded by hand or kneading machine. In well-kneaded dough of proper consistency, if a finger is inserted, atta shall not stick to finger. While kneading, some salt and khamir, may be added to the dough, if the prisoners like it.

(2) Tanoor-ki-roti shall be prepared from this dough. For this purpose sufficient number of tanoors shall be installed in the cookhouse, keeping a couple in reserve. Arrangement shall be made so that smoke emitted from tanoors does not spread all over the cookhouse but is exhausted through a special chimney. New garah cloth shall be issued for making gaddies for cooking of roti in tanoor.

(3) One part of wheat gives 1.4 to 1.5 parts of bread. 275 grams of wheat flour shall give one rotis weighing 390 to 410 gms. 255 grams wheat atta should give 370 grams to 390 grams roti. roti shall not be less than 305 cm in diameter and shall be of the same thickness throughout.

(4) Wheat atta seventy-five (75) grams prescribed for morning meal shall give cooked roti or paratha, weighing 80 grams to 100 grams. Ghee issued for morning meal be mixed in atta, and paratha be cooked in tandoor.

**497. Steel vessels to be used in prison cookhouse.**---Iron vessels shall not be used in the prison cookhouse. Degs, Dal buckets, spoons, measures, scales and weights etc., used in the prison cookhouse shall all be made of steel, and the Assistant Superintendent, incharge shall be responsible for seeing that all cooking pots and other vessels are kept scrupulously bright and clean. The prison cookhouse shall at all times be neat and tidy. All food shall be distributed in steel or utensils trays provided with handles and served hot.

**498. Cooks.**---(1) The cooks shall be well-behaved and short termers. No convicted prisoner shall be permitted to cook his own food separately. As far as possible the cooks shall be changed every six months. A careful watch shall be kept to prevent any theft or tampering with food.

(2) There shall be paid or recruited backers in each prison according to population of the prison.

**499. Medical examination of cooks.**---All prisoners employed as cooks in the prison cook-house shall be examined by the Medical Officer prior to their employment and any prisoner suffering from any disease shall not be so employed. All prisoners working in the cookhouse shall be given a medical check up every month and the result noted on the chart, which will be maintained in the cookhouse. The result shall also be noted on the history tickets.

**500. Protection from flies.**---All food shall be carefully protected from flies. The doors, windows and sky-lights of the prison cookhouse shall be covered in such a manner that no flies can be entered into. The main entrance of the prison cookhouse shall have double doors.

**501. Shelter from rain and heat during meals.**---Prisoners shall be protected from rain and intense heat while having meals. Dining sheds shall be provided for the purpose in enclosures and factories.

**502. Provision of electric fans.**---Electric fans shall be provided in all prison cookhouses.

**503. Duty of Inspector General to ensure adequate food.**---(1) It shall be duty of the Inspector General to take all such measures as may be necessary to ensure that every prisoner is at times so supplied with food and drink as to maintain him in good physical health and vigour.

(2) He shall ensure that every prisoner gets not less than 2,400 calories in his food every day.

**504. Supervision of foodstuffs and water supply.**---It shall be the duty of the Superintendent, the Deputy Superintendent and the Medical Officer at all times to satisfy themselves that:

(a) pure and wholesome water is provided for consumption by the prisoners, and that a supply of such water is at all times freely available to every prisoner for drinking purposes;

(b) every article issued, or meant for issue for the food of any prisoner is of the prescribed quality and quantity, and is good, wholesome and fit for, human consumption;

(c) every cooked article of food supplied to any prisoner is properly and cleanly cooked so as to be wholesome and palatable;

(d) every article of food, whether raw or cooked is subjected to proper examination and inspection before it is issued for consumption by any prisoner.

(e) all food stuffs at any time contained and stored are frequently inspected, and that all article which are unwholesome or in any respect unfit for human consumption are forthwith rejected and are not issued for the use of prisoners, and

(f) proper places for convenient and orderly distribution of food and suitable utensils, etc., for consumption of food are duly provided.

**505. Examination of food by Medical Officer.**---The Medical Officer shall ordinarily examine the food daily and when defective in quality, made a notice of the fact in his report book, which shall be brought to the notice of the Superintendent. He shall at uncertain times and at least once a week when the food is cooked and ready for issue and occasionally after distribution to the prisoners, cause such food to be weighed in his presence and note the result in his report book.

**506. Inspection of food by the Superintendent.**---The Superintendent shall daily inspect the cooked food and frequently while it is being issued to prisoners.

**507. Deputy Superintendent to check food daily.**---The Deputy Superintendent shall daily inspect all the food prepared for prisoners. He shall taste the food to test its quality, weigh ten percent of rations at random and record the fact daily in his report book.

**Chapter -21**

**Clothing And Equipment**

**508. Supply of clothing to prisoners.**---(1) Every prisoner sentenced to rigorous imprisonment or imprisonment for life shall be supplied with and wear prison clothing of blue colour in accordance with the prescribed scale.

(2) All undertrial prisoners shall be supplied with and wear prison clothing of green colour in accordance with prescribed scale.

(3) No prisoner, to whom any clothing or bedding is supplied under the above sub-rules, shall receive, possess or use, or be permitted to receive possess or use any article of clothing or bedding other than an article so supplied or an article the receipt, possession or use of which the Superintendent may, at any time, sanction in respect of any such prisoner.

**509. ---[Deleted]**

**510. Military prisoners not permitted to wear uniform.**---(1) Prisoners belonging to Army and other formations, who wear uniforms shall on no account be allowed to wear them in prison.

(2) If such prisoner is entitled under these rules to wear his own clothing, but possesses nothing except his uniform, he shall be provided with the necessary clothing from the prison stores.

**511. Prisoners not allowed to wear political symbols.**---Prisoners shall not be allowed to wear political symbols.

**512. to 513. ---[Deleted]**

**514. Prisoners to conform to orders as to the care of the articles.**--- Every prisoner to whom any article of clothing or bedding or other equipment is at any time supplied, shall conform to all such orders as to the care, custody and use as may, from time to time, be issued by the Superintendent, subject to the directions, if any of the Inspector General.

**515. Power to fix scales of Prison clothing and bedding.**---The Inspector General shall, with the sanction of Government, fix the scale of clothing, bedding and other equipment to be provided for each class of prisoners, from time to time and similarly may-

(a) vary the scale of clothing and bedding generally or for prisoners of any class;

(b) prescribe a special scale in respect of prisoners confined in any prison, or in the prisons situated within any prescribed local area;

(c) prescribe a special scale in respect of any period or during any season of the year; and

(d) vary the shape, colour, size, material or quality of any article prescribed in any scale of clothing or bedding.

**516. Standard pattern of all articles.---**The Inspector General shall prescribe the measurements, pattern, etc., of each article of clothing and bedding for supply of prisoners. Sealed samples approved by him shall be maintained in each prison authorized to manufacture and, supply such articles. Instructions regarding the manufacture, pattern, measurements and standards weights of clothing and bedding shall be issued by the Inspector General from time to time.

**517. Power of Medical Officer to order extra clothing.**---The Medical Officer is authorized to direct at any time on medical grounds the issue of extra clothing to any prisoner for any specified period or during any season of the year. He may authorize the issue of extra warm clothing to prisoners who are old or infirm, whenever necessary.

**518. Scale of clothing.**---(1) The following scale of clothing, bedding and other equipment is prescribed for convicted prisoners:

|  |  |
| --- | --- |
| **MEN.** | **WOMEN.** |
| 2 dasuti kurtas. | 2 fine dasuti Kamiz. |
| 2 dasuti shalwars. | 2 fine dasuti Shalwar. |
| 1 dasuti cap. | 2 dasuti garah sheets. |

**During winter:**

|  |  |
| --- | --- |
| **MEN.** | **WOMEN.** |
| 2 soft blankets. | 2 soft blankets. |

(2) During the coldest winter months, i.e. December, January and February, one or more extra blankets according to severity of winter, may be issued to every prisoner. However, it shall not be necessary to issue extra blankets for more than three months. Blankets shall be issued to prisoners on 15th October and withdrawn on 14th April each year.

(3) Woolen blanket of standard quality having the following specifications shall be purchased for use of prisoners:-

|  |  |  |
| --- | --- | --- |
| **SPECIFICATIONS.** | | |
| 1. | Colour. | Brown |
| 2. | Length. | 2.5 meters. |
| 3. | Width. | 1.5 meters. |
| 4. | Weight. | 1.5 kilogram |
| 5. | Nature. | Soft. |
| 6. | Material. | Soft wool. |

(4) The sweater or jackets may be arranged for poor prisoners from Philanthropist and non-Governmental organizations.

**519. Clothing of convict Nambardar.**---Convict officers shall be issued the same clothing prescribed for ordinary prisoners except that they shall be issued a red beret cap with a brass badge instead of the ordinary cap.

**520. Clothing of infants.**---The Superintendent shall provide children permitted to remain with their mothers in prison with all necessary clothing in accordance with the requirements of the season.

**521. Certain prisoners to wear black cap.**---Convicted prisoners who had escaped or attempted to escape from Prison shall wear a cap of distinctive colour and shall be issued a cap of black colour.

**522. Clothing to be marked.**---The admission number of every prisoner sentenced to a period of imprisonment shall be stamped on his clothing, and bedding. Cotton articles shall be marked with one inch numbers with indelible ink, while woolen articles shall be marked with white paint.

**523. Life of clothing and bedding.**---All cotton clothing should ordinarily last for six months.

**524. Issue of clothing.**---(1) The storekeeper shall issue cloths and blankets to every newly admitted prisoner and shall receive back the kit from all prisoners leaving the prison either on transfer or on release. He shall be responsible for the correct issue and correct receipt of clothing and other equipment. He shall be assisted in this work by a literate Head Warder, to be detailed by the Superintendent.

(2) General distribution of cotton clothing shall not be made, except as may be necessary. All issues of clothing and other articles and subsequent renewals shall be recorded on the history tickets of prisoners with dates 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 “S”.

(3) A common ledger for the prison shall be kept by the storekeeper where first and subsequent issue of clothing shall be recorded against the names of individual prisoners. A blank register containing four hundred (400) pages shall be used for the purpose. One-half of a page shall be allotted to each prisoner. Names shall be recorded alphabetically.

(4) Prisoners, sentenced to imprisonment for six months or less, shall ordinarily be supplied with new one and one serviceable cotton suit. Short termers may be issued with two serviceable suits.

**525. (i) ---[Deleted]**

**525. Prison hospital clothing.**---(ii) The Medical Officer shall see that patients in the prison Ward hospital, or ward, as the case may be, are supplied suitable and sufficient clothing to make them comfortable. They shall be provided with a bed, a mattress stuffed with cotton or foam, a pillow stuffed with cotton, a pillow cover, two bed sheets, a kurta, an azarband, a towel and blankets and a woolen jacket in winter.

**525. (iii) to (v) ---[Deleted]**

**526. Extra clothing for convalescents.**---Prisoners on convalescent and infirm list shall be provided with an extra blanket during the coldest season of the year.

**527. Extra clothing to certain prisoners.**---Every prisoner employed on a labour which spoils the clothing shall be supplied with an extra serviceable suit dyed blue for wear during work. Cooks shall be allowed new kurtas and payjamas dyed blue for work in the prison cookhouse. They may also be allowed an apron of coarse white dasuiti cloth. Clothing issued to cooks and sheets in use in prison cookhouse for covering food shall be chargeable to dietary head and taken on stock.

**528. Clothing to be kept serviceable.**---Every prisoner’s clothing and equipment shall be renewed as necessity arises. No prisoner shall be allowed to remain in tattered and unserviceable clothing. In every barrack or cell block sufficient number of hand needles and thread shall be kept for prisoners to repair their clothing. A prisoner who does not keep his clothes in serviceable condition shall be liable to punishment

**529. Cleanliness of clothing and bedding.**---All clothing and bedding must be kept in a thoroughly clean condition. Prisoners shall be provided with cleaning materials, water and facilities for this purpose. Convicted prisoners shall be employed to wash prison ward hospital clothing for those who are sick.

**530. Sufficient clothing to be kept in stock.**---A sufficient stock of clothing to meet all possible requirements shall be kept in store in every prison.

**531. Supervision of supply of clothing and bedding.**---It shall be the duty of the Superintendent, the Deputy Superintendent the Medical Officer that-

(a) every prisoner is provided with sufficient clothing and bedding necessary for his health;

(b) every prisoner entitled to Prison clothing and bedding is duly supplied with all the articles according to the prescribed scale;

(c) all clothing and bedding supplied is of the prescribed pattern and quality, clean, in good condition and in all respects suitable for use by prisoners; and

(d) all articles of clothing or bedding at any time obtained and stored in the Prison are frequently inspected, and that, all articles which are in any respect unsuitable or inferior to the prescribed description and quality are forthwith rejected and are not issued for the use of prisoners.

**532. Duty of Inspector General with regard to clothing.**---It shall be the duty of the Inspector General, from time to time, to take all such measures as may be necessary to ensure that every prisoner is at all times so supplied with clothing and bedding as to preserve him in reasonable comfort and good health.

**533. Responsibility of prisoners regarding clothing.**---(1) No prisoner shall destroy, damage, alter or in any way make away with any article of clothing, bedding or other equipment at any time supplied to him or in his possession and every prisoner shall take reasonable and proper care of every articles supplied to him.

(2) The manner in which articles of clothing, bedding and other equipment supplied to prisoners are to be kept or used by such prisoners, shall be prescribed by the Superintendent, subject to the directions, if any of the Inspector General.

**534. Disposal of unserviceable clothing.**---Once a month all articles of clothing and bedding, etc. considered unserviceable shall be put up before the Superintendent and if declared useless shall be auctioned by him and written off in the clothing register in words by him and initialed. All condemned cotton clothing shall be torn into pieces in the presence of the Superintendent, weighed and taken on stock. Suitable pieces may be picked out of the lot by the storekeeper for repair of prisoner’s clothing. Cotton rags shall be sent to Government Press if required, otherwise auctioned. Woolen articles when condemned shall not be torn into more than two pieces. These shall be weighed and taken on stock and dispatched to prisons manufacturing druggist carpets and durries and if not required by such prisons, these shall be disposed of by auction to the best interest of Government.

**535. Disposal of clothing received on release.**---Clothing received back from prisoners on release or transfer shall be taken by the storekeeper. It shall be washed, disinfected and repaired if necessary for re-issue, if not, it shall be placed before the Superintendent for condemnation in accordance with the preceding rule.

**536. Submission of clothing indents.**---Indents for clothing, bedding and other equipment shall be submitted in duplicate to the Inspector General on or before the 1st of October every year. The requirements shall be carefully considered so as to obviate the necessity of submitting a supplementary indent.

**537. Clothing store.**---(1) The clothing store shall be in the charge of a storekeeper. It shall be his duty to see that all articles, cotton as well as woolen, received back from the prisoners are thoroughly washed and disinfected and then placed in store properly arranged in bundles that all articles in store have been thoroughly repaired and are regularly aired and kept fit for use and that every precaution is taken, e.g., by the use of insecticides and frequent airing, to prevent damage.

(2) Necessary facilities shall be afforded by the Deputy Superintendent, to the storekeeper for the washing and repairing of clothes.

(3) Blankets shall be stored in the clothing store according to their condition and shall be classified as:

(a) new;

(b) good; and

(c) serviceable.

(4) Blankets shall be kept in separate bundles and marked according to their classification. The bundles shall be kept in dasuti covers to protect them from dust and moisture. Naphthalene balls or other insecticide shall be put in the folds of all woolen clothing stored in the store. An account of dasuti covers shall also be kept in the clothing register.

(5) Small articles such as caps shall be stored in bundles of one hundred each and all other articles in bundles of twenty five to facilitate checking of stores.

(6) Thirty (30) grams washing soda and three hundred (300) grams firewood are allowed for washing the clothings of one prisoner. Woolen clothing shall be disinfected by soaking in water treated with one per cent phenyle on the weight of the clothing.

**Chapter -22**

**Letter And Interviews**

**538. Facilities to new convicted prisoners.**---Every newly convicted prisoner shall be allowed reasonable facilities for seeing or communicating with his relatives, friends and legal adviser for preparation of an appeal, revision or bail. He shall also be allowed to have interviews with, or write letters to his relatives or friends once or often, if the Superintendent considers it expedient to enable him to arrange for the management of his property or other family affairs.

**539. Facilities to prisoners imprisoned in default of payment of fine or furnishing security.**---Every prisoner committed to Prison in default of payment of fine or for failure to furnish security under Chapter-VIII of the Code, shall be allowed to communicate by letters and to have interviews at any reasonable time with his relatives and friends for the purpose of arranging the payment of the fine or furnishing security, as the case may be.

**540. Letters on transfer from one Prison to another.**---Every prisoner shall, on transfer from one Prison to another, be allowed to write special letters to his friends or relatives intimating the change of address. If the prisoner is for any reason unable to inform his friends or relatives before his transfer from a Prison, he shall be permitted to do so after his arrival in the other Prison.

**541. ---[Deleted]**

**542. Representation to Government or Government officers.**---Prisoners may be permitted to address communications to Government, the Inspector General or any other Government officer in their official capacity with a view to redress of grievances. Such communications shall be to the point and shall not contain any offensive or irrelevant matter. Communications from one prisoner on behalf of another or joint memorials or petitions are not permitted.

**543. Interviews and letters for condemned prisoners.**---Every condemned prisoner shall be allowed to interview and communicate with his relatives, friends and Legal Adviser as the Superintendent may think reasonable. Two interviews and one letter per week may normally be allowed. If desired by the condemned prisoner, the Superintendent may request the Deputy Commissioner of the district to which such prisoner belongs to communicate his desire for an interview with his relatives or friends.

**544. Ordinary letters and interviews.**---(1) In addition to the privileges referred to in the preceding rules, every convicted prisoner shall be allowed to have an interview with his friends or relatives twice a week. Each prisoner shall be allowed one service postcard a month, but there shall be no restriction on the number of letters, which he may receive. He may also be allowed two letters per month at his own expense. These privileges shall be subject to good conduct and may be withdrawn or postponed by the Superintendent if the prisoner has been found guilty of a serious breach of discipline.

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

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

(4) Convicted prisoner either male or female whose term of imprisonment exceeds five years shall be allowed to keep their spouses with them inside the Prison premises in place specially meant for the purpose for three consecutive days thrice in a year subject to the following conditions:

(a) only that person shall be allowed who is legally married to a convicted prisoner and whose identity has been certified by the Deputy Commissioner or Political Agent concerned. Once verified from Deputy Commissioner or Political Agent, further verification shall be avoided. In case of foreigner prisoner such verification shall be made by the Ministry of Foreign Affairs, Government of Pakistan;

(b) such male convicted prisoner who has more than one wife shall be allowed two days for each wife at a time;

(c) only children below the age of six years shall be allowed to accompany during such arrangement;

(d) those convicted prisoners, who cannot bear the maintenance charges, shall be provided meal etc, from the Prison cook house free of cost as per provision of these rules, while those convicted prisoners, who can afford to run their own kitchen, shall be allowed to do so;

(e) the convicts who are convicted on the charge of terrorism or anti-State activities shall not be allowed to avail the facilities permissible under this sub-rule, except with the prior approval of Government;

(f) the Superintendent shall detail one or more Assistant Superintendents, who shall be responsible for maintaining all the relevant record i.e date of visit and other particulars of the spouses of the convict concerned under the supervision of Deputy Superintendent; and

(g) monthly statement of convicted prisoners who have availed such privileges be sent to Inspector General.

(5) For availing facilities under sub-rule (4), a convict or his spouse shall apply through the Superintendent to the Deputy Commissioner of the district to which they belong.

**545. Extra interviews and letters.**---(1) The Superintendent may, at his discretion, grant interviews liberally or allow the dispatch of letters at shorter intervals than provided in the preceding rule, or inspite of the prisoner’s misconduct, if he considers that special or urgent grounds exist for such concession, as for example, in the event of the prisoner being seriously ill or on the occurrence of the death of near relative, or if the friends or relatives have come from a distance to see the prisoner and it would inflict an undue hardship on them to refuse an interview, or if the prisoner is nearing release and wishes to secure employment, or for other sufficient reasons. Matters of importance such as the death of a relative may also be communicated at any time by the friends of a prisoner to the Superintendent who shall, if he thinks it expedient, inform the prisoner of the substance of the communication.

(2) In the case of a prisoner suffering from dangerous illness and in case of extreme urgency the friends or relatives shall be called by telephone or telegram.

**546. Censorship of letters.**---(1) No letter shall be delivered to or sent by a prisoner until it has been examined by the Superintendent or an officer authorized by the Superintendent, in this behalf but no unnecessary delay shall be allowed to occur in its delivery or dispatch. If a letter is written in a language unknown to the examining officer, he shall take steps to get it translated before forwarding it. No letter written in cipher shall be allowed to be sent or received. The Superintendent may withhold any letter, which seems to him to be in any way improper or objectionable, or may delete any passages, which appear improper or objectionable. The subject matter of letters shall be restricted to private and domestic affairs only. Suspicious looking letters may be exposed to heat or treated in any other suitable manner as a safeguard against unauthorized messages written in invisible ink being smuggled in or out of prison.

(2) Letters to legal advisers and letters of complaints to the prison administration, Courts or other independent bodies, authorized to receive complaints from prisoners, shall not be subject to censorship. Measures and safeguards shall be put in place by the Superintendent to protect the confidentiality of such letters.

**547. Retention of letters by prisoners.**---A prisoner may, unless the Superintendent otherwise directs, retain any letters which may have been delivered to him.

**548. No interview or communication to take place without permission of the Superintendent.**---(1) No prisoner shall be allowed to have an interview or to write a letter except with the permission of the Superintendent, which shall be recorded in writing.

(2) A prisoner of foreign origin shall be allowed by the Superintendent at least once a week meeting with duly authorized employee of mission of his country and his legal advisor in connection with judicial proceedings.

**549. ---[Deleted]**

**550. Letter and Interviews, etc., to be recorded in interview register.**---(1) Interviews and letters allowed to a prisoner shall be entered in interview register and initialed by the Superintendent or by an officer deputed by him.

(2) Every interview shall also be recorded in the interview register and entries shall be initialed by the Deputy Superintendent and Superintendent respectively.

(3) All petitions, vakalat namas and notices sent or received by prisoners shall be entered in relevant register. All registered letters and parcels received by prisoners shall be similarly recorded.

**551. Petitions for interview.**---Request for interviews with prisoners may be oral or in writing at the discretion of the Superintendent. A Prison official, to be deputed by the Superintendent, shall record the names of the interviewers and prisoners in the interview register. If the prisoner is not entitled to an interview the applicant shall be informed at once by the Assistant Superintendent or other officer incharge of interviews.

**552. Time and days of interview.**---(1) The Superintendent shall fix the days and hours at which all interviews shall be allowed and no interview shall be permitted on any other day, or at any other time except with the special permission of the Superintendent. A notice specifying the days and hours for interviews shall be posted outside the prison. Ordinarily interviews shall take place on working days. No interview shall be allowed on public and Gazetted holidays except with the special permission of the Superintendent.

(2) If the number of interviews is large at any prison, request for interviews shall be recorded twice daily i.e., in the morning and at afternoon.

(3) Presents of cooked food, sweets and fruits from relatives and friends of prisoners may be permitted to prisoners on Eid-ul-Fitr and Eid-ul-Azha, and with the permission of the Superintendent, on the occasion of the marriage of a son, daughter, brother or sister of the prisoner.

**553. Place of interview.**---Every interview shall take place in a special part of the Prison set apart for the purpose, if possible at or near the main gate subject to the following conditions:

(a) if a prisoner is seriously ill, the Superintendent may permit the interview to take place in the Prison hospital or ward, as the case may be;

(b) a condemned prisoner shall ordinarily be interviewed in his cell; and

(c) the Superintendent may, for special reasons to be recorded in writing, permit an interview to take place in any part of the prison.

**(d) Facilities for visitors.**---Waiting areas shall be provided for visitors, which contain toilet facilities and protection from the weather.

**554. Number of person at an interview.**---Not more than six persons shall be allowed to interview a prisoner at one interview. At the last interview of a condemned prisoner, not more than fifty persons in five batches of ten each shall be allowed to interview the condemned prisoner. The Superintendent may exceed this limit if the occasion warrants it and is not likely to interfere with arrangements for execution the following day.

**555. Persons granted an interview may be searched.**---Every person desiring to have an interview with a prisoner shall give his name and address and submit to be searched. In case of a woman visitor, the search shall be conducted by a Female Warder. If the visitor refuses to be searched or to give his name and address, shall not be permitted to enter the prison or to interview any prisoner and the fact shall be recorded by the Deputy Superintendent in his report book.

**556. Supervision of interviews.**---Every interview with a prisoner shall take place in the presence of an Assistant Superintendent or other officer detailed for the purpose, who shall be responsible that no irregularity occurs, and shall so place himself as to be able to see and hear what passes and to prevent any prohibited article being passed between the parties. The conversation shall be limited to private and domestic affairs only. For this purpose a grated gallery 5½’ to 6 inches width, fitted with expanded metal shall be provided to maintain the distance between the prisoners and the interviewers.

**557. Order to end interviews.**---An interview may be ordered to end at any moment, if, the officer, supervising the interview, considers that sufficient cause exists. In every such case the reason for ending the interview shall be reported at once for the orders of the senior officer present at the prison.

**558. Duration of interview.**---The time allowed for an interview shall not ordinarily exceed thirty minutes but may be extended by the Superintendent at his discretion.

**559.A Search of prisoner before and after interview.**---Every prisoner shall be carefully searched before and after an interview by a Head Warder or Warder specially deputed for this purpose.

**559.B Procedure for searching of visitors.**---There shall be detail procedure which the staff shall follow when searching visitors and their possessions. The search must be conducted as quickly and decently as possible:

(1) the use of force by the member of staff conducting the search is not permitted;

(2) a member of staff of the same gender as the visitor must conduct the search and another member of staff of the same gender must be present during the search;

(3) where the visitor is under sixteen (16) years of age, the search must be conducted in the presence of an accompanying adult if any; and

(4) the confidentiality of the documents of legal advisers shall be respected during searches.

**560.A Superintendent may refuse any interview.**---The Superintendent may refuse an interview to a prisoner ordinarily entitled under these rules, if in his opinion it is against the public interest to allow any particular person to interview the prisoner or for some other sufficient cause. In every such case he shall record in his order book the reason for such refusal. The Superintendent may, in his discretion, disallow ex-prisoners from interviewing prisoners, unless they are related to them.

**560.B Ending of interview and removal of visitor.**---(1) The Superintendent may order to end the visit and remove the visitor from the prison if-

(i) he has reasonable grounds for suspecting that the visitor has in his possession any prohibited article or unauthorized property;

(ii) he has reasonable grounds for suspecting that the visitor is taking out or attempting to take out any unauthorized property or prohibited article; or

(iii) he has reasonable grounds that the visitor’s behavior or presence is prejudicial to the security and order of the Prison or the safety of any person within the Prison.

(2) Where the Superintendent interview the orders to end and removes the visitor under this rule, a written record shall be kept of the decision and the reasons for taking it.

**Explanation.**---The prohibited article or the unauthorized property, as the case may be, recovered from the possession of such visitor shall be forfeited by the Superintendent and such visitor shall be handed over to local police for further proceedings under the law for the time being in force.

**561. Abuse of privilege.**---Any prisoner who abuses any privilege relating to interviews or letters or communications with persons outside the prison shall be liable to be deprived from such privileges for such time and may be subjected to such further restrictions as the Superintendent may direct.

**562. Deposit of articles or cash at interview.**---If the friends or relatives, 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 these at the main gate with the permission of the Superintendent. Any article or cash deposited under this rule shall be entered in the relevant registers and the prisoner be informed. The prisoner shall be permitted while in prison to use only such articles as he is allowed to have under these rules. The introduction of any article or cash into the prison, except in accordance with this rule or with the written sanction of the Superintendent, is prohibited and declared to be an offence under section 42 of the Act.

**563. Prisoner may receive articles of daily uses.---**Prisoner may be allowed to receive articles of daily use from their friend and relatives during interview with the permission of Superintendent.

**564. Interviews, etc. in case of under-trial and civil prisoners.**---(1) Under-trial and civil prisoners shall be granted all reasonable facilities at proper times and under proper restrictions for interviewing or otherwise communicating, either orally or in writing, with their relatives, friends or legal advisers. Under-trial prisoners may ordinarily be allowed two interview every week.

(2) Interviewer shall be allowed for interview after proper identification and production of Computerized National Identity Card or its attested copy or some other proof of identification:

Provided that in deserving cases, Superintendent may allow interviews after verifying his identity other than identity card.

**565. Number of letters allowed to under-trial prisoners.**---An under-trial prisoner shall be allowed to write a letter once a week. If an under-trial prisoner desires to write more letters in connection with his defence and the Superintendent considers this necessary, he may also be permitted to send extra letters.

**566. Interviews of under-trial prisoners with legal advisers.**---(1) Every interview between an under-trial prisoner and his Legal Advisor shall take place within sight but out of hearing. A similar concession may also be allowed by the Superintendent in the case of an interview with any near relative of under-trial prisoner.

(2) The term, “friend or relative” as applied to a prospective interviewer of prisoners and as occurring in rules supra is to be literally and strictly interpreted, i.e., no one shall be allowed an interview with a prisoner who is not entitled under these rules, unless he can submit proof of a personal or intimate acquaintance or near relationship. In the case of a relative, the nature of relationship shall be ascertained.

**567. Application from Legal Adviser for under-trial prisoners.**---When any person desires an interview with an under-trial prisoner in the capacity of his legal adviser he shall apply in writing, giving his name and address, nature of case and stating the immediate object of his visit and shall satisfy the Superintendent that he is a bona fide Legal Adviser of the prisoner with whom he seeks an interview and that he has legitimate business with him.

**568. Confidential letters of under-trial prisoners.**---Any bona fide confidential written communication prepared by an under-trial prisoner as for instructions to his legal adviser, shall be forwarded to that legal adviser and the Superintendent shall not disclose the contents of the communication or any portion thereof to any other person. Explanation for the purpose of this rule the term legal adviser means a legal practitioner within the meaning of the Legal Practitioner Act, 1879 (Act No. XVIII of 1879).

**569. Interviews with approvers.**---The Deputy Superintendent shall personally conduct interviews with approvers, after these are granted by the District and Sessions Judge and shall bring all these interviews to the notice of the Superintendent and also keep a record in his report book. Such interviews shall be terminated at once if any attempt is made by the interviewers to influence the prisoner to withdraw his confession or to alter his evidence.

**570.A Interviews of civil prisoners.**---Civil prisoners may see their friends and relatives at such time and under such restrictions as the Superintendent may fix. The presence of a prison officer shall not be necessary.

**570.B Communication by telephone.**---(1) Telephone booths with recording facilities shall be provided for the use of all prisoners and the Superintendent shall set out the times of day and circumstances in which a telephone may be available for use.

(2) A prisoner may be restricted from using the telephone by the Superintendent in circumstances where privileges have been misused but in no circumstances the prisoner shall be restricted from contact with immediate family.

(3) Arrangements shall be put in place to monitor the conversations that prisoners have on the telephone and prisoners shall not be permitted to have mobile telephones and other communication devices in their possession.

(4) Provisions relating to restrictions of interviews under these rules shall mutatis mutandis applicable for the purpose of this rule.

**Chapter -23**

**Offences And Punishments**

**571.A The acts declared to be prison offences under section 45 of the Act.**---The following acts are declared to be prison-offence when committed by a prisoner:

(a) such willful disobedience to any regulation of the prison, as shall have been declared by these rules.

(b) any assault or use of criminal force;

(c) the use of insulting or threatening language;

(d) immoral or indecent or disorderly behaviour;

(e) willfully disabling himself from labour;

(f) contumaciously refusing to work;

(g) filing, cutting, altering or removing hand-cuffs or bars without due authority;

(h) willful idleness or negligence at work by any prisoner sentenced to rigorous imprisonment;

(i) willful mismanagement of work by any prisoner sentenced to rigorous imprisonment;

(j) willful damage to prison property;

(k) tampering with or defacing history-tickets, records or documents;

(l) receiving, possessing or transferring any prohibited article;

(m) feigning illness;

(n) willfully bringing a false accusation against any officer or prisoner;

(o) 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 preparation for attack upon any prisoner or prison official; and

(p) conspiring to escape, or to assist in escaping, or to commit any other of the offences aforesaid.

**571.B Principles of disciplinary system.**---(1) Disciplinary procedures shall be mechanisms of last resort. Wherever possible, the prison Administration shall use mechanisms of restoration and mediation to resolve disputes with and amongst the prisoners.

(2) Discipline shall be maintained with firmness, but with no more restriction than is necessary for safe custody and well-ordered community life.

**572. Prison offences.**---In addition to acts declared to be prison offences under section 45 of the Act, the following acts are forbidden, and every prisoner who willfully commits any of the following acts shall be deemed to have willfully disobeyed the regulations of the prison and to have committed a prison offence within the meaning of the section ibid-

(a) quarrelling with any other prisoner;

(b) secreting any article whatever;

(c) showing disrespect to any prison officer or visitor;

(d) making groundless complaints;

(e) holding any communication (in writing, by word of mouth or otherwise), with an outsider, with a prisoner of the opposite sex, civil or under-trial prisoner or a prisoner of a different class, in disobedience of the regulations of the Prison

(f) abetting the commission of any Prison offence;

(g) doing any act or using any language calculated to wound or offend the feelings and prejudices of a fellow prisoner;

(h) doing any act tantamount to create any unnecessary alarm in the minds of the prisoners or officers of the Prison;

(i) leaving the party to which he is attached, or the part of the prison in which he is confined, without the permission of an officer of the prison;

(j) refusing to eat food, or the food prescribed by the prison diet scale;

(k) introducing into food or drink anything likely to render it unpalatable or unwholesome;

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

(m) omitting or refusing to keep clean his clothing, blankets, bedding, fetters, utensils or disobeying any order as to the arrangement and discipline of such articles;

(n) tampering in any way with prison locks, lamps or lights or other property with which he has no concern;

(o) stealing the prison clothing, any other item or part of the prison kit of another prisoner;

(p) manufacturing any article without the knowledge or permission of an officer of the prison;

(q) performing any portion of the task allotted to another prisoner or obtaining the assistance of another prisoner in the performance of his own task;

(r) causing or omitting to assist in suppressing violence or insubordination of any kind;

(s) omitting or refusing to help any officer of the prison in case of an attempted escape or of an attack upon such officer or upon another prisoner; and

(t) disobeying any lawful order of an officer of the prison or omitting or refusing to perform duties in the manners prescribed.

**573. Reference for trial.**---When in the opinion of the Superintendent any offence committed inside the prison including the following offences are established against a prisoner, he shall get a case registered against him in the local police station for Judicial trial:

(a) offence punishable under section 224 of the Penal Code, 1860 (XLV of 1860); and

(b) any offence triable exclusively by the Court of Sessions.

**574. Powers of the Superintendent.**---It shall be in the discretion of the Superintendent to determine, with respect to any act which constitutes both a prison offence and an offence under the Penal Code, 1860 (XLV of 1860), other than an offence included in the preceding rule, whether he shall use his own powers of punishment or get a case registered against him at the local police station for Judicial trial.

**575. Procedure in cases of heinous offences.**---If any prisoner is guilty of an offence against prison discipline which, by reason of his having frequently committed such offences or otherwise, is in the opinion of the Superintendent not adequately punishable by the infliction of any punishment which he has power under the Act, to award, the Superintendent, as the case may be, forward such prisoner to the Court having jurisdiction, together with a statement of the circumstances, and such Court shall thereupon inquire into and try the charge so brought against the prisoner, and, upon conviction, may sentence him to imprisonment which may extend to one year and such term to be in addition to any term for which such prisoner was undergoing imprisonment when he committed such offence, or may sentence him to any of the punishments enumerated in section 46 of the Act:

Provided that the District and Sessions Judge may transfer the case for inquiry and trial to any Magistrate:

Provided further that no prisoners shall be punished twice for the same offence.

**576.A Segregation of prisoners committing assault.**---When a prisoner commits an assault on a prison officer, he shall, unless he has also received injuries, which necessitate his being sent to the hospital, be confined in a cell, until his case has been disposed of and shall in the meantime be kept under close supervision by day and night.

**576.B Charging prisoners with breaches of discipline.**---A prisoner may be charged with a breach of discipline by a member of staff where that member of staff becomes aware, or suspects, that the prisoner has committed a breach of discipline,-

(1) the Superintendent must be informed in writing of the alleged breach and the charge must be brought within forty-eight (48) hours of the Superintendent being informed;

(2) the alleged breach shall be investigated without undue delay; and

(3) an alleged criminal act committed in a prison shall be dealt with, in accordance with the applicable law.

**577. Recorded report not to be withdrawn.**---A report once made by an officer of the prison against a prisoner and recorded on his history ticket shall not be withdrawn except by the direction of the Superintendent after investigation.

**578. Investigation of reports.**---All reports shall be investigated by the Superintendent as soon as possible. The prisoner shall be present during the investigation and shall be allowed to cross-examine the officers making the report and any other officer of the prison or witness who may be called. If a prisoner asks that any witnesses be called, it is for the Superintendent to decide whether the calling of such witness is necessary for the purposes of the investigation.

**579 Superintendent’s discretion in awarding punishments.**---(1) When the investigation is completed, the Superintendent shall clearly pronounce to the prisoner his award. The Superintendent while awarding punishments to prisoners for prison offences shall endeavour to apportion the penalty to the needs of the case. Major punishments shall be awarded for offences involving serious violence or repeated or serious breaches of these rules.

(2) If a prisoner has committed any infringement of these rules through ignorance or excusable carelessness, the Superintendent may admonish him without recording a charge. If such infringement amounts to an offence, it shall be recorded on the prisoner’s history ticket.

**580. Only Superintendent authorised to award punishment.**---No report against a prisoner shall be dealt with by any officer of the prison except the Superintendent, or, in his absence, the officer appointed to act for him. The Superintendent shall enter the award of any punishment on a prisoner’s history ticket with his own hands.

**581. Entries in punishment register.**---(1) The Superintendent shall have the necessary entries made in the punishment register on the same day a punishment is awarded to a prisoner.

(2) In case of every serious offence, the names of the witnesses proving the offence shall be recorded. The Superintendent shall record the substance of the evidence of the witnesses, defence of the prisoner and the findings with reasons.

(3) Against the entries relating to each punishment the Superintendent and the Deputy Superintendent shall affix their initials as evidence of the correctness of the entries.

(4) Any punishment involving a forfeiture of remission shall also be entered in the remission sheet of a prisoner on the same day and corresponding deduction made from the amount of total earned remission.

**582. Authority for punishments.**---(1) The Superintendent shall have the power to award any of the punishments enumerated in rules 583 and 584.

(2) No officer subordinate to the Superintendent shall have power to award any punishment.

**583. Minor punishments.**---The following punishments provided in section 46 of the Act shall be considered as minor punishments:

(a) a formal warning, which shall be personally addressed to the prisoner by the Superintendent and recorded in the punishment register and on the prisoner history ticket;

(b) change of labour for a stated period to some more irksome or severe form:

Provided that this punishment is not to be executed until the Medical Officer declares the prisoner fit to undergo the same and makes an entry to this effect on the prisoner’s history ticket;

(c) forfeiture of remission earned not exceeding four days;

(d) forfeiture of prison privilege for a period not exceeding three months;

(e) cellular confinement for not more than seven days. Cellular confinement means such confinement with or without labour as entirely secludes a prisoner from communication with but not from sight of other prisoners. After each period of cellular confinement an interval of not less duration than such period must elapse before the prisoner is again sentenced to cellular confinement;

(f) separate confinement for not more than fourteen days. Separate confinement means such confinement with or without labour as secludes a prisoner from communication with, but not from sight of, other prisoners, and allows him not less than one hour’s exercise daily and to have his meals, in association with one or more other prisoners; and

(g) handcuffs imposed by way of punishment for prison offences shall be iron handcuffs (swivel with spring-catch handcuffs) weighing not more than one lb each. Handcuffs may be imposed on the wrists in front by day or by night for a period of not more than twelve hours at a time, with intervals of not less than twelve hours between each period and for not more than four consecutive days or nights:

Provided that a woman or civil prisoner is not liable to the imposition of any forms of handcuffs.

**584. Major Punishment.**---The following punishments provided in section 46 of the Act shall be considered as major punishments:

(a) hard labour for a period not exceeding seven days in case of convicted criminal prisoners not sentenced to rigorous imprisonment;

(b) forfeiture of remission, which shall be made in the following manner:

(i) forfeiture of earned remission exceeding four but not exceeding twelve days;

(ii) forfeiture of earned remission in excess of twelve days;

(iii) forfeiture of prison privilege for a period exceeding three months;

(iv) exclusion from remission system for a period not exceeding three months; and

**584. (5),(6) and (7) ---[Deleted]**

(v) exclusion from remission system for a period exceeding three months:

Provided that the major punishments mentioned in sub-clauses (ii) and (iii) and any combination of major punishments mentioned in sub-clause (ii) and (v) shall not be awarded by the Superintendent without the prior sanction of the Inspector- General;

(c) cellular confinement for a period exceeding seven days. The maximum period for this punishment is fourteen days and an interval of not less than during the period of confinement must elapse before the prisoner is again sentenced to cellular confinement;

(d) separate confinement for a period exceeding fourteen days, but not exceeding three months:

Provided that the previous confirmation of the Inspector General is required when the period exceeds one month; and

(e) any combination of minor punishments admissible under section 47 of the Act.

**585. Plurality of punishments under sections 46 and 47 of the Act.**---(1) Any two of the punishments enumerated in rules 583 and 584 may be awarded for any offence, subject to the following exceptions:

(a) formal warning shall not be combined with any other punishment except those specified in   
clause (c) and (d) of rule 583 and clause (b)(i) of   
rule 584; and

(b) cellular confinement shall not be combined with separate confinement so as to prolong the total period of seclusion to which the prisoner shall be liable.

**585. (3) ---[Deleted]**

(2) No punishment shall be awarded for any offence so as to combine with the punishment awarded for any other offence, two of the punishments which may not be awarded in combination.

**586. Prohibition against un-authorized punishments.**---Except by order of a Court no punishment, other than the punishments specified in rules 583 and 584 shall be inflicted on any prisoner other than in accordance with the provisions of these rules.

**587. Minor and major offences.**---An offence shall be considered a minor offence, when it is dealt with a minor punishment, and a major offence when dealt with a major punishment.

**588. to 591. ---[Deleted]**

**591.A Appeal against punishment.**---(1) A prisoner who is found guilty of a disciplinary offence may appeal to the Inspector General within seven (7) days of the awarding of such punishment.

(2) The Inspector General shall dispose of the appeal within seven (7) days of the receipt of such appeal.

**591.B Suspension of punishment.**---(1) The Superintendent may order that a punishment imposed in a disciplinary hearing be suspended for a period of up to six months from the date of the hearing.

(2) Where a prisoner is found guilty of a further breach of discipline committed during the period of suspension of punishment, the Superintendent may order that the suspended punishment is to take effect and that-

(i) the suspended punishment and the further punishment are to be served consecutively; or

(ii) the period or amount of the suspended punishment is to be reduced and shall take effect as so reduced; or

(iii) both the suspended punishments and the further punishment are to be suspended for a period of up to six months from the date of the Superintendent’s direction.

**Chapter -24**

**Escapes and Out-Breaks**

**592.A Provisions for raising an alarm.**---(1) The main gate of the Prison shall be provided with a bell, gong, siren and other electronic devices with which an alarm may be raised. A bugler shall be entertained as a Warder and he shall remain present near the main gate at all times. When prisoners are working in large numbers either inside or outside the prison, at a point so distant that a Warder’s whistle sounded at such place cannot be heard by the main gate sentry or the gatekeeper a gong or other pre-concerted means of rapidly conveying information of an untoward occurrence shall be provided.

(2) For the purpose of security CCTV cameras shall be installed in various points of the prison.

**592.B Prison security.**---Appropriate security measures shall be taken in the Prison which consist of:

(1) **physical security measures:**

It shall include walls, bars, doors and gates, fences, security wire, metal detectors, and close circuit TV cameras through control room;

(2) **procedural security:**

It shall include searching, supervision, monitoring and key security system; and

(3) **elements of dynamic security:**

System is provided by physical barriers, other technical means, and procedures shall be complemented by the dynamic security provided by alert staff who know the prisoners under control.

**593. Steps to be taken in the event of escape or out-breaks.**---Immediately a prisoner is found to be missing or, making an attempt to escape or any other disturbance taking place or appearing imminent, it is the duty of the officer, who first notices the incident, to blow his whistle continuously. He shall continue to blow his whistle and every officer hearing the whistle shall blow his own whistle and continue blowing it till the continuous sounding of the alarm bell, siren or bugle at the main gate shows that the information has reached there. The gate sentry on hearing the whistle, or a bell or gong sounding the alarm in any part of the prison or its neighborhood, shall repeat the alarm by continuously sounding the bell, siren or gong till the whole establishment is thoroughly alerted. The bugler shall also sound the alarm on his bugle or ring the bell.

**594. Duty of gatekeeper.**---The gatekeeper shall, as soon as hear the whistle blow continuously or receives information of any prisoner having escaped or attempting to escape or of an out-break or disturbance having taken place or being imminent, order the sentry to sound an alarm, and shall send immediate information to the Deputy Superintendent and the Superintendent respectively.

**595. Duty of sentry.**---The sentry at the main gate shall sound the alarm by loudly ringing the alarm bell when ordered to do so by the gatekeeper or on his own initiative if he has reason to believe that an outbreak or disturbance, an escape or an attempt to escape is occurring or is about to occur.

**596. Intimation of incident at the main gate.**---The Warder on duty at the place where the alarm originated shall dispatch an another Warder or communicate the fact through some other electronic means or a Numberdar with all haste to the prison gate, to convey such information as is known regarding the nature of the occurrence that has or is about to take place, so that the Deputy Superintendent or other officer incharge may be in a position to direct operations accordingly. In the case of an escape, the prisoner’s name, the place where last seen, the probable direction in which he escaped and the part of the prison or the prison precincts from where he disappeared, will be valuable information leading to his recapture. In the event of a disturbance, the place in which it occurred and the approximate number of prisoner engaged in it, shall enable the officer-in-command to dispose of his forces in the most effective manner for its suppression. The Deputy Superintendent shall at once send intimation of the cause of the alarm to the Superintendent.

**597. Promptness in raising an alarm.**---It is imperative to raise the alarm at once without any loss of time, When a prisoner is found to be missing or a disturbance has broken out or is on the point of breaking out, no attempt at search or suppression shall be made, till measures are first taken to raise the alarm. The fact that the missing prisoner was found or the disturbance put down without having recourse to an alarm shall not be accepted as an excuse, in any way, for neglect of this important duty.

**598. Arming of officers and staff at alarm.**---On hearing the alarm all prison officers, except Warders on duty shall, no matter where or how engaged or whether in proper uniform or not, forthwith assemble at the main gate. The Warder shall fall in near the armory and be armed as quickly as possible with rifles, bayonets and ten rounds of live ammunition. Warder for whom rifles are not available shall be armed with lathis and shields. A sufficient number of lathis, shields and teargas guns shall be kept in the armoury.

**599. Disposal of Warder at an alarm.**---The procedure to be followed by the Deputy Superintendent or other senior officers present must necessarily depend on the character of the occurrence with which he has to deal. In all cases, however, a sentry shall be posted on the roof of the main gate and other position of advantage where he can command a view of the interior of the prison. Two small pickets, each under the charge of a Head Warder or Warder, shall be dispatched to take up positions around the main wall in the rear of the prison, in order to prevent any attempt on the part of the prisoners to scale the walls in that direction. Warders in need of assistance shall fire a shot in the air to intimate the fact. A few men shall be kept in reserve to render assistance at any point where their services may be specially required, with instructions to proceed to the spot from where the sound of a rifle shot comes. The disposal of the remaining men shall depend on circumstances.

**600. Numberdars to fall in.**---All Numberdars not on duty shall on hearing the alarm fall in at the appointed place of assembly, which is usually at the centre of the Prison. They shall be under the charge of the Chief Warder in Central and District prisons and the Head Warder in other prisons.

**601. Collection and checking of prisoners.**---Warders in-charge of prisoners inside the prison shall collect the prisoners where they are at work and shall lock them up in the nearest barrack or factory. All prisoners locked up in barracks and factories shall be counted by the Warders incharge. The prisoners shall sit silently till the alarm is over. Warders and Numberdars after locking up the prisoners in their charge, shall, unless otherwise directed, remain on duty outside the barracks or factory in which the prisoners have been locked up.

**602. Duty of Deputy Superintendents or Assistant Superintendents before the arrival of the Superintendent.**---Pending the arrival of the Superintendent, the Deputy Superintendent or the Assistant Superintendent shall act in accordance with the following instructions:

(a) if it is a case of escape or disturbance outside the prison, the Deputy Superintendent shall rush to the spot along with his spare men. He shall detail search parties under charge of Assistant Superintendents other responsible officers in search of the missing prisoners or to take measures to quell the disturbance, as the case may be using his powers with discretion and effecting his object with as little display of force as is necessary under the circumstances; and

(b) in case of riot or disturbance inside the prison, which the sentry on the main gate roof reports that the vicinity of the main gate is clear, he shall take remainder of the guard inside the prison and in the event of an outbreak proceed to the scene to put it down. If the circumstances are such to necessitate immediate action, he shall warn the prisoners three times in a loud voice that if they do not submit at once and disperse peacefully, they shall be fired upon. If the circumstances are such as do not admit of delay, the warning need not to be repeated. If upon being warned, the prisoners do not submit and disperse, and if there appears to be no other immediate means of quelling the disturbance, he shall order the guards to fire upon them. The firing shall cease the moment the prisoners disperse or yield. Firing should be done with intent to wound and not to kill.

**603. Superintendent to assume charge of operations.**---The Superintendent on arrival shall assume charge of the operations.

**604. Use of arms against prisoners.**---The following procedure shall be followed in case of use of arms against a prisoner in case of escape or riot:

(a) a prison officer may use batons, lathis, a sword, bayonet, fire-arm or any other weapon against any prisoner escaping or attempting to escape provided that resort shall not be had to the use of any such weapon unless such officer has reasonable ground to believe that he cannot otherwise prevent the escape, and only when less extreme means are insufficient to achieve these objectives, and in any event only when strictly unavoidable in order to protect life;

(b) where a prison officer intends to use firearms, he shall identify himself as such and give a clear warning of the intent to use firearms, with sufficient time for the warning to be observed, unless to do so would unduly place the prison officers at risk or would create a risk of death or serious harm to other persons, or would be clearly inappropriate or pointless in the circumstances of the incident;

(c) any officer of the prison may use a sword, bayonets, teaser and electric gun, fire-arm or any other weapon on any prisoner engaged in any combined outbreak or in any attempt to force or break open the outer gate or enclosure wall of the Prison, and may continue to use such weapon so long as such combined outbreak or attempt is being actually prosecuted;

(d) any officer of the prison may use a sword, bayonet fire-arms or any other weapon against any prisoner using violence to any officer of the prison or other person provided that such officer has reason to believe, that the officer of the prison or other person is in danger of life or limb, or that other grievous hurt is likely to be caused to him;

(e) before using fire-arms against a prisoner under this rule, the officer of the prison shall, except where circumstances make such course impossible, give a warning to the prisoner that he is about to fire on him;

(f) no officer of the prison shall, when a superior officer is present use any arms against a prisoner under this rule except under the orders of such superior officer; and

(g) in case of riot and disturbance by prisoners, safety of prison staff shall be the first priority.

**605. Steps to be taken at escapes.**---(1) In the event of all escapes, the Deputy Superintendent shall, immediately form search parties of Waders and Nambardar to conduct a thorough search of the prison premises for the missing prisoners.

(2) If a prisoner working outside the prison escapes the Warder incharge of the party shall, immediately, raise the alarm by blowing his whistle and pursue the prisoner only if he is in sight, leaving the party in the charge of the Nambardar such Warder shall then immediately march the gang at the double to the main gate and in front on the gatekeeper of the occurrence and have the alarm sounded at once.

(3) In the case of an escape or attempt to escape at night if it appears probable that the prisoner is still lurking within the prison, Warders with torches shall be posted at intervals inside the enclosure walls and the remaining Warders divided into two parties each with torches one to search inside and the other outside the prison.

(4) Torches ready for use and sufficient battery cells shall be kept in a box at the main gate.

**606. Gate sentry to defend gate and protect officers.**---It shall be the duty of the gate sentry at times of alarm to defend the gate and to protect any officer of the prison or other person against whom a prisoner may be actually using violence.

**607. Precautions to be taken in case of disturbance.**---In case of a disturbance the officer in-charge shall keep his men together in line and not allow them to approach the body of prisoners nearer than thirty yards, at which distance he is in the best position to deal with the rioters. A few Warders shall in all cases be armed with batons and supplied with handcuffs to arrest and secure any ring leaders or escaping prisoner.

**608. Absolute silence to prevail at an alarm.**---Absolute silence shall be observed at an alarm and all the details carried out in an orderly and systematic manner. Assistant Superintendent jail and Warders who have to take charge of detached parties of men, shall be instructed beforehand of the duties required of them, so that they may know exactly what to do and where to go to when the alarm is sounded without waiting for instructions.

**609. Conclusion of alarm.**---The alarm shall be concluded by blowing the “end” on a bugle or sounding the alarm gong as a signal for all officers to return and fall in it at the main gate where a roll call shall be held and the names of the officers who were absent or late in turning up, be noted for necessary action. The Deputy Superintendent shall, note in his report book the date and time of the alarm and the cause for it.

**610. Assistance from district authorities.**---(1) The Superintendent shall, in consultation with the Superintendent of Police, Deputy Commissioner and other security agencies, make such arrangement for a concerted plan of action in the case of an outbreak, attack or escape as may seem advisable.

(2) The Deputy Superintendent shall, on the occurrence of an escape, attack or outbreak send message to the officer in charge of the nearest police station.

(3) In the case of a serious riot or combined insubordination amongst the prisoners, the Superintendent shall immediately inform the Deputy Commissioner, the Superintendent of Police, and other security agencies who shall afford all possible assistance to the Superintendent if required by him.

(4) In case of an escape intimation shall be sent by telephone to the District Police Officer and Station House Office of nearest police station for assistance in the recapture of the prisoner.

(5) Whenever it is necessary to place prisoners in confinement in any place without the walls of the prison, the Superintendent shall apply to the Superintendent of Police for such police guard as may, in the opinion of the latter officer, be necessary and the Superintendent of Police shall supply such guard accordingly.

(6) In every case in which any prisoners are guarded by the police under the provisions of sub-rule (5), the responsibility for the safe custody of the prisoners shall rest with the police.

(7) If, from any cause, any prison at any time becomes temporarily insecure, the Superintendent shall inform the Superintendent of Police of the fact, and it shall be the duty of that officer to supply such police guard as he may think necessary to provide for the safety of the prisoners until the prison is made secure.

(8) The responsibility of external security of prison shall rest with the Police.

(9) In case of emergency, the Superintendent shall proposed standing order procedures which will be communicated to all staff of the prison and other relevant Departments.

**611. Notice of an escape to be sent to police officers.**---When an escape has taken place and attempts at recapture have been ineffectual, immediate notice shall be sent to the Superintendent of Police and to the Deputy Commissioner together with a descriptive roll of the prisoner giving all the information available, including his usual place of residence etc. If the prisoner belongs to a district other than that in which he was confined, similar reports and descriptive roll shall be sent to the District Police Officer of that district, the Superintendent of Railway Police and the Deputy Commissioner of all the districts, he is likely to travel on his way to his home. The information may also be sent by Fax to the police of other districts.

**612. Reports to the Inspector General and the Secretary.**---(1) The Superintendent shall immediately report, by Fax, E-mail, telephone or other service of communication, the occurrence of an escape or any other serious unusual event, to the Inspector General and the Secretary respectively.

(2) A brief report of every escape shall be submitted to the Inspector General at once. The Superintendent shall conduct an enquiry, as soon as, after the occurrence, as possible and shall forward a detailed report to the Inspector General along with his findings. A copy of the judgment in the case of a prisoner tried for escape shall also be submitted to the Inspector General. In the case of escapes not entirely due to negligence but in part to some defect in the buildings or in the method of guarding, it is necessary to point out such defects clearly.

(3) A report of the recapture of a prisoner shall be made to the Inspector General giving particulars of the date and circumstances of recapture and such additional details of the escape as may be elicited from the prisoner.

(4) Every attempt to escape, and the particulars in each case, shall be reported to the Inspector General along with the descriptive roll of the prisoner.

**613. Alarm parades.**---(1) The Superintendent shall hold a practice alarm parade once in three months at uncertain times of the day, without previous warning. It shall be started from any part of the prison where prisoners usually work. As an alarm may be raised at any time, it is important that staff and prisoners shall not know whether it is merely for practice, and the same attention shall be given to details on each occasion to accustom Warders to the different circumstances which they may be called upon to deal and test their preparedness to turn out at short notice. Report of the alarm parades held shall be submitted to the Inspector General at the end of every quarter stating therein the names of the defaulters and action taken against them.

(2) At least once in the year alarm parade shall be held at night.

**614. Reward for recapture.**---(1) Superintendent may recommend any person for grant of suitable reward by the Inspector General after due consideration of all the circumstances for the recapture of any escaped prisoner.

(2) The Inspector General is empowered to sanction an amount, as a reward not exceeding rupees ten thousand (10,000/-) in any one case for the recapture of any prisoner.

(3) No reward, for the recapture of a prisoner, who escapes from police custody, shall be paid by the Prison Department, but the case may be referred to the Police Department for consideration of reward.

**615. Reward for a prisoner preventing an escape.**---Every prisoner who assists in any way whatsoever in preventing an escape shall, if he cannot be adequately rewarded by the Superintendent, the remission rules, be brought to the notice of the Inspector General for reward of special remission by him.

**616. Procedure on recapture of a prisoner.**---(1) On the recapture of a prisoner the fact shall be notified to all officers who have been addressed under rule 611.

(2) A recaptured prisoner may be admitted into and detained in Prison on the authority of his original warrant, the time he was at large shall not count as sentence served.

**617. ---[Deleted]**

**618. Documents relating to escaped prisoners.**---(1) The conviction warrant of an escaped prisoner shall be retained in the prison office for a period of ten years from the date of escape, after which it shall be returned to the issuing Court and the name of the escaped prisoner be struck from the prison record.

(2) The remand or committal order of an under-trial or civil prisoner who has escaped from prison shall be returned to the Court concerned with an endorsement to this effect.

**619. Note on history tickets.**---A brief note shall be made on the history tickets of all convicted prisoners recaptured after escape from prison. It shall state the date, the nature of escape, whether it was from inside or outside the prison and if it was during the day or night. Any other important facts relating to the escape may also be noted.

**620. --- incorporated in Building Chapter**

**621. Report of assault of disturbance-certain prisoners not to be entrusted with knives etc.**---(1) A full report of every serious assault committed by a prisoner on an officer of the prison and of every serious disturbance or combined out break amongst prisoners shall be submitted to the Inspector General.

(2) Prisoners of violent temper shall on no account be entrusted with a knife or other implement, which can be used as a weapon of assault.

(3) All locks in use in a prison shall be examined daily and any lock found defective shall be put up before the Deputy Superintendent who shall immediately replace it with a serviceable one.

(4) Even in case of a cognizable offence, which is to form the subject of police and magisterial enquiry and subsequently ends in a criminal trial, the Superintendent shall at once conduct an enquiry, and submit his report to the Inspector General with special reference to prison discipline and these rules. If he finds that any officials are at fault, he shall state how he proposes to deal with them.

**CHAPTER -25**

**Prisoners in Cells**

**622.A Confinement in cells under section 28 of the Act.**---Section 28 of the Act, empowers Superintendent to confine convicted criminal prisoners either in association or individually in cells, or partly in one way and partly in the other. If any prisoner is confined in a cell under that section, he shall, if circumstances permit, be treated in all other respects like ordinary prisoner confined in association. He shall be locked up and unlocked at the same hours and allowed to work and have meals in association with other prisoners. The prisoner is kept in a cell because it is considered expedient to confine him there and not because he has been given this confinement as a punishment. The Superintendent shall see that this section is not used as an excuse for keeping prisoners in cells as a punishment. When it is intended to keep a prisoner in a cell as punishment, action shall be taken under rules 583 and 584.

**622.B Temporary confinement in a special accommodation (administrative segregation).**---(1) The Superintendent may order the temporary confinement in a special cell of any prisoner who is behaving in a threatening, abusive or violent manner, or in the interests of good order.



(2) The Superintendent must keep a written record of the particulars of each order made under this sub-rule (1) and must inform a healthcare professional as soon as possible, after making an order.

(3) A prisoner must not be confined in a special cell for more than thirty (30) days, without being subject to review.

**623. Cells.**---(1) A sufficient number of cells shall be provided in every prison.

(2) Each cell for solitary confinement shall have a yard attached to it, where the occupant has the benefit of fresh air without the means of communicating with other prisoners. Suitable sanitary and bathing arrangements shall also be provided.

(3) Cells intended for separate and cellular confinement shall, have a general yard with suitable sanitary and bathing arrangements in which the occupants can take meals in association and be allowed to take exercise.

(4) The outer door of every cell yard shall have an eyehole so that the occupant can be watched. The cell shall have an iron-grated door and an iron grated ventilator.

**624. The purpose for which cells may be used.**---Cells may be used for-

(a) carrying out sentences of Judicial solitary confinement;

(b) separate and cellular confinement as a prison punishment;

(c) the medical observation of those suspected of being insane or the accommodation of noisy, dangerous or other mental patients for whom it is advisable to keep apart;

(d) the separation of prisoners;

(e) the medical observation, and segregation of prisoners suspected of malingering, causing sickness or injury to themselves or who are suffering from contagious or infectious diseases;

(f) confinement of prisoner under sentence of death and condemned prisoner;

(g) quarantine; and

(h) confinement of prisoners on hunger strike.

**625. No prisoner to be placed in a cell without a written order.**---No prisoner shall be placed in a cell either as punishment, or for segregation without the order of the Superintendent duly recorded on his history ticket.

**626. Cell tickets.**---A cell ticket shall be affixed outside the cell showing particulars of the prisoner.

**627. An officer to be within hearing of prisoners in cells, visits.**--- Every prisoner confined in a cell shall invariably be in the immediate charge of a Warder. The guards shall be so arranged and posted both by day and night that all prisoners in cells shall at all times have the means of communicating with a prison officer. Every prisoner so confined shall be visited by a Warder on duty at least once an hour by day and night. The relieving and the relieved Warder shall visit the cells together at every change of guard to see that the correct number is confined therein and that all is well.

**628. Close supervision of prisoners confined in cell.**---(1) A strict watch shall be kept over all prisoners confined in cells to prevent them from committing suicide, injuring themselves or doing any other unauthorised acts. Every mental patient, suspected mental patient, or prisoner suspected of suicidal tendencies under medical observation in cells shall be carefully watched both by day and night.

(2) A prisoner sent to a cell for medical observation shall be frequently visited by the Warder on duty who shall send information to the Medical Officer of any change, which may take place in the prisoner’s condition.

**629. Cells to be kept clean.**---Prisoners confined in cells shall be required to keep their cells scrupulously clean, and they shall be provided cleaning materials and water for this purpose. Their bedding shall be frequently exposed to sun and air.

**630. Search of prisoners in cells.**---(1) Each prisoner shall be carefully searched before being placed in a cell, and all articles likely to aid escape or suicide shall be taken away from him. The cell shall also be thoroughly searched. All cells and prisoners confined therein shall be carefully searched daily at lock-up, and oftener if necessary.

(2) There shall be detailed procedures which staff shall follow when searching prisoners and all places where prisoners live, work and congregate.

(3) Staff shall be trained to carry out these searches in such a way as to detect and prevent any attempt to escape or to hide contraband, while at the same time respecting the dignity of those being searched and their personal possessions.

(4) Persons being searched shall not be humiliated by the searching process nor shall be used as a form of bullying or abuse;

(5) Prisoners shall only be searched by staff of the same gender.

(6) Prison staff shall demonstrate competence, professionalism and sensitivity and shall preserve respect and dignity when searching children in prison with their mother;

(7) Internal physical searches of the suspicious prisoners may be conducted by the medical officer.

(8) Prisoners shall be present when their personal property is being searched unless investigating techniques or the potential threat to staff prohibits this.

**631. Precautions to be taken with condemned prisoners admitted to cells.**---When a condemned prisoner is received in a prison on transfer or otherwise and before he is placed in his cell, the Assistant Superintendent or chief warder, incharge of condemned prisoners, shall personally see that the prisoner’s shoes are taken away from him and that he is issued a pair of prison chappals.

**632. Precautions to be taken with prisoners in cells at night.**---(1) The presence of every prisoner in a cell shall be ascertained at each change of guard. In the case of sickness at night, notice shall be given by the prisoner to the Warder on duty, who shall inform the patrolling officer. The patrolling officer shall report the matter to the Medical Officer. If it is necessary to remove the prisoner to hospital, the Deputy Superintendent or the Assistant Superintendent on night duty will be sent for, who shall have the cell opened and the prisoner be removed to hospital be under his supervision and with proper safeguards. The Superintendent and the Medical Officer shall be informed of the circumstance at their next visit. A Warder on day duty shall have the custody of the keys of the cells and at night these shall be kept in the key chest in the main gate. In the case of an attempt to suicide by any prisoner, the cell shall be opened at once and the attempt be frustrated.

(2) The keys of the cell shall never be entrusted to a prisoner or Numberdar. The lock and bolt of every cell shall be examined daily by the Head Warder responsible for lock-up.

**633. Only one occupant in each cell exception.**---Every prisoner shall occupy a cell by himself by night, unless for medical or other special reasons it is necessary for prisoners to be associated. In such cases not less than three prisoners may be lodged in one cell, and each shall be supplied with separate bedding.

**634. Prison servants may enter a cell.**---A prison servant may be permitted to enter a cell when his services are required there and he is accompanied by a Warder.

**635. Labour in cells.**---(1) The forms of labour selected for prisoners in cells shall, as far as possible, be such as not to facilitate escape or suicide. If it is necessary to employ prisoners on other tasks, special precautions shall be taken.

(2) Grinding mills provided in cells shall be fixed on cement platforms into which the lower stones shall be embedded. Such cells shall not be used for night confinement, but only used during day for these prisoners awarded grinding as a prison punishment.

**636. Electric light in cells.**---Every cell in a Prison shall be provided with electric light at night. Electric fans may also be installed during summer where practicable.

**637. Drinking water in cells.**---(1) Prisoners confined in cells shall be provided with earthen pitchers or water cooler for storing water for drinking.

(2) Sufficient clean drinking water shall be provided to prisoners, free-of-charge on a daily basis.

**CHAPTER -26**

**Judicial Solitary**

**Confinement**

**638. Amount of solitary confinement ordered on a warrant.**---(1) Solitary confinement is such confinement with or without labour as entirely secludes the prisoners both from sight of and communication with other prisoners. The maximum periods of solitary confinement, which a Court is empowered to inflict, are-

(a) one month, if the term of imprisonment does not exceed six months;

(b) two months, if the term of imprisonment exceeds six months but does not exceed one year; and

(c) three months, if the term exceeds one year.

(2) If the period of solitary confinement ordered is stated in months, a month shall be counted 30 days.

**639. Limit of solitary confinement.**---In executing a sentence of solitary confinement, such confinement shall in no case exceed fourteen days at a time, with intervals between the periods of solitary confinement of not less duration than such period. When the imprisonment awarded exceeds three months, the solitary confinement shall not exceed seven days in any one month, with intervals between the periods of solitary confinement of not less duration than such periods, as per provision of section 74 of the Pakistan Penal Code, 1860.

**640. Conditions to be compiled with, in executing sentences of solitary confinement.**---(1) When a prisoner is placed in a cell, an entry shall be made on the history ticket, giving the date of commencement of the period of solitary confinement. At the termination of each period of confinement, the date of termination shall also be entered on the history ticket. The period under gone shall then be recorded on the back of the warrant.

(2) On the discharge of a prisoner from Prison, an entry shall be made in admission register showing the total amount of solitary confinement undergone as recorded on the warrant.

(3) No prisoner shall be placed in solitary confinement until the Medical Officer certifies on the history ticket that he is fit to undergo it.

(4) A prisoner who is unfit for solitary confined, shall be placed in a cell at a subsequent date when he is declared fit by the Medical Officer

(5) The execution of a sentence of solitary confinement need not be postponed on account of an appeal having been lodged.

(6) Every prisoner undergoing solitary confinement shall be visited daily by the Medical Officer.

(7) If the Medical Officer is of the opinion that solitary confinement is likely to prove injurious to the mind or body of any prisoner, he shall forthwith order him to be removed from the cell, and shall record the order in his report book.

(8) If a prisoner, sentenced to solitary confinement, is declared permanently unfit by the Medical Officer to undergo such confinement, the fact shall be reported to the Court, which awarded the sentence. The declaration shall be recorded on the history ticket and the warrant.

(9) Prisoners placed in solitary confinement shall have the right to exercise for at least one hour per day in the open air.

**641. Solitary confinement when to be undergone.**---If a prisoner is sentenced under two or more separate warrants, any period of solitary confinement awarded can only be given effect to during the time the sentence, of which it forms part, is being executed.

**642. Endorsement on warrant of solitary confinement undergone.**---On the expiry of the sentence of a prisoner, including solitary confinement, the Superintendent while certifying the execution of the sentence on the warrant shall also state the total period of solitary confinement undergone by the prisoner and shall record the reasons if any portion has not been executed.

**CHAPTER -27**

**Instruments For**

**Safe Custody**

**643. 644. ---[Deleted]**

**644.A Instruments of restraint, general principles.**---(1) Fetters shall not be used as restraints under any circumstances, except for dangerous prisoners.

(2) Other instruments of restraint, as specified in these rules, shall only be used in exceptional cases, where all other control methods have been exhausted and failed, and only as explicitly authorised and specified in the following circumstances:

(a) as a precaution against escape during a transfer, provided that they shall be removed when the prisoner appears before a Judicial or administrative authority and shall never be used with juveniles, except for security reasons;

(b) on medical grounds by the recommendation of the Medical Officer; and

(c) by order of the Superintendent, if other methods of control fail, in order to prevent a prisoner from injuring himself or others or from damaging property. In such instances, the Superintendent shall at once consult the Medical Officer and report to the higher administrative authority.

(3) The patterns and manner of use of instruments of restraint shall be decided by the Superintendent. Such instruments must not be applied for any longer time than is strictly necessary.

(4) Instruments of restraint shall never be used on women during labour, during birth and immediately after birth.

**645. Only Superintendent is authorized to order handcuffs.**---Imposition of handcuffs requires the order of the Superintendent. Deputy Superintendent or Assistant Superintendent shall not order any prisoner to be put in handcuffs on his own authority except in the case of emergency in which case a report shall be made to the Superintendent in writing on his next visit to prison.

**646. Entries on history ticket.**---If the Superintendent considers it necessary to impose handcuffs on any convicted or under-trial prisoner he shall record on the history ticket the reason for the imposition of the handcuffs and the period for which these are imposed. The date on which handcuffs are actually removed shall also be noted on the history ticket.

**647. Removal of handcuffs of patients.**---Handcuffs of patients admitted to hospital shall be removed, unless the Superintendent directs otherwise or when the prisoner is especially dangerous and the fact has been noted on his history ticket by the Superintendent.

**648. Review of orders for the imposition of handcuffs.**---(1) The Superintendent shall review, in the beginning of every quarter, cases of all the prisoners who are wearing handcuffs for safe custody.

(2) The Inspector General may, at the time of inspection, satisfy himself that there are sufficient reasons for the imposition of handcuffs.

(3) Handcuffs imposed for safe custody shall be removed immediately when the Superintendent is satisfied by the prisoner’s conduct, or other circumstances that their imposition is no longer necessary.

**649. to 651 ---[Deleted]**

**652. Imposition of handcuffs.**---Handcuffs may, as a measure of restraint, be imposed on any prisoner, if the Superintendent is of the opinion that their imposition is necessary for the protection of the prisoner himself or any other person.

**653. to 655. ---[Deleted]**

**CHAPTER -28**

**Discipline and Daily Routine**

**655.A Good order in Prison.**---Good order in prison shall be maintained by taking into account the requirements of safety, security, and discipline, while providing prisoners with living conditions which respect human dignity and offering them a full programme of activities.

**655.B Provision of purposeful activities.**---(1) The Superintendent shall provide a range of purposeful activities for prisoners which, so far as reasonably practicable, takes into account,-

(i) the interests and need of prisoners to obtain skills and experience which shall be useful to them after release; and

(ii) the requirements of the operation and maintenance of the prison.

(2) “Purposeful activities” include but are not limited to:

(i) work;

(ii) education of any kind;

(iii) counseling and other rehabilitative programmes;

(iv) vocational and technical skills training;

(v) work placements within the Prison parameter;

(vi) outdoor exercise and physical education; and

(vii) social work, medical and psychological care and work. Parole officers may also be included in the regimes for convicted prisoners.

**655.C Sentence planning.**---(1) As soon as possible after such admission, reports shall be drawn up for convicted prisoners about their personal situations, the proposed sentence plans for each of them and the strategy for preparation of their release.

(2) Convicted prisoners shall be encouraged to participate in drawing up their individual sentence plans.

(3) There shall be reviewing individual sentence plans for prisoners after consideration of appropriate reports, full consultation among the relevant staff and with the prisoners concerned, who shall be involved as far as practicable.

(4) Such reports shall include reports by the staff, who is incharge of the prisoner concerned.

(5) Parole officers shall be involved in sentence planning particularly when a prisoner is about to release.

**655.D Role of Non-Governmental Organizations.**---Well reputed non-Governmental organizations may be permitted by the Inspector General to enter the prison to visit prisoners and to contribute to prison regime activities.

**656. Time of un-locking and lock-up.**---Prisoners, other than those ordered or required to be confined in cells by day and night, shall be unlocked and removed from their sleeping barracks, cells and other places half an hour before sunrise. In the evening they shall be placed in their proper sleeping barracks and cells and locked up for the night before sunset.

**657. Discipline and movements of prisoners.**---Prisoners shall be kept and shall remain under strict order, discipline and control both by day and night. All movements of prisoners shall be conducted in an orderly and regular manner, under strict control.

**658. Power of Inspector General to issue directions.**---The Inspector General may, in his direction, from time to time issue detail instructions as to the manner in which the order, discipline and control are to be maintained.

**659. Prisoners to obey lawful orders.**---Every prisoner shall obey every lawful order issued to him by an officer of the prison.

**660. Unlocking of prisoners.**---Half an hour before sunrise the bugler shall sound the reveille or bugle, and the prisoners shall rise as soon as it is sounded. They shall arrange their bedding and spare clothing neatly on their sleeping berths and shall then sit there and counted by the Numberdar. On the arrival of the Deputy-Superintendent or Assistant Superintendent, Chief Warder, Head Warder or Warder, each barrack shall be unlocked. The prisoners marched in pairs and counted by the day Head Warder. The officer detailed for this duty shall verify the number of prisoners counted out of each barrack by comparison with the entries in the lock-up register. When the prisoners have been counted and the Deputy Superintendent has satisfied himself that the number of prisoners unlocked is correct, the night duty Warder shall be marched out of the prison. The completion of unlocking shall be announced by the bugle or bell call.

**661. Ablution and morning meals.**---The prisoners shall then visit the latrines and bathrooms in an orderly manner. When the prisoners have performed their toilet and offered their morning prayers, they shall be served with breakfast by the cooks at appointed places. Any prisoner expressing a wish to receive medical treatment shall be examined and treated by the Medical Officer. Any prisoner who appears to be ill, shall be sent to hospital at once.

**662. Prisoner’s movements.**---Whenever prisoners are marched from one part of the prison to another or, are sitting or standing in parties, except when at meals or when paraded for inspection, they shall be arranged in files of pairs and shall be in discipline.

**663. Prisoner’s conduct towards officers.**---Prisoners shall be required to conduct themselves and to show proper respect to prison officers and visitors.

**664. Distribution into work parties.**---(1) After breakfast, the prisoners shall be distributed into their respective work parties and other activities. A record of the names of the prisoners made over to each Warder during the day shall be kept in a register and every subsequent change of a prisoner from one party to another shall be recorded therein. Each party shall be made over to a responsible officer and marched to its working place.

(2) Prisoners who are to work in the prison factory shall be assembled in an orderly manner at the factory gate under the supervision of Chief Warder or Head Warder. They shall be handed over to the Head Warder incharge of the factory who shall count them and give a proper receipt for them. He shall maintain a daily attendance register of all prisoners working in the factory. The same procedure shall be observed in the afternoon at the closure of the factory. All prisoners leaving the factory shall be searched by the Head Warder.

**665. ---[Deleted]**

**666. Prisoners to be locked in work sheds.**---The gate of every work shed shall ordinarily be kept locked after the prisoners have entered, and the key shall be kept by the Warder incharge, who shall be responsible that no prisoner passes into or out of the work shed without proper permission.

**667. Access to urinal and latrine at all hours.**---Every prisoner shall have access to a urinal or latrine at all hours.

**668. Mid-day meals.**---At 11:00 A.M. the prisoners shall suspend work and march to the bathrooms. After they have washed their hand and faces they shall proceed to the dining sheds or places appointed for the distribution of meals. Here they shall sit down and the cooks shall distribute the food in the presence of the Assistant Superintendent. The food shall ordinarily be consumed at the spot. Prisoners working in the prison garden or other places outside the prison shall ordinarily receive food at their place of work:

Provided that if dining sheds are not available, prisoners may consume their food at any other special place or living berth.

**669. Procedure after mid-day meals.**---When the meal is finished the prisoners shall visit the bathrooms for a wash and cleaning of plates, etc. A couple of tubs shall be placed nearby where prisoners may throw any food left over by them. The prisoners shall resume work after the meals.

**670. Checking of food.**---(1) The Superintendent concerned shall constitute a Prisoners Food Committee, consisting of senior and well-behaved prisoners, who shall look after the food quality and supervise main kitchen.

(2) The Deputy Superintendent or the Assistant Superintendent, Incharge jail cookhouse shall be present when the food is distributed to the prisoners at mid-day, and in the evening. They shall verify the weight of a number of food items and frequently test the scales and weights in use. They shall record in the report book that the food distributed was correct in weight and good in quality or otherwise and note down complaints, if any, made by prisoners.

**671. Cessation of work and lock-up.**---The prisoners shall stop work at 02:00 PM in winter and 03:00 PM in summer. They shall collect their utensils and march to the spot where the parties were formed. After the Head Warder has counted them and compared them with the attendance register, they shall march to their respective wards and enclosures. They shall then visit the latrines and bathrooms. The evening meal shall be distributed in the same manner as at mid-day. They shall then go to their barracks or cells where they shall be searched, counted and locked up.

**672. Permission to well-behaved prisoners to sleep outside during summer.**---Well-behaved prisoners who have undergone one-third of their substantive sentence may be permitted to sleep outside at night during summer months, i.e. from the 1st of May to the 30th of September of each year; provided that the Superintendent considers them reliable and worthy of this concession. All prisoners under twelve years of age or over sixty years of age, irrespective of other conditions imposed and length of term of imprisonment, may be allowed this privilege. Prisoners, who are guilty of any prison offence during the last three months, shall be debarred. The concession shall be withdrawn from a prisoner who has been allowed to sleep outside and subsequently punished for any prison offence. The selection of prisoners for this concession shall be made by the Superintendent and recorded on history tickets under his initials.

**673. Disposition of prisoners on parade.**---At the Superintendent’s weekly inspection, the prisoners shall sit in single file. Before each prisoner shall be spread out his daily use articles and placed in front of him. The history ticket shall be placed over his kit. On the arrival of the Superintendent the prisoners may make requests, if any, on their turn. The Superintendent shall give a patient hearing to such request and dispose it of according to the merit of the case.

**674. Prisoners not to leave their place to make complaints.**---No prisoner shall leave his place at any time to make any representation to the Superintendent or Deputy Superintendent, but he may, if the representation is an urgent one, such as complaint of assault or ill-treatment or like, represent the matter to the Superintendent or Deputy Superintendent when these officers are making their rounds. Any prisoner wishing to make a request shall, if the matter is urgent, be brought before the Superintendent, but minor complaints and petitions shall as a rule, await the Superintendent’s weekly parade.

**675. Instructions to prisoners.**---Every prisoner shall, on admission to Prison, be—

(a) warned to avoid the acts that are prison offences; 

(b) instructed as to the course he is to pursue on the occasion of a riot, disturbance or whenever the alarm is sounded; and

(c) informed of his liability to be fired upon if he joins in a riot or disturbance, or attempts to escape or refuses or neglects to the course laid down for his guidance.

**676. Prisoners to wash their clothing weekly.**---All prisoners shall wash their clothing on Sunday. A tub containing a hot solution of washing soda shall be placed in a suitable place near the bathrooms. Each prisoner shall dip his clothing in this solution and proceed to the washing place to scrub and clean them. The Superintendent may detail prisoners to boil and wash articles of bedding and clothing for certain classes of prisoners, e.g. cooks, condemned prisoners, prisoners under sentence of death hospital articles and patient, etc. thirty (30) grams washing soda and three hundred (300) grams firewood shall be used per prisoner per week.

**677.A Routine of prisoners on non-working days.**---On Sunday and holidays prisoners may be permitted to sit or lie about freely but quietly in the sectors of their barracks or cells. Association shall be allowed only amongst the prisoners usually confined in a particular barrack or sector. Prisoners may play games permissible under these rules in their own sectors in the afternoons or may take walking exercises.

**677.B Exercise in open air.**---Every prisoner who is not employed in outdoor work shall have at least one hour of suitable exercise in the open air daily if the weather permits.

**677.C Recreation and cultural activity.**---The prison regime shall allow all prisoners, with the exception of condemned prisoners and high security prisoners, to spend as many hours a day between lockout and lockup outside their barracks or cells as are necessary for an adequate level of human and social interaction subject to permission of the Superintendent:

(1) recreational and cultural activities shall be provided in all prisons for the benefit of the mental and physical health of prisoners; and

(2) prisoners shall be allowed to associate with each other during exercise and in order to take part in recreational activities, subject to available resources and security conditions.

**678. Games.**---Prisoners are allowed to play indoor games such as carom, ludo and chess inside the barracks. Outdoors games such as kabbaddi, wrestling, volleyball and football etc. are also allowed for an hour in the evening in the prison playground under proper supervision, if conditions permit it.

**679.A Education and library.**---(1) Education up to primary standard shall be imparted to all illiterate prisoners daily for at least one hour by paid teachers who may be assisted in this work by educated prisoners. Religious education shall be compulsory for all prisoners. Facilities may be provided to prisoners who are desirous for higher studies.

(2) Every Prison shall have a well-stocked library. The prisoners shall be permitted to borrow books from it. Prisoners shall be permitted to read daily newspapers to be supplied at State expense. Prisoners may also be permitted to obtain, at their own expense, newspapers and magazines on the approved list.

**679.B Vocational and technical skills training.**---Vocational and technical skills training in useful trades shall be provided for prisoners. The National Vocational and Technical Training Commission (NAVTEC), the Khyber Pakhtunkhwa Technical Education and Vocational Training Authority and other relevant Government Departments shall be encouraged to conduct courses in prisons.

**680. Television.**---One or two Television sets shall be provided for each barrack if financed by any welfare organization or arranged by any prisoner.

**681. Matters affecting casts or religion.**---(1) Prisoners’ freedom of thought, conscience and religion shall be respected. Prison authorities shall recognize that prisoners from different religious and cultural backgrounds have distinctive needs comprehensive programmes and services shall be provided to address these needs. No undue interference with the religion of prisoners shall be permitted.

(2) Every prisoner shall be allowed to offer his devotions in a quiet and orderly manner.

(3) The prisoners shall be allowed congregational prayers in the prison; provided that they undertake to behave properly at the congregation. These congregational prayers shall usually be arranged in the yards or circles of each prison. All prisoners, except condemned prisoners and prisoners in punishment cells, dangerous and high profile prisoners may be allowed congregation prayers on Fridays and Eids. A Maulvi from outside may be permitted to lead the prayers.

(4) Muslim prisoners shall be expected to observe fasts during the month of Ramzan. Sehri shall be cooked during the night and issued to prisoners fresh and hot. Stale food shall not be issued.

(5) When the Superintendent is in doubt about the validity of any plea advanced by a prisoner on grounds of religion shall refer the matter for the orders of the Inspector General, whose decision shall be final.

(6) Prisoners shall be permitted to receive visits in private from permitted representatives of their religion or beliefs and to have in their possession books or literature relating to their religion or beliefs:

(7) Non-muslim prisoners may not be compelled to practice a religion or belief, to attend religious services or meetings, to take part in religious practices or to accept a visit from a representative of any different religion or belief.

(8) A prisoner who has declared himself to belong to a particular religion or religious denomination is entitled, as far as reasonably practicable, to take the weekly rest day on any recognized weekly day of religious observance; and to be excused from work or from undertaking an educational class or counseling on such other days in a year as are recognized days of religious observance.

(9) Appropriate facilities shall be provided to enable prisoners to practice their religion, without undue interference.

(10) Religious conversion shall be discouraged inside the Prison.



(11) Shia prisoners may be allowed to observe Muharram activities according to their own faith in a separate enclosure, if the Superintendent deems it fit.

**682. Cutting of hair.**---(1) The hair of every prisoner sentenced to rigorous or simple imprisonment, and of every under-trial prisoner shall be trimmed in the prison barber shop to such extent and at such times as may be necessary for reasons of health and cleanliness.

(2) Prisoners accustomed to shave before admission, may be shaved in prison barber shop.

(3) All razors in use shall be fastened by chain to an iron rod fixed in the barber’s box and when not in use shall be kept carefully locked up in the barber shop.

(4) Prisoners shall not be handcuffed while being shaved except in the case of prisoners whose antecedents or conduct in prison render this precaution essential.

**682. (v) ---[Deleted]**

(5) All prisoners shall be allowed soap and oil for toilet purposes at their own expense out of their private cash property or through their friends and relatives.

**683. Smoking of cigarettes.**---Prisoners are allowed to smoke cigarettes and biris at their own expense, but smoking inside the barracks, factories or while at work anywhere is prohibited. Numberdar on duty shall not smoke. Prisoners are allowed to keep matchboxes. Hookahs shall not be permitted. Smoking shall not be allowed in places, where other prisoners are present.

**684. Hunger Strikes.**---(1) Prisoners, who go on hunger strike shall be warned that requests for the redress of any alleged grievances shall not be considered at all so long as the strike continues, that hunger strike is a major prison offence, that a mass hunger strike amounts to mutiny and that hunger strikers are liable to be punished either with a prison punishment or by prosecution under section 52 of the Act, under which they may be sentenced to imprisonment which may extend to one year.

(2) The warning must be administered to the prisoner by the Superintendent himself and this shall be recorded on his history ticket.

(3) A hunger striker shall not be prosecuted under the Act without the previous sanction of the Inspector General.

**685. Action on the occurrence of hunger strike.**---When one or more prisoners go on hunger strike, they shall be immediately isolated from other prisoners and if possible, also from one another. All cases of hunger strike shall be reported immediately to the Inspector General together with the reasons for the hunger strike. A daily report in duplicate by the Medical Officer on the health and general condition of the prisoner shall be sent by the Superintendent to the Inspector General.

**686. Artificial feeding.**---In the event of a prisoner refusing to take food and resorting to hunger strike, the Medical Officer shall adopt methods of artificial feeding if in his judgment physical condition is such that artificial feeding provides the only method of keeping the prisoner alive. The actual operation of artificial feeding shall be carried out by the Medical Officer.

**687. Penalty for introduction or removing prohibited articles and communicating with prisoners under section 42 of the Act.**---Whoever contrary to any rules under section 59 of the Act, introduces or removes or attempts by any means whatever to introduce, remove into or from any prison, any prohibited articles, and even officer of a Prison, who contrary to any such rule knowingly suffers any such article to be introduced into or removed from any prison to be possessed by any prisoners, or to be supplied to any prisoner outside the limits of a prison, and whoever contrary to any such rule, communicate or attempts to communicate with any prisoner, and whoever abets any offence made punishable under section 42 of the Act, shall on conviction before a Magistrate, be liable to imprisonment for a term not exceeding six months, or to fine not exceeding two hundred rupees.

**688. Power to arrest for offences under section 42 of the Act.**---When any person, in the presence of any officer of a prison, commits any offence specified in section 42 of the Act and refuses on demand of such officer to state his name and residence, or gives a name and residence which such officer knows, or has reason to believe, to be false, such officer may arrest him and shall without unnecessary delay make him over to a police officer and therefore such police officer shall proceed as if the offence had been committed in his presence under section 43 of the Act.

**689. Publication of penalties.**---The Superintendent shall cause to be affixed, in a conspicuous place outside the prison, a notice in national and official provincial languages setting forth the acts prohibited under section 42 of the Act and the penalties incurred by their commission.

**690. List of prohibited articles.**---(1) The articles specified or included in any of the descriptions contained in the list annexed to this rule, shall be deemed to be prohibited articles, within the meaning of section 42 of the Act and sub-section (12) of section 45 of the Act, unless any such article shall be-

(a) introduced into any prison; or

(b) removed from any prison; or

(c) supplied to any prisoner outside the limits of any prison; or

(d) received, processed or transferred by any prisoner with the permission of the Superintendent or other officer empowered by him in this behalf.

(2) List of prohibited articles include-

(a) spirituous liquors of every description and intoxicating substances;

(b) all explosives, intoxicating or poisonous substances and chemicals, whether fluid or solid of whatever description;

(c) all arms and weapons and articles, which are capable of being used as weapons of whatever description;

(d) all bullion, metal, coin, jewelry, ornaments, currency notes, except within permissible limit, securities, bonds and articles of value of every description;

(e) all books, paper, photographs and pictures and printed or written matter and materials superficially prohibited by Government and appliances for printing or writing of whatever description;

(f) string, ropes, chains, bamboos and all materials which are capable of being converted into string or rope or chain, any article likely to facilitate escape, or implement of any kind;

(g) wood, bricks, stones and earth of every   
description;

(h) mobile phone, PTCL phone, SIM’s of any description, laptop, USB, MP3, charger, memory card and any other devices used for communications; and

(i) all substances used for intoxication including Heroin, Ice, or any other drug / Narcotics of whatever description.

**691. Prohibited articles.**---Every artic1e, of whatever description, shall be deemed to be a prohibited article within the meaning of section 42 and sub-section (12) of section 45 of the Act, in the case of-

(a) a prisoner if introduced into or removed from any prison or received, possessed or transferred by such prisoner, and such article has-

(i) not been issued for his personal use from prison stores or supplies, under proper authority; 

(ii) been so issued, if possessed or used at a time or place other than such as is authorized; and

(iii) not been placed in his possession for introduction, removal or used, as the case may be, by proper authority;

(b) a prison official-if introduced into or removed from any prisoner or supplied to any prisoner and such article-

(i) has not been issued or sanctioned for his personal use by proper authority; 

(ii) is not an article of clothing necessary for his personal wear; and

(iii) has not been placed in his possession by proper authority for introduction into or removal from the prison or for the purpose of being supplied to any prisoner.

(c) a visitor if introduced into or removed from any prison, or supplied to any prisoner and such article-

1. is not required for his personal use while within the prison and has not been declared by him before entering the prison, and the introduction into or removal from the prison, or possession, of which while in prison, has not been permitted by Superintendent jail;

(ii) is introduced, with or without authority and is not retained in his possession until he has left the prison premises; and

(iii) comes into his possession while within the prison, and is subsequently removed by him from the prison; and

(d) any other person if introduced into or removed from any prison, or supplied to any prisoner whether within or without the prison.

**692. Outsiders not to communicate with prisoners.**---No person other than a visitor, official or inmate of a Prison acting in pursuance of his privilege or duty as such visitor, official or inmate, shall communicate or attempt to communicate with any prisoner.

**CHAPTER -29**

**Watch and Ward**

**693. Every prisoner to be in the charge of Prison officer.**---Every prisoner in prison shall at all times, both by day and night, be in the charge of some officer. A record of the name of every prisoner shall be kept in a register for the day and in the barrack register for the night so that the responsibility for an escape or other incident resulting from the negligence of the Prison staff can be fixed definitely and beyond all doubts.

**694. Vigilance over prisoners to prevent escapes.**---(1) The officers in immediate charge of prisoners shall carefully watch the prisoners in their charge in all their movements and employments and use the utmost alertness and vigilance in order to prevent escapes.

(2) Prisoners shall not ordinarily be employed near high standing crops or thickets or bushes or places, which afford facilities for hiding or escape. No thickets or bushes shall be allowed to grow in the vicinity of a prison or the place where prisoners usually work. When prisoners are employed to remove thickets or bushes, a Warder armed with rifle and ammunition shall be detailed for duty at the spot.

**695. ---[Deleted]**

**695.A Approach for controlling prisoners.**---In controlling prisoners, Prison staff shall seek to:

(a) influence behaviour by example and leadership;

(b) enlist the willing co-operation of prisoners; and

(c) avoid deliberately provoking a prisoner.

**696. Executive officers to accompany morning guard.**---The Assistant Superintendent on day duty, Chief Warder and the warder guard detailed for duty during the day shall collect in the morning in the main gate fifteen (15) minutes before they are due for duty. The Warder guard after roll call and search shall be marched to their places of duty by the Chief Warder and Head Warders for unlocking of prisoners.

**697. Unlocking.**---The barracks and cells shall be opened and the prisoners counted out in pairs and searched by the Chief Warder or the Head Warders in the presence of the Warders on duty during the first period of day. The Assistant Superintendent, Chief Warder and Head Warders shall verify the number counted out in comparison, in each barrack, with the entries in the lock-up register. When the Assistant Superintendent has satisfied himself that the number of prisoners unlocked is correct, the relieved Warders of the last night watch shall be marched out of the prison and relieved. The unlocking of barracks and cells shall be carried out under the supervision of the Assistant Superintendent. The Deputy Superintendent shall also frequently visit different parts of the prison to see that the unlocking is correctly carried out and the officers are present. The number of prisoners unlocked in each barrack, Ward and cell block as well as the total number of prisoners unlocked shall be recorded in the lock out register which shall be signed by the Assistant Superintendent.

**698. Distribution in to parties.**---When the prisoners have had their morning meals, they shall be distributed into their respective parties and a responsible officer shall be placed in charge of each party. The responsibility for the charge of a party shall never be divided between two or more officers. The strength of a party working outside the prison walls, but within the premises shall not, without the sanction of the Inspector General, exceed twelve prisoners. There shall be at least one Warder in charge of every such party. In case of prisoners working inside the prison, each party may, including the Nambardar, contain as many as can be conveniently and effectively supervised. Prisoners shall not be employed for work beyond the premises of the prison without the special sanction of the Inspector General.

**699. Relief of morning guard.**---The warders placed on duty at the unlocking of the barracks and cells in the morning shall be relieved at noon by squad, which shall be brought into the prison by the Head Warder taking the second turn-off day duty. They shall remain in charge until the prisoners are locked up and correctly taken over by the Warder on night guard.

**700. Attendance register.**---A record of the names of prisoners made over to each Warder during the day shall be kept in an attendance register, and every subsequent change of a prisoner from one party to another shall be recorded therein under the initials of the Deputy Superintendent or Assistant Superintendent. When Warders are posted to their respective parties in the morning, the names of the prisoners composing each party shall be called from the attendance register in the presence of the Warder taking charge, who shall verify the total number by counting them. The Warder’s name shall then be recorded in the register and his receipt obtained. Every long term and dangerous prisoner shall be specially pointed out to the Warder taking charge of the party so that a special watch may be kept on him. At every change of guard the number of prisoners shall be counted, and in the case of prisoners outside the prison, the names of the prisoners shall be called over. In larger prisons there may be several registers so that the rolls may be called simultaneously at the same time. Literate Warder shall be employed to assist in writing up the registers.

**701. Collection of parties in the evening.**---On the cessation of work in the evening the prisoners shall be collected, counted and verified.

**702. Duties of Warders incharge of outside prisoners.**---Every Warder incharge of prisoners outside the prison shall keep a vigilant eye on the prisoners and shall not allow them to wander or go out of work area on any pretext whatsoever. He shall be personally responsible for their safe custody throughout the whole period of his duty. He shall check the prisoners frequently during his hours of duty. Prisoners working all day at a distance from the prison shall be provided with a temporary latrine in close proximity to the work and under the eye of the Warder incharge. Permanent Warders with experience shall be posted as incharge of outside prisoners. Every Warder incharge of an outside prisoners shall keep a list of prisoners which shall be initialed by the checking officer at the time of his visit.

**703. Checking of outside-prisoners.**---(1) The Chief Warder or a Head Warder shall check the outside prisoners at least twice daily once before noon and once in the afternoon.

(2) The Deputy Superintendent or an Assistant Superintendent shall check the outside prisoners twice daily, once in the morning and again in the after noon at uncertain hours.

(3) The Superintendent shall pay surprise visits to the outside prisoners at least once a month and satisfy himself that the rules are duly complied with and shall record the fact in his order book.

**704. Evening count and lock up of prisoners.**---After the evening meal has been over, the prisoners shall be locked up in the following manner:

(a) every barrack, ward and cell shall be searched by the Head Warder incharge. Clothing, bedding and other articles of prisoners shall also be searched. The gratings of doors and windows shall also be checked by him;

(b) the Head Warder and Warders shall then carefully search every prisoner with due regard to privacy and decency;

(c) the name of every prisoner shall then be called from the attendance register of the barrack who shall then enter the barrack. The Head Warder shall keep a count of the prisoners. The prisoners shall sit on their berths where the Numberdars on night duty shall again count them and report the number to the Head Warder. When the head Warder is satisfied that the number is correct he shall lock the barrack. The number of prisoners lock-up in the barrack shall be written by chalk on a black slab outside the barrack door;

(d) when all the prisoners, have been locked up, the total number of prisoners shall be verified. The number of prisoners locked up in each barrack, Ward and cell block as well as the total number   
of prisoners in the Prison shall be recorded   
in the lockup register to which the Deputy   
Superintendent shall append his signature in token of correctness; and

(e) lock up of prisoners shall be completed before sunset.

**705. Deputy Superintendent and Assistant Superintendent to be present at lock up.**---All Assistant Superintendents shall be present in their respective charges at evening lock up and ensure that the procedure laid down in the preceding rule is being properly and effectively carried out. The Deputy Superintendent shall be present in the prison at this time, and shall ascertain by surprise visits to various parts of the prison, that all officers are present at their posts, and lock up is being carried out properly.

**706. Disposal of keys.**---On the completion of the lock up, the keys of the barracks, cells and other places where prisoners are confined shall be collected and counted in the presence of the Deputy Superintendent who shall note total number in the lock up register. He shall then lock the keys in the key chest in the main gate and make over the key, of such chest to the gatekeeper on night duty. The gatekeeper shall in turn make over the key to his successor who shall deliver it to the Assistant Superintendent on duty on his entering the prison next morning.

**707. Rest for Warders.**---The last section of the night guard shall not be employed in morning squad on the following day.

**708. Employment of Nambardars on night guarding.**---The barracks shall be guarded inside by Numberdars and they shall be responsible for escapes from barracks where they are posted on duty.

**708. (ii) to (vi) ---[Deleted]**

**709. ---[Deleted]**

**710. Armed warders to accompany parties taken beyond the prison precincts.**---When prisoners are taken outside the prison to work at a place to distant that the alarm if sounded cannot be heard at the prison, one or more Warders shall accompany the prisoners, armed with rifles and ammunition. These shall be in additions to the Warder incharge of the and shall station themselves at a suitable position to guard the prisoners and render assistance, if required.

**711. Duties of Warders on night watch.**---The duties of every Warder on night watch are the following:

(a) to patrol the main wall of the prison, he shall not quit his post or sit down, and shall be armed with a baton and possess a whistle;

(b) to watch the prisoners and premises vigilantly in order to preserve silence, order and security;

(c) to see that the Numberdars do not sit but patrol inside the barracks constantly during their watch;

(d) to be constantly on the move examining each barrack to see that every prisoner is on his berth, and that the barrack is properly lighted.

(e) to examine frequently bolts, locks, gratings and doors in order to satisfy himself fully that they are intact;

(f) to get the prisoners counted by the Numberdars on duty at least once in every hour in order to satisfy himself that the number is correct; and

(g) to give immediate alarm by blowing his whistle, message by walky talky or any other source of communication on the happening of any occurrence requiring prompt action such as escape, riot, fire and external attack etc.

**712. Duties of Head Warder or Warder as Patrolling Officers.**---The duties of every Head Warder or Warder as Patrolling Officer at night are the following:

(a) to see that night sentries both inside and outside the barracks are on the alert;

(b) to go around each barrack or cell block once every hour, examining locks, bolts, gratings, doors, walls and roofs in order to satisfy himself fully that they are intact;

(c) to frequently get the prisoners counted by Numberdar on duty and to satisfy himself that the number is correct;

(d) to see that every barrack confining prisoners is well lighted;

(e) to patrol the main wall and ensure that Warder guards are alert and watch tower sentries are vigilant;

(f) to report immediately any cases of serious sickness to the Medical Officer and the Assistant Superintendent on duty who shall, if necessary, take steps for the removal of the sick prisoner to hospital; and

(g) to raise alarm and send immediately information to the Assistant Superintendent on night duty and the Deputy Superintendent of any occurrence requiring prompt action, such as an escape, riot, fire etc.

**713. Roster of officers for duty.**---A roster showing the turns of duty of each Warder and Numberdar shall be prepared in advance under the orders of the Deputy Superintendent in the day duty register of Warder and Numberdar. All subsequent changes of duty of officers on the roster shall be noted on it.

**714. ---[Deleted]**

**715. System of watch inside the barracks at night.**---Every barrack in which prisoners are confined shall be patrolled inside by a Numberdar at a time who shall be relieved at the time the warder guard is changed. A roster showing the names of the Numberdars detailed for duty in each barrack or ward, with the hours of duty shall be kept in the night duty register of Numberdars. The duties of these Numberdars shall be changed at every fortnight. When exceptional precautions are necessary or a barrack is of unusual length, more Numberdars may be placed on duty at one time, each being allotted a definite beat.

**716. Duties of Numberdars inside barracks at night.**---The duties of a Numberdar on duty inside a barrack are the following:

(a) to maintain order and discipline;

(b) to acquaint himself with the appearance of all dangerous and important prisoners in the barrack and keep a special watch on them;

(c) to satisfy himself by frequent counting that all the prisoners are present and intimate the fact to the outside patrol at his each visit;

(d) to report to the patrolling officer, at each change of guard, the numbers of prisoners present after actual counting;

(e) to give notice of any unusual occurrence to the patrolling officer for taking action that may be necessary; and

(f) to report immediately, to the Head Warder or the Warder on duty any serious case of sickness.

**717. Lights.**---(1) The main wall, barracks, cells and yards shall be lighted with bright electric lights. In prisons where there is no electricity these shall be lighted with lamps burning brightly all night through electric generator.

(2) It is the duty of the patrolling officer and the Numberdars inside the barracks to see that the lights are kept brightly.

(3) Every patrolling officer, Warder and Numberdar on night duty, shall be provided with torches where necessary which they shall carry in their hands throughout their hours of duty.

**718. Barracks not to be changed without orders.**---Prisoners shall not be transferred from one barrack to another without the orders of the Deputy Superintendent.

**719. ---[Deleted]**

**720. Prisoners in cells to respond to call.**---A prisoner confined in a cell at night shall respond to a call at any time when any patrolling officer or other officer on duty has any suspicion regarding his presence.

**721. Search of warder guard at the main gate.**---At every change of guard during the day and night, the gate-keeper shall search the relieving and the relieved Warder between the gates. The Deputy Superintendent or Assistant Superintendent shall personally conduct the search of Warders once a week and register report in his report book in this respect.

**722. Guard awakener.**---A warder may be posted for awakening the Warder for their turns of duty. The Warders shall be told before hand at lock up, their hours of duty at night.

**723. Custody of dangerous and terrorist prisoners.**---Special precautions shall be taken for the safe custody of dangerous prisoners declared as such by the Superintendent. All the militants and prisoners involved in terrorist activities shall be included in the dangerous prisoners. The detaining authority shall intimate the status of militants and terrorist prisoners when admitted into the prison. The following conditions shall be strictly observed:

(i) a list of such prisoners shall be prepared under the signatures of Deputy Superintendent which shall be reviewed by the Superintendent at least once a week. A separate register shall be maintained by the Deputy Superintendent for all dangerous prisoners whose place of night confinement shall be marked daily by him and carried out by the Chief Warder or any other officer detailed for the purpose;

(ii) on being admitted to prison they shall be confined in the most secure building available or high security zone of the prison and placed under the charge of trust-worthy Warders;

(iii) they shall be thoroughly searched twice daily and occasionally at uncertain hours. The Deputy Superintendent or Assistant Superintendent shall have them searched at least once daily in his presence and must satisfy himself that they are properly searched by a trust worthy subordinate at other times;

(iv) they may be hand cuffed if necessary. The reasons for having recourse to hand cuffing shall be recorded by the Superintendent on the prisoner’s history ticket;

(v) they shall not be employed on any industry affording facilities for escape and shall not be entrusted with implements that can be used as weapons;

(vi) warders on taking over charge of such prisoners must satisfy themselves that their fetters are intact and the iron bars on the gratings of the barrack or cells in which they are confined are secure and all locks, bolts, etc., are in proper order. They shall during their terms of duty, frequently satisfy themselves that all such prisoners are in their places, and shall acquaint themselves with their appearances;

(vii) as far as may be practicable, prisoners working in the same party or workshop shall be locked up in the same barrack or ward. Prisoners working in out-parties shall, as far as possible, be blocked up separately from others;

(viii) all dangerous prisoners shall be required to submit a list of their relatives to the Superintendent on their admission to prison, he shall fix the date of interview;

(ix) if possible, interviews of all dangerous prisoners shall be held individually and not along with other prisoners, so that conversation can be over-heard;

(x) dangerous prisoners, escaped prisoner and prisoners involved in terrorism activities shall be fettered by the Superintendent with the prior approval of Government; and

(xi) dangerous prisoner shall be confined in cells in separate enclosures;

(xii) the militants and terrorist prisoners shall be kept segregated from other prisoners;

(xiii) terrorist prisoners may be allowed to have interview with their relatives once a week in segregation from other prisoners. The day and time of interview shall be fixed by Superintendent.

**723.A Number of Warders required for guarding.**---(1) When there are two or more militant or terrorist prisoners confined in a prison at the same time, in cells, situated at some distance from one another, a separate warder shall be placed over each cell, but if the cells are contiguous, two warders shall be posted to guard a maximum of eight prisoners.

(2) For any number of prisoners in excess of eight, an extra warder shall be posted over when the cells are contiguous.

(3) When two or more cells are occupied, the warder shall walk up and down in front of them, so that each prisoner may be brought into view at short intervals.

**723.B Duty of Warder over terrorist prisoners.**---(1) The Warder on duty over the terrorist prisoners shall be armed with a cane stick, wireless set and a whistle to raise alarm when necessary.

(2) He shall be posted in, or immediately outside the door of the cell yard, accordingly as the prisoner is in the cell or cell yard respectively, and shall keep him constantly in view.

(3) He shall allow no person except authorized prison visitors, the Superintendent, Medical Officer, Deputy Superintendent and Assistant Superintendent, Head Warder on duty and the authorized menials of the prison under proper guard, to go near or communicate with the prisoner, without an order in writing from the Superintendent, when not accompanied by him.

**723.C Management of keys, conditions under which the doors may be opened.**---(1) The keys of a cell in which a terrorist prisoner is confined shall be kept by the head warder on duty. In case of an alarm, in the event of emergency, such as attempt by the prisoner to commit suicide, escape or any other offence, he shall enter the cell and take all possible steps to frustrate it.

(2) The door of a cell in which a terrorist prisoner is confined shall not ordinarily be opened unless the prisoner has been first handcuffed and so securing him against the possibility of using violence. If he refuses to be handcuffed, he may be taken out if three Warders and a Head Warder or Chief Warder are present.

(3) The locks in use in a terrorist cell shall be such as cannot be opened by any other key in use in the prison.

**723.D Occupation of cell yards and Precautions to be taken---** (1) A terrorist prisoner should (unless disallowed for special reasons by the Superintendent in writing), be permitted to occupy the courtyard for one hour, each morning and evening. Only one such prisoner out of eight prisoners at a time should be allowed to do so.

(2) During the time a terrorist prisoner occupies a courtyard, both the cell and the yard doors should be kept locked and on each occasion before opening the cell door to admit the prisoner to the yard, handcuffs should be applied and should remain on him till he is again locked into the cell.

(3) A terrorist prisoner shall not be removed from his cell to the yard or vice versa for any purpose, except in the presence of the head warder or chief warder.

(4) A prison worker allowed to enter the cell of a terrorist prisoner to perform any duty, shall be carefully searched and while carrying out his works shall be kept under close supervision by the warder on duty.

(5) When handcuffs are to be applied before the cell door is opened, the prisoner should be asked to thrust his hands between two of the bars of the grated door. The handcuffs can be removed in a similar manner, when he has been locked in the cell.

**723.E Diet - Precautions to be taken.---** Terrorist prisoners shall be allowed the ordinary diet under these rules. The food shall be delivered to the prisoner in the presence of the Chief Warder or Head Warder on duty.

**724. Visits by officials at night, report to be made.**---(1) Every night, there shall be four rounds in a Central Prison and three in a District prison to check the security arrangements.

(2) The rounds shall be made by the Deputy Superintendent or any Assistant Superintendent or the Chief Warder or the Head Warder, provided that every Deputy Superintendent and Assistant Superintendent shall make at least two night rounds on different nights in a week.

(3) The time and the order in which these officers make the rounds shall not be made known and the order in which officers shall make the rounds shall be changed occasionally.

(4) The rounds shall be made between the following hours:

|  |  |
| --- | --- |
| **CENTRAL PRISON** | |
| First round | 8 PM to 11 PM. |
| Second round | 11 PM to 1 AM. |
| Third round | 1 AM to 3 AM. |
| Fourth round | 3 AM to unlocking. |

|  |  |
| --- | --- |
| **OTHER PRISONS** | |
| First round | 8 PM to 11 PM. |
| Second round | 11 PM to 2 AM. |
| Third round | 2 AM to unlocking. |

The duration of the round shall not be less than one hour.

(5) The Deputy Superintendent or Assistant Superintendent on night round duty shall be exempted from attending un-locking on the following morning.

(6) The date of the visit, the hour of entering and leaving the prison the parts of the prison visited and a report of any unusual occurrence that comes under observation shall be recorded in a book which shall be provided for the purpose at the main gate. This book shall remain in the custody of the Assistant Superintendent during the day and the gatekeeper during the night. The Assistant Superintendent shall provide it daily before the Deputy Superintendent and Superintendent.

**725. Opening of barracks at night.**---No barrack shall be opened during the night except in cases of urgent necessity, and then only in the presence of the Assistant Superintendent, Chief Warder or the Head Warder and a number of Warders to avoid any untoward incident.

**726. Precaution about locks and keys.**---(1) The locks of the doors of all sleeping barracks and cells shall be so placed that the prisoners cannot reach them from inside.

(2) The keys of all barracks and cells shall be kept in the key chest at night. The inner gates of enclosures within the circles shall be kept locked at night. The keys of these locks shall remain with the Warders on duty.

(3) The loss of prison key shall be reported at once to the Deputy Superintendent

(4) A lock, the key of which has been lost or misplaced, shall be destroyed in the presence of the Deputy Superintendent and written off from the records.

(5) On each bunch of keys there shall be a brass disc showing the name of the place to which it belongs and the number of keys in the bunch, and the keys chest shall be provided with hooks named to correspond with the names on the bunches of keys.

(6) The keys shall be placed in a ring the ends of which shall either be soldered or riveted so that no key may be removed from it.

**727. Testing of gratings.**---Bars of iron gratings fixed in drains under the main wall shall be tested from time to time. The Deputy Superintendent or Assistant Superintendent shall conduct this test personally once a week and make a report in his report book.

**728. ---[incorporated in building Chapter]**

**729. Warders on main wall duty.**---(1) In every prison where there are no watch towers a chain of specially selected Warders shall be posted along the inside of the main wall by day. Each Warder shall patrol a beat of one hundred yard. A duty roster showing the names of Warders employed on this duty and the posts that they occupy shall be kept and written up under the orders of the Deputy Superintendent. Each Warder shall be given a wooden disc which he shall pass on to the Warder at the next beat. The discs shall be serially numbered up to thirty and each Warder shall be responsible for circulating a disc every three minutes during the day. The object is to keep the Warders on the move. If a Warder is slack on duty the fact shall become apparent to the gate keeper by delay in return of the discs and he can then instruct the patrolling officer on duty at the main wall accordingly.

(2) Warders shall be employed to guard the main wall at night. Circulation of discs shall also be continued at night, the time duration between the two dishes shall be three minutes.

(3) The relief and postings of these Warders shall be carried out according to military discipline under the supervision of a Head Warder or Warder.

(4) In prisons having watch towers it shall not be necessary to post the Warders along the main wall but one or two patrolling officers shall be on duty at all hours to patrol the main wall from inside.

**730. ---[Deleted]**

**Chapter -30**

**Accidents, Deaths and Disposal**

**of the Dead Bodies**

**731. Precautions against death by accident or suicide.**---Superintendent and Deputy Superintendent shall take every precaution against death by accident or suicide in their prisons and the following instructions shall be carefully followed:

(a) when prisoners are employed on digging earth for clay or any other purpose, the Deputy Superintendent shall take steps to guard against the undermining of earth banks and see that the work is carried out in such manner as shall make accidents from falling earth impossible;

(b) whenever prisoners are employed in dangerous places where accidents are likely to occur (as on the roof of a building or top of a ladder or wall), either a rope shall be tied round their waste and fastened to a secure place or some other suitable device, such as the erection of a scaffolding underneath, shall be adopted, so as to ensure the safety of the prisoners;

(c) as for as possible wells not be used inside the prison, however, when necessary, as a precaution against accidents as well as suicide, all wells inside the prison shall be provided with a grated door, which shall be kept locked. The Warder incharge of a party of prisoners working on a well, before he leaves the well, shall close and lock the door of the grating. Prisoners shall not be employed inside a well for any purpose;

(d) prisoner, suspected of suicidal tendencies, shall be carefully watched and be kept under the constant supervision of a Warder or Numberdar. Such supervision shall not replace appropriate mental health support and care by a qualified psychologist or psychiatrist. Prisoners with suicidal tendencies shall not be placed in a cell or isolation ward unless advised by Medical Officer;

(e) before a prisoner is put in a cell or isolation ward, the prisoner as well as the cell or isolation ward shall be carefully searched and all implements and appliances likely to facilitate suicide shall be removed;

(f) all the sky lights in cells and isolation wards and all windows at a height of more than 91 cm. from the ground shall be protected by a mesh of wire gauze on the inside that no prisoner confined in the cell   
or ward is able to use the bars for committing suicide; and

(g) whenever, a prisoner attempts to commit suicide, an immediate inquiry shall be conducted by the Judicial Magistrate posted in the district to find out the reason of such suicidal act. The findings contained in the report shall be submitted to Inspector General.

**732. Precautions against fire.**---The following measures are prescribed as precautions against fire:

(a) no fires except in constructed fire-places, for example, in cookhouse, blacksmith shops, etc., shall be allowed in any part of the prison buildings, during day or night. Sui gas in cook house may be used whenever desirable;

(b) no fire or light shall be carried about unguarded in any part of the prison buildings;

(c) no stacks or collection of grass, straw or other inflammable material shall be allowed to accumulate near any building;

(d) all appliances for extinguishing fire shall at all times be kept available for immediate use and in serviceable condition;

(e) half a dozen buckets full of water shall at all times be kept near each godown, factory, at the main gate and other prominent places. The word ‘FIRE’ shall be painted on these buckets;

(f) a supply of sand or dry earth in buckets shall be available at all times at each godown, factory at the main gate and other prominent places;

(g) chemical fire extinguishers, where available, shall be fixed at suitable places;

(h) on the occurrence of an outbreak of fire,   
the municipal fire brigade and rescue shall be immediately called in;

(i) the prison shall be provided with a fire alarm to notify the outbreak of fire. A fire alarm parade shall be held once a year and the fact recorded in the Superintendent’s Order Book;

(j) the Superintendent shall draw up suitable instructions showing precisely the arrangements and duties of all the members of the prison establishment and Numberdars when a fire alarm has been sounded; and

(k) the Superintendent shall satisfy himself from time to time that these instructions are being carefully carried out in the prison.

**733. Death.**---On the death of prisoner, the Superintendent shall inform the nearest relatives or friends of the deceased if he is a local man, through a messenger, telephone, Fax any source of communication and through local police station and shall send a copy to the Deputy Commissioner of the district to which the deceased belonged. The prisoner’s warrant duly endorsed, shall be returned to the Court concerned.

**734. Sudden or violent death or suicide.**---The senior officer present shall immediately report the occurrence of any sudden or violent death or death from suicide to the Superintendent and the Medical Officer. The body shall be left in the position in which it was found pending the arrival of the Magistrate and the Medical Officer. If it is not certain that life in extinct, immediate measures shall be taken to give relief and to restore inhalation and for this purpose the body may, if necessary, be removed to prison hospital, dispensary or a more convenient place.

**735. Report of death to be made to the District Sessions Judge and the police.**---In every case of sudden, unnatural or violent death or supposed suicide or whenever there is any doubt or complaint or question concerning the cause of death of any prisoner, or whenever any prisoner dies from the effect of punishment or injury, a report shall forthwith be made to the Judge, who shall depute a Magistrate, to hold an inquest inside the prison under section 174 of the Code, and ask the concerned Medical Superintendent Headquarter to conduct the post-mortem examination. The Judicial Magistrate and the Medical Superintendent of the District Headquarter shall forward their reports to the Superintendent. A report of such death shall also be made to the Officer incharge of the concerned police station.

**736. Report to be made to the Inspector General.**---The Superintendent shall, in every instance in which an inquest may be held on the body of any prisoner, submit a full report of the circumstances of each case to the Inspector General together with a copy of the findings of the Judicial Magistrate who conducted the enquiry.

**737. ---[Deleted]**

**738. Post-mortem examinations.**---In every case of illness, which ends fatally, the Medical Officer shall also see the body of the prisoner, and shall record full particulars of the cause of death in his report book. When there is any doubt regarding the cause of death, the Medical Officer shall get a post-mortem examination conducted. In the event of several deaths occurring from any prevailing disease, a post-mortem examination shall be made only in one or more selected cases.

**739. Medical Officers empowered to conduct post-mortem.**---The following officers are empowered in view of sub-section (3) of section 174 of the Code to conduct post-mortem examination:

(a) District Medical Superintendent;

(b) Medical Officer incharge of a Civil Hospital;

(c) Surgeon of Police and Services Hospital; and

(d) whole-time Medical Officers of Central Prisons.

**740. Conditions under which a body may be made over to friends.**---(1) The body of any prisoner who dies in Prison or is executed, shall be made over to the friends or relatives of the deceased, if claimed by them, before the body has been disposed of by burial or cremation, unless there are special reasons to the contrary, for example, the prisoner has died of any infectious disease, which shall require the report of an independent medical practitioner.

(2) The friends or relatives of a deceased prisoner making application for the body after burial, shall be referred to the Deputy Commissioner, who shall be informed whether the deceased prisoner died of any infectious disease, how long he has been dead and whether, in the opinion of the Medical Officer of the prison, the body can be exhumed and removed with safety or without becoming a nuisance to the public.

(3) Nobody can lay claim to a corpse, as it is not property.

(4) When a prisoner dies, his sentence ceases. If the body is not made over to the friends or relatives of the deceased, it merely remains to dispose it of in a suitable and decent manner.

**741. Disposal of a body not made over to friends.**---(1) The body of any prisoner dying or executed in prison, not made over to the friends or relatives of the deceased, shall if the deceased was: -

(a) a Muslim, be buried in the grave-yard with due prescribed Islamic rites;

(b) a non-Muslim, be cremated or buried in the prison burial ground in accordance with the rites of his faith;

(c) all religious rites connected with the death of Muslims shall be observed on the death of a Muslim prisoner;

(d) the ritual bath with soap should be given and kafoor sprinkled over the body and it shall be wrapped in 16 meter cotton cloth. Soap and kafoor shall be obtained through local purchase. The services of the local gravedigger may be hired. Funeral prayers for the dead shall be held in which staff shall join. Government have sanctioned an amount of rupees five thousand for general expenses; and

(e) in case of Christians, intimation shall be sent to the local Church, if exists.

(2) Each unclaimed body prior to removal from the prison shall be wrapped in l6 meter of new cotton cloth.

**742. Burial ground for every prison.**---There shall be a burial ground attached to every prison, distinctly marked off from the surrounding ground by a wall, ramp or hedge, and it shall be used for the disposal of the bodies of Muslim prisoners only. A separate portion in the burial ground shall be set apart for the burial or cremation of the bodies of non-Muslims.

**743. Selection of burial ground, to last for fifteen years.**---The land selected for a burial ground shall not be in the immediate vicinity of the Prison or any centre of population and not near the source of any drinking water-supply, it shall be ensured that the prevailing wind does not blow from it towards the prison and that sufficient ground is available for all requirements for at least fifteen years.

**744. Matters concerning graves-yards, burial and cremation.**---(1) The burial ground shall be kept clean and tidy and free from jungle and the graves disposed in regular rows, so as to economize space. Each grave shall be marked with the name and the register number of the prisoner.

(2) The growth of grass above the graves shall be encouraged, but it shall be kept trimmed. Quick growing trees shall be planted about the ground.

(3) The Superintendent and the Medical Officer shall occasionally visit the burial ground to satisfy themselves that it is properly kept.

(4) No grave shall be less than five feet deep. While filling in a grave the earth shall be well pressed down to protect the body from the depredations of animals and the earth shall be heaped up one foot above the surface of the ground.

(5) Special care shall be taken that the body disposed of by cremation is completely consumed and its ashes are buried.

**CHAPTER -31**

**Sanitation**

**745. ---[in-corporated in Building Chapter ]**

**746. Ventilation of wards and cells, shutters and electric fans.**---Direct circulation of air through every barracks, cell and other compartment shall ordinarily be secured by large grated openings on both sides and at each end of the barrack. Openings with gratings for lateral ventilation in barracks and hospital wards shall be provided between beams and shall extend right down to the floor level shutters shall be provided in barracks during winter to protect the prisoners from extreme cold. During summer electric fans shall be provided.

**747. Fitness for occupation.**---No newly constructed ward, barrack or cell shall be occupied by any prisoner until the Medical Officer has certified that such ward, barrack, cell or other compartment is in all respect fit for occupation.

**748. Capacity of wards to be inscribed over the door.**---Outside every ward, barrack and other compartment, ordinarily used as sleeping accommodation for prisoners, shall be inscribed the following particulars namely:

(a) the floor area in square feet; and

(b) the number of prisoners it can accommodate.

**749. Sleeping berth.**---(1) Every ward, barrack or cell shall be provided with masonry sleeping berth according to the capacity of the barracks. Each berth shall be 1 meter 97 centimeter long, 91 centimeter broad and 37 cm. high and shall be provided with a masonry pillow at one end. The space between two berths shall, ordinarily be not less than 91 centimeter. In upper floors, the height shall be reduced to 30.5 centimeter 5 millimeter be provided in cells for condemned prisoners.

(2) The arrangement of berths in barracks shall depend upon the position of gratings and the facilities provided for ventilation and their number shall depend on the accommodation available.

**750. Requirement of cells daily visit to occupants.**---No cell shall be used for solitary confinement unless it is furnished with the means of enabling the prisoners to communicate at any time with an officer of the prison, and every prisoner so confined in a cell for more than (24) hours, shall be visited at least once a day by the Medical Officer.

**751. Height of walls of cell yard.**---For the purpose of admitting sunshine and air, the enclosure wall of cell yards shall in no case exceed ten (10) feet in height.

**752. Lock-up register to show authorized accommodation.**---The authorized accommodation available in each barrack shall be shown in the lock-up register, to enable the Superintendent to see whether any particular barrack is over-crowded.

**753. Temporary accommodation for prisoners.**---Whenever it appears to the Inspector General that the number of prisoners in any prison is greater than can conveniently or safely be kept herein, and it is not convenient to transfer the excess number to some other prison, or whenever due to outbreak of an epidemic within any prison, or for any other reason it is desirable to provide for the temporary shelter and safe custody of prisoners provision shall be made for the accommodation and safe custody of prisoners in temporary prisons by the Inspector General in such manner as Government may direct.

**754. Procedure when it is necessary to provide shelter outside the Prison.**---Whenever it becomes necessary to provide for the temporary shelter and safe custody of prisoners outside the Prison, the Superintendent shall report the circumstances to the Inspector General who shall if necessary, take the special directions of Government as to the provisions to be made, under section 7 of the Act.

**755. Provision of tents to be maintained.**---The Inspector General shall arrange to maintain a small number of tents at every prison for the relief of temporary overcrowding or other emergencies, a reserve supply of tents at each Central Prison and at such other prisons as he may select for the purpose.

**756. Mode of calculating tentage.**---(1) The tentage accommodation shall be calculated at the rate of 6.40 squares meters for each prisoner.

(2) The standard prison tent covers a floor area 4.87 m -   
87 cm. x 4.8 m - 87 cm. and can accommodate twelve prisoners.

**757. Thatched huts when to be provided.**---When the tentage accommodation is inadequate or when the Inspector General is of the opinion that such accommodation should be substituted for tents, thatched huts (chhappars), may be provided. The provisions of the proceeding rule shall also apply to such huts.

**758. Tents to be kept serviceable.**---(1) Tents shall be kept in serviceable condition and used only for prison purposes. These shall be occasionally pitched and aired. Every tent shall be marked with the date of manufacture and the date of receipt in the prison.

(2) Whenever tents are dispatched from one prison to another, an inventory showing the number of tents, its conditions and the number of mallets, ropes, tat covers, etc., accompanying these, shall be forwarded with the railway or delivery receipt and advice of dispatch. Before tents are returned these shall be repaired and all missing articles replaced.

**759. Provision for custody of prisoners.**---(1) All prisoners in a prison in excess of accommodation shall be provided with temporary shelter in huts or tents pitched inside or outside the main enclosure walls.

(2) The safe custody of prisoners accommodated outside the prison shall be entrusted to the local police.

(3) The Superintendent shall apply to the Inspector General for sanction to entertain such temporary establishment as may be necessary.

(4) In case of emergency and before arrangements can be made to have tents or huts erected the workshop may be utilized to afford the necessary shelter; provided that all articles likely to facilitate escape or to be used as dangerous weapon are removed.

**760. Precautions against overcrowding.**---When the population of a prison has approximately exceeded the maximum number for which accommodation is available, the Inspector General shall be informed for having some of the prisoners transferred or arrangements made for the temporally shelter as the case may be.

**761. Cleanliness of buildings and precincts.**---(1) The prison precincts and enclosures shall be kept perfectly neat and clean at all times. Daily and continued attention shall be given to secure extreme neatness and tidiness of roads, paths, grassy plots and open grounds. The grounds outside the main wall shall be kept clear of all undergrowth and rank vegetation.

(2) The wall and ceilings of all workshops and factories shall be thoroughly cleaned once a week. The floors shall be swept daily either before the work begins or after it has stopped.

(3) The floors of all barracks, cells and hospital shall be cleaned daily and the walls brushed down weekly. The ceilings shall be cleared of cobwebs once a fortnight. The inside walls of all barracks and cells shall be lime washed with additions of yellow earth once a week up to a height of 1 meter and the rest of the walls of barracks and cells shall be white-washed as often as the Medical Officer may consider necessary.

(4) The hospital shall receive particular attention in this respect. The walls shall be painted green up to 91 cm., and the remaining portion shall be of cream colour. The ceiling shall be white washed.

(5) All beddings shall be spread out and exposed to the sun at least twice weekly.

**762. General cleanliness.**---The main and partition walls of the prison, if kacha, shall be mud-plastered before the commencement of the rainy season. Patches of plaster, which have come down due to rains, shall be attended to forthwith. The main wall shall not present an unsightly picture. Pucca walls shall be rubbed down after the rainy season in order to remove weather strains. All ceilings, floors, walls, furniture, etc., shall be kept clean and in good state of repair. Godowns shall be kept clean, well arranged and well ventilated and their contents aired as often as necessary. The roofs shall always be clean and tidy and no rubbish allowed to accumulate there.

**763. Disinfection of cells.**---(1) The wards or cells occupied by prisoners suffering from infectious or contagious diseases, shall be white-washed and disinfected as often as may be directed by the Medical Officer.

(2) During summer the walls and ceilings of barracks and cells shall be regularly sprayed with some insecticide to protect prisoners from mosquitoes and other insects with the cooperation of District Health and Municipal Authorities.

**764. Return regarding prisoners on the last day of the month.**---A return showing the number of prisoners locked-up in the prison on the last day of the month together with the capacity of the Prison shall be submitted to the Inspector General on the first of each month.

**765. Sources of water supply.**---Water shall be obtained in sufficient quantity from the purest supply in the neighborhood. Before deciding upon the source from which water shall be taken, samples shall be sent to the Chemical Examiner for analysis. Every possible precaution shall be taken to prevent the contamination of water whether at its source, during its carriage or in its distribution.

**766. Precaution to prevent contamination.**---The masonry cylinder of every well shall be watertight and a masonry platform and drain to prevent spill water soaking into the ground in the neighborhood of the well, shall be provided. To avoid contamination, filth or refuse of any description shall not be buried or allowed to lie near any well used for drinking or bathing purposes.

**767. Wells to be protected, periodical cleaning of tube wells.**---(1) Wells shall be protected so as to guard against accidents and suicides. Every well in the Prison shall be thoroughly cleaned in the month of October each year and often if the Medical Officer considers it necessary.

(2) Where possible, electric or diesel tube wells shall be provided for the supply of water for drinking, bathing and other purposes.

**768. Supply of water to prisoners.**---(1) Every barrack and workshop shall be provided with sufficient number of earthen gharas or water drums, filled with drinking water, for the use of prisoners and each prisoner in a cell shall be provided with a small pitcher or water cooler for his personal use.

(2) Gharas shall be placed on a raised platform and not on the floor. water taps shall be provided in each yard. There shall be one tap for fifty prisoners. Overhead shower baths shall also be provided where possible.

(3) A water tab shall also be provided inside every barrack.

**769. Analysis of water.**---The water of all prison wells which is used or likely to be used for drinking or ordinary purposes, shall be got analyzed qualitatively by a repute Chemical Examination Laboratory in the Province, in January each year.

**770. Premises to be kept clean, Cess pools prohibited, Other sanitary matters.**---(1) The Superintendent, Medical Officer, Deputy Superintendent and all subordinate officers shall be responsible for proper attention to conservancy arrangements. It is the duty of the visitors to satisfy themselves that conservancy arrangements are adequate. The Superintendent and the Deputy Superintendent shall pay particular attention not only to the disposal of the night soil and refuse matter but also to every detail connected with the cleanliness and neatness of all parts of the prison and its surroundings.

(2) The following matters require special attention:

(a) the ground shall be clean and free from leaves, weeds and rubbish of every description, the lawns and the hedges trimmed, the paths kept in repair, kacha drains dressed and their levels readjusted; and

(b) drains and latrines shall be kept scrupulously clean and no sewage matter permitted to find its way into them. Cess pools of any kinds are prohibited within Prison precinct. The use of sunk reservoirs for refuse water shall be avoided. Rubbish or manure pits shall not be allowed within or near the prison walls.

**771. Latrines.**---(1) Each enclosure shall have a separate day latrines with sufficient number of seats. Latrines with flush system shall, where possible, be provided. Number of seats shall not be less than ten per cent of the population.

(2) The floors of latrines shall be well raised and renewed at frequent intervals, Every latrines shall be provided with a roof and partitioned for the sake of privacy.

**772. ---[Deleted]**

**773. Latrines for warders.**---Flush type group latrines shall be provided in the warders’ lines for the Warders.

**774. ---[Deleted]**

**775. Drainage of prison land, sanitary defects to be reported.**---(1) The drainage of the land around the prison shall receive careful attention and all dew ground shall be filled up with clean earth. High crops shall not be grown within forty-five (45) meters of the prison walls to avoid affording cover to any prisoner escaping or attempting to escape.

(2) It is the duty of the Medical Officer to bring into the notice of the Superintendent any defects of drainage within the prison area or its vicinity The construction of public latrines, sewers, drains or the existence of any other in sanitary condition in the neighborhood of the prison likely to affect the health of the prison, shall be reported to the Inspector General by the Superintendent.

**CHAPTER -32**

**Medical Administration**

**775.A Organization of Prison health care.**---Prison authorities shall safeguard the health of all prisoners in their custody in the following manner:

(i) prisoners shall have access to necessary health services without discrimination and without charge;

(ii) health policy in prisons shall be integrated into and compatible with, national health policy;

(iii) health provision shall be based upon the assessed healthcare needs of prisoners in each prison;

(iv) the medical services of the institution shall seek to detect and shall treat any physical or mental illnesses or defects which may hamper a prisoner's rehabilitation;

(v) all necessary medical, surgical and psychiatric services including those available in the community shall be provided to the prisoner for that purpose. Women prisoners’ special healthcare needs, including preventive healthcare needs, shall be provided on an equal basis with the same age group of women in the community;

(vi) there shall be an appointments system for all medical treatment which shall be fair and equitable and based only upon the level of medical urgency.

(vii) all specialists doctor from out side hospital shall visit prison on weekly basis; and

(viii) special attention shall be paid to, and measures shall be taken for personal hygiene of prisoners and articles for the purpose shall be provided by medical and prison Administration.

**776. Procedure when the mortality is unusually high.**---Whenever the mortality in a prison during any month exceeds one percent, the Senior Medical Officer or the Medical Officer, as the case may be, shall record in the monthly return, reasons as to cause of the increased death rate. If there is unusual high mortality, he shall make a special report to the Inspector General for transmission to Government, if necessary.

**777. Classification of prisoners according to health.**---(1) A health assessment of all prisoners shall be undertaken on admission to Prison, by a Senior Medical Officer or Medical Officer, as the case may be, and a healthcare plan drawn up for each prisoner who requires treatment.

(2) The findings of the Senior Medical Officer or Medical Officer, as the case may be, and the healthcare plan shall be recorded in each prisoner’s medical file, which shall be kept confidential and accessible only to healthcare staff. The healthcare plan shall be reviewed at regular intervals.

(3) The health of every prisoner shall be described as “good”, “bad”, or “indifferent”, Prisoner on admission to prison who are in immediate need of medical treatment shall be shown as in bad health, unless suffering from trivial and temporary ailments those who are not fit for hard labour, but do not need hospital treatment, shall be shown in indifferent health. If a prisoner is in bad or indifferent health the Senior Medical Officer or Medical Officer, as the case may be, shall record this on the history ticket and admission register.

**778. Prisoners received from unhealthy districts.**---Prisoners received from unhealthy districts shall be kept under special medical observation for one or two weeks after admission, in order that the effect of imprisonment and prison diet upon them may be noted. Those addicted to opium or other narcotics shall be placed under medical treatment in order to purge them of the habit.

**779. Deduction for clothes, etc., when weighing prisoners.**---When being weighed, male prisoners shall wear shalwar only, women prisoners shall be fully attired and deduction made for the articles worn.

**780. Result of weighment of prisoners.**---(1) After each monthly weighment of prisoners, the Senior Medical Officer or Medical Officer, as the case may be, shall note the result of weighments in his report book stating-

(a) the names of the prisoners who have lost weight and the amount lost by each;

(b) the names of those steadily losing weight;

(c) the reasons in brief for loss in weight; and

(d) the report in case of Medical Officer shall be put up before the Senior Medical Officer for any action he considers necessary.

(2) The Senior Medical Officer or Medical Officer, as the case may be, shall himself select a number of prisoners at each monthly inspection for a check weighment.

(3) All prisoners who have lost 1.361 kg or more in weight shall be separately paraded for the inspection of the Senior Medical Officer or Medical Officer, as the case may be.

**781. Convalescent infirm parties.**---(1) The Senior Medical Officer or Medical Officer, as the case may be, shall place in the infirm group all old and infirm prisoners and in the convalescent group all prisoners who are recovering from serious illness or are otherwise out of condition. Infirm group shall be kept within the hospital enclosure. The prisoners in infirm and convalescent groups may be exempted from work by the Superintendent on the recommendation of the Senior Medical Officer or Medical Officer, as the case may be, and if not, shall be allowed extra rest at least one hour after unlocking and for two hours at midday.

(2) Prisoners in infirm and convalescent groups shall be given such light labour and extra articles of diet and clothing as the Senior Medical Officer or Medical Officer, as the case may be, considers necessary, which shall be recorded on the prisoner’s history tickets. The Senior Medical Officer or Medical Officer, as the case may be, shall inspect the infirm group daily and the convalescent group once a week.

(3) Prisoners suffering from active illness shall be admitted to hospital and not treated in the convalescent group.

**782. Convalescents and infirm to be weighed weekly.**---Prisoners in convalescent and infirm groups shall remain together and shall ordinarily be kept in hospital. They shall receive any medical treatment necessary and their health condition shall be reviewed on a regular basis by the Senior Medical Officer or Medical Officer, as the case may be.

**783. Admission to and removal from the convalescent and infirm parties.**---Under the orders of the Senior Medical Officer or Medical Officer, as the case may be, prisoners who have, recovered health and no longer require special attention shall be removed from the parties. No prisoner shall be placed in or discharged from the groups parties except by order of the Senior Medical Officer or Medical Officer as the case may be.

**784. Procedure when prisoners are losing weight.**---Whenever an unusual proportion of the prisoners have lost weight or there is a general tendency to scurvy or to ulceration of the gums and anemia, or increase of admission to hospital from dysentery or other bowel complaints the Senior Medical Officer or Medical Officer, as the case may be, shall mark enquiry to ascertain the cause. The diet of prisoners shall then be varied by the liberal issue of animal food in lieu of Dal, potatoes, onions and radishes may be substituted for a portion of the vegetable supply. Both the Superintendent and the Senior Medical Officer or Medical Officer, as the case may be, shall occasionally visit the prisoners while at their meals and ascertain if there are any complaints regarding the food and if much of it is left unconsumed. If the food appears to be unpalatable due to lack of variety, this defect shall be remedied as far as possible.

**785. Labour and loss of weight.**---If the loss of weight is more marked amongst prisoners on one form of labour than on other form of labour, the tasks shall be carefully regulated and the prisoners employed on that particular task shall be changed. Prisoners who at three successive weighments are found to be losing weight, or in whom the loss of weight at any weighment is found to be over 2.268 Kg, shall undergo a medical examination to detect any health problem which requires treatment, and shall ordinarily be changed to a lighter form of work. On the other hand, the Senior Medical Officer or Medical Officer, as the case may be, shall guard against being imposed upon by prisoners who scheme to lose weight, by causing such prisoners to be weighed unexpectedly at short intervals.

**786. Prophylaxis against certain diseases.**---Prophylaxis against malaria, its sequelee and certain bowel diseases shall be carried out before the season for such diseases.

**787. Provision of a hospital.**---(1) In every prison, a hospital for the reception of sick prisoners shall be provided.

(2) In cases where the treatment required cannot be provided in the prison hospital, the prisoners concerned shall be transferred to a nearby hospital.

(3) Women prisoners shall have regular access to specialists in women’s healthcare and they shall be transferred to community healthcare services, where necessary, to receive treatment and preventive health services, including screening for breast and cervical cancer, if such services cannot be provided in prison.

(4) Dangerous prisoners may be referred to out side hospitals when their treatment is not possible inside the prison. The Superintendent of Police shall be informed in this regard.

**787.A Examination of women prisoners.**---If a woman prisoner requests that she be examined or treated by a woman physician or nurse, a woman physician or nurse shall be made available, to the extent possible, except for situations requiring urgent medical intervention. If a male medical practitioner undertakes the examination contrary to the wishes of the woman prisoner, a woman staff member shall be present during the examination.

**788. Prisoners complaining of illness to be examined.**---Every prisoner complaining of illness shall be brought before the Senior Medical Officer or Medical Officer, as the case may be, who shall examine him and determine whether he shall be treated as an out-patient or admitted to hospital. Prisoners shall not be detained or kept under observation but shall be admitted and brought on hospital registers. Condemned prisoners and prisoners under sentence of death shall examine and treated in their respective cell and if their admission in hospital’s required them cells shall be declared as part of hospital.

**789. Articles to be supplied to patients.**---Each patient shall be supplied with an iron bed, a mattress and a pillow stuffed with cotton, a pillow cover, two bed sheets, a cotton kurta and pajama and as many blankets as the Senior Medical Officer or Medical Officer, as the case may be, deems necessary.

**790. Maintenance of bed head tickets and temperature charts.**---Over every occupied bed in hospital, shall be placed a ticket where shall be recorded full particulars of the history and examination of the particulars the progress, diet and treatment of the disease in a case of dysentery, it shall be noted whether the prisoner suffered from the infection in his own home or had acquired it in the prison, and in every case of fever a record of the temperature shall be kept on the temperature chart. Suitable clasp frames for holding their tickets shall be provided.

**791. Cleanliness of clothing and bedding.**---The Senior Medical Officer or Medical Officer, as the case may be, shall take measures to ensure the cleanliness of clothing and bedding. A proper place for washing and boiling soiled clothes shall be provided in every prison. Blankets shall be frequently exposed to the sun and washed in detergent solution, if considered necessary. Similarly hospital clothing and blankets, etc., shall be treated separately.

**792. Sick prisoners to bath daily.**---Prisoners in hospital, who are not too ill, shall bath daily or at such times as the Senior Medical Officer or Medical Officer, as the case may be, direct.

**793. ---[Deleted]**

**794. Convalescent prisoners to do light work.**---As a certain amount of physical exertion is an important element in the maintenance and improvement of health, and keeps the mind occupied, prisoners who are convalescing may be provided with some light work preferably in hospital without prescribing any definite task, based on the assessment of the Senior Medical Officer or Medical Officer, as the case may be.

**795. Intimation of serious illness to relatives.**---When a prisoner is seriously ill, intimation shall be sent to the relatives through local police station and telephone in the case of under trial prisoners to the Court concerned also, for informing his relatives. Ordinarily intimation shall be sent through post, but in urgent cases it may be communicated through telephone or any other source of communication.

**796. Treatment of infectious diseases, disposal of body in such case.**---Prisoners suffering from any infectious disease shall be treated in isolation ward. After the recovery or death of a patient, as the case may be, his clothing, bedding, etc., shall be thoroughly disinfected or destroyed and the room in which the case occurred, or was treated, shall be thoroughly cleaned and disinfected according to the nature of the case. The Senior Medical Officer or Medical Officer, as the case may be, shall give written directions for the segregation of prisoners suffered, or suspected to be suffering, from infectious diseases for cleaning and disinfecting the ward or cell, and for disinfecting or destroying any clothing or bedding. Before removal for burial, the body of any prisoner who dies of cholera, small-pox or other communicable diseases, shall be wrapped in a sheet saturated with one part of corrosive sublimate in 1,000 parts of water or some other strong disinfectant. Such corpse shall be disposed of with the least possible delay and surrounded with an ample supply of quick lime.

**797. Report on occurrence of cholera.**---When a case of cholera occurs in a prison, it shall be reported by phone and Fax to the Inspector General and the Director of Health Services, and by letters to Superintendent of neighboring prisons, the nearest Civil and Military authorities and the District or Municipal Health Officer, in whose jurisdiction the Prison is situated. If other cases follow, a daily report of the progress of the disease and the measures taken to meet it, shall be sent to the Inspector General and the Director of Health Services. The report shall be submitted daily for fifteen days after the occurrence of the last case.

**798. Precautions in cholera cases.**---All cases of cholera or sustained cholera shall at once be inoculated with a full dose of I.C.C of anti- cholera vaccine, and similar arrangements shall be made as soon as possible to inoculate the rest of the prison population. The Senior Medical Officer or Medical Officer, as the case may be, shall take immediate steps to ensure that water supply is protected from any possible contamination and all open wells shall be chlorinated with bleaching powder and other chemical treatments. The cookhouse shall be inspected and the milk shall be boiled under his personal supervision. The sanitary arrangements shall receive special attention and all latrines and open drains shall be kept scrupulously clean and liberally sprinkled with lime, phenyl or other antibacterial chemicals.

**799. Disinfection of wards and latrines.**---The floor and walls of the room where a case of cholera has occurred shall be disinfected with some strong disinfectant. Similar disinfection of the latrines used by the patient and any place where he may have vomited or passed excreta shall be carried out. Earthen vessels used by the patient shall be burnt and destroyed. Metal utensils shall be treated with boiled water.

**800. Precautions when epidemic disease is prevalent.**---In the event of the outbreak of an epidemic disease in the vicinity of the prison, care shall be taken to prevent communication of the disease to the prisoners, either through new admissions or by prison staff. Newly admitted prisoners whether under-trial or convicted shall be kept in quarantine. If the disease is preventable by inoculation (e.g., cholera, plague, etc.), it shall be carried out forthwith.

**801. Avoidance of damp and chill, etc.**---Damp and chills shall be avoided. The numbers confined in each ward shall be reduced by providing short-term prisoners with temporary accommodation elsewhere.

**802. Purification of drinking water.**---All wells and reservoirs shall be properly chlorinated. No water shall be issued for drinking or cooking unless it has been chlorinated.

**803. Food supplies and vessels to receive attention.**---Food shall be constantly inspected to ensure that it is of good quality, cleanly prepared and well cooked. All the edible articles shall be protected from flies. The cookhouse shall be closely supervised by the Senior Medical Officer or Medical Officer, as the case may be, and all garbage shall be removed and burnt in an incinerator. The drains from the cookhouse shall be cleaned daily and liberally dusted with bleaching powder. The cooks shall be inoculated against cholera and small pox. A close watch shall be kept on their state of health.

**804. Strict attention to sanitary matters.**---Strict attention shall be paid to all sanitary arrangements, especially to conservancy, care being taken that the latrine are cleaned immediately after use. The number of sweepers in case of any epidemic disease, shall be increased.

**805. Investigation as to the origin the first case.**---In any epidemic it is of the greatest importance to ascertain all the circumstances connected with the occurrence of the first case, and a very careful investigation shall be made in order to discover that how it originated.

**806. Measures against small-pox and other communicable diseases.**---(1) In the case of small-pox or other communicable diseases, the patient shall be isolated and stopped treated in a separate ward or tent in a remote part of the prison. The contacts shall be vaccinated at once and isolated for fifteen days. The Senior Medical Officer or Medical Officer, as the case may be, shall take immediate steps to vaccinate the entire staff and all the prisoners and start their treatment.

(2) The clothing and personal effects of small-pox patients shall be thoroughly washed in a strong disinfectant and thereafter disinfected in a high pressure steam disinfector or thoroughly boiled.

(3) The barrack in which a case of small-pox has occurred shall be vacated at once, the floors and berths washed with a disinfectant and the walls white-washed and the door and windows left open for a week when it may, if necessary, be reoccupied.

**807. Measures against plague.**---To prevent the occurrence of plague, the systematic destruction of rats, more specially in grain godown and food stores, shall be carried out throughout the year. The measures, in respect of the isolation and treatment of the patient, the evacuation of infected barrack and the disinfection of clothing are similar to those detailed in the case of small-pox, but on the appearance of plague in a prison, the staff and prisoners shall be inoculated with anti-plague vaccine, a supply of which can be obtained from the District Health Officer.

**808. Measures against louse-borne disease, relapsing fever and typhus.**---In the case of louse-borne diseases, relapsing fever and typhus, the detection of the first case shall be followed by measures similar to those detailed in the case of plague so far as the isolation and treatment of the patient is concerned. The clothing and personal effects of the patient and contacts shall be disinfected in a steam pressure disinfector and the contacts shall be kept under observation for a week. In the event of the occurrence of further cases, the “de-lousing” of the prison population shall be carried out, and repeated once a week until the disease is brought under control.

**808.A HIV/AIDS, hepatitis prevention, care, treatment and support services.**---(1) Strategies and programmes shall be developed in Prisons, within the framework of national strategies and programmes, for the prevention, treatment and care of HIV/AIDS and hepatitis in prison.

(2) Such strategies and programmes shall include education and awareness raising among prisoners and staff on the modes of transmission of HIV, hepatitis and methods of prevention, among other measures to prevent the spread of HIV/AIDS and hepatitis.

(3) Cooperation with community health services and relevant Non-Governmental Organizations shall be developed for this purpose.

(4) Blood Screening of all the prisoners shall be carried out by the Health Department of Government.

**808.B Treatment for prisoners with substance dependence.**---(1) Evidence based and individualized treatment shall be provided for prisoners with substance dependencies, within the framework of national strategies and programmes, and in line with the recommendations of the United Nations and the World Health Organization.

(2) Cooperation with community health services and relevant Non Government Organizations shall be developed for this purpose.

**809. Officers of Health to be consulted on out-break of an Infectious disease.**---(1)The Director of Health Services being the official Adviser in all matters of health, he or the Assistant Director of Health Services, or the nearest District or Municipal Officer of Health, shall be consulted at once when any infectious disease or obscure sickness becomes prevalent or threatens to become prevalent in the prison.

(2) In seasons when mosquitoes are abundant and there is danger of out break of malaria or dengue fever, anti mosquitoes spray shall be carried out in all the prison premises with the help of Municipal Administration and Health Department of Government.

**CHAPTER -33**

**Prison Industries**

810. **Labour for convicted prisoners.**---The Superintendent shall provide suitable labour to all prisoners sentenced to rigorous imprisonment confined in the prison and such other prisoners confined in the prison who are volunteer to be put to work. Such labour may be industrial or non-industrial. While establishing an industry in any Prison the following two main objectives shall be kept in view:

(a) imparting vocational training to the prisoners to enable them to earn respectable livelihood after their release; and

(b) the said industry is locally available.

**811. Days on which prisoners are exempted from labour.**---(1) No prisoner shall be required to perform any labour on Sunday, public holidays except as may be necessary for the management and internal economy of the prison, or to meet any emergency.

(2) The Inspector General may, with the previous sanction of Government, by a general or special order, exempt any prisoner or all prisoners generally, from labour on any particular day or day other than those specified in the above sub-rule. This concession may be extended to non-muslim prisoners on the occasion of their religious festivals.

**812. Time limit for Prison labour.**---As required by section 35 of the Act, no prisoner shall be kept to labour for more than eight hours on any day, except in an emergency and with the written sanction of the Superintendent.

**813. Classification of labour, allotment of labour.**---(1) The various forms of prison labour shall be classified as hard, medium and lights.

(2) The Deputy Superintendent shall employ every convicted prisoner under the control of the Superintendent in accordance with the class of labour determined for him by the Medical Officer upon admission or subsequently under the authority of sections 24 and 35 of the Act. The labour allotted on admission and subsequent changes of labour shall be recorded on the history ticket under the initials of the Deputy Superintendent who shall personally see the prisoner when allotting or changing any such labour.

(3) No prisoner shall be employed on any kind of labour, which the Medical Officer considers unsuitable or for which that officer considers him unfit, or shall be subjected to any labour, unless the Medical Officer certifies his fitness for the same.

**814. Time to be given to acquire skill.**---Every convicted prisoner when first being put on any kind of work, with which he is not acquainted, shall be allowed a reasonable time to be fixed by the Superintendent but not exceeding six months, in which to acquire the necessary skill to enable him to perform the full task. Mental and physical capabilities shall be taken into consideration. If he knows a trade carried outside the prison, he shall be put on that trade at once to utilize any skill that he may possess.

**815. Frequent change of work to be avoided.**---Frequent change of work, except on medical grounds, shall be avoided, but the same form of hard labour shall not be exacted indefinitely without variation and sedentary work shall occasionally be changed for work involving more general movement. Every Superintendent, Deputy Superintendent and Assistant Superintendent shall make himself acquainted with the tasks fixed for the various industries carried on in the prison. Especially severe forms of labour shall not be exacted continuously from any prisoner for more than two months at a time. Lighter work shall be given for the like period before the prisoner is again put on the same labour or an equally severe labour.

**816. Tasks for prisoners.**---(1) The tasks prescribed for adult male convicted prisoners shall not be less than the work performed by labour outside the prison.

(2) The task imposed on women or juvenile prisoners shall not exceed two-thirds of the tasks fixed for hard or medium labour for adult male convicted prisoners.

(3) Under-trial prisoners shall be allowed to undertake work on a voluntary basis, and they may determine the number of hours they wish to work themselves.

**817. Recess for prisoners on labour.**---All prisoners who are working shall have one hour’s recess daily from 11 A.M. to 12 Noon throughout the year for mid-day meals and rest. Reasonable time and facility for offering prayers shall be allowed to prisoners working in the factory.

**818. Hours of commencing and stopping work.**---Prisoners shall commence work as soon as ablutions, morning prayers, issue of breakfast and distribution into parties are completed, that is, usually about an hour after unlocking and in the afternoon work shall be stopped at 02:00 P.M. in winter and 03:00 P.M. in summer.

**819. Description of work labour tasks to be fixed.**---Subject to the provisions of Chapter-VII of the Act, the Inspector General may, with the sanction of Government, from time to time prescribe, whether generally in respect of all prisons or specially in respect of any particular prison or class of prisons, the description of work to be carried on, and the labour tasks to be fixed, in respect of each class of labour.

**820. Forms of labour and classification of labour tasks.**---Under the authority of the preceding rule, the various forms of labour to be carried on and the tasks in each case in so far as they admit of being fixed to be exacted from prisoners sentenced to labour are given below.

**LIST OF VARIOUS KINDS OF LABOUR**

**WITH CLASSIFICATION AND THE TASK**

**PRESCRIBED FOR EACH.**

**HARD.**

**(a) by Task.**

|  |  |  |
| --- | --- | --- |
| 1. | Weaving. | Dasuti cloth 68½cm wide 18M – 29 CM on fly shuttle looms and 9 M – 14 CM on hand looms. |
| 2. | Warping by manual labor. | 4 Warps, 39 M – 43 cm long each by four convicts. |
| 3. | Blanket manufacture. | 18 M – 29 Cm by 1 M – 67 cm on fly shuttle looms. |
| 4. | Bowing Wool. | 6 Kg – 532 Grams. |
| 5. | Felting or shrinking blankets. | 2 blankets. |
| 6. | Grinding grain. | Wheat grams, makki or bajra, 13 Kg.– 997Grams.  Dal, 37 Kg. – 324 Grams. |
| 7. | Storing and weighing. | 50 bags of 74 Kg – 650 Grams. Each, i.e., 3732 Kg –420 Grams. |
| 8. | (a) Aloe pounding. | 933 Grams. dry fiber to be extracted. |
|  | (b) Munj pounding. | 9 kg – 331 Grams. |
| 9. | Brick making. | Moulding 1,000 bricks. |
| 10. | Surkhi pounding. | 186 Kg – 620 Grams. |
| 11. | Printing. | 1,500 pulls. |
| 12. | Cooking. | 3 cooks for every 100 prisoners, one cook for every 50 prisoners. |

**(b) by time (i.e. 8 hours steady work).**

|  |  |
| --- | --- |
| 1. | Carrying Water. |
| 2. | Carrying stone or clay. |
| 3. | Masonry and concrete work. |
| 4. | Grinding lime. |
| 5. | Tile making. |
| 6. | Pottery. |
| 7. | Hewing and cleaning firewood. |
| 8. | Carpenter’s work. |
| 9. | Blacksmith’s work. |
| 10. | Press work. |
| 11. | Rope making. |
| 12. | Sweeping. |

**MEDIUM.**

**(a) by Task.**

|  |  |  |
| --- | --- | --- |
| 1. | Carpet weaving. | Woolen carpets.  1st quality i.e., 20 threads to 2½ cm ……… 2½ cm  2nd quality, i.e., 15 threads in 2½ cm …5 cm.  3rd quality i.e., 10 thread in 2½ cm… 7½ cm.  One convict can weave up to 61 cm in width.  Cotton carpets.  10 cm to 23 cm by 61 cm according to quality. |
| 2. | Dari weaving. | Cm. Cm.  Striped 91 x 91.  Kantedar 61 x 91.  Flowered 31 x 61.  Tapestry 7½ x 61. |
| 3. | Munj or hemp mat weaving. | 5 ½ Sq. Meter |
| 4. | Tape weaving. | Newar 5 cm and 6 ½ cm i.e. 9 M- 12 Cm. |
| 5. | Money bag weaving. | 1 bag holding 1000 rupees. |
| 6. | Tailoring. | Hand Sewing.  Coats 5, Jangias 8, tikonis 8, langots 20, towels 25, caps 40, kurtees for females 3, Machine sewing Convict suit 4, Warders uniform 3. |

**(b) by Time (i.e., 8 hours steady work).**

|  |  |
| --- | --- |
| 1. | Cleaning grain. |
| 2. | Husking rice or pulse. |
| 3. | Winnowing grain. |
| 4. | Flour sifting. |
| 5. | Tent making. |
| 6. | Cloth printing. |
| 7. | Dyeing. |
| 8. | Leather working. |
| 9. | Tin working. |
| 10. | Book binding. |
| 11. | Carpenter’s work. |
| 12. | Basket, bamboo and ratan work. |
| 13. | Hair cutting, one barber should be employed for every 50 prisoners. |
| 14. | Gardening. |
| 15. | Cleaning and clay washing barracks. |
| 16. | Cleaning lamps. |
| 17. | Laundry work. |

**LIGHT.**

**(a) by Task.**

|  |  |  |
| --- | --- | --- |
| 1. | Twisting thread of fibre. | Cotton yarn 1 Kg – 400 Grams  Munj Ban 274 Meters. |
| 2. | Spinning. | Wool, 933 Grams. |
| 3. | Folding paper. | 300 sheets. |
| 4. | Making envelopes. | 200 large , 500 small. |

**(b) by Time (i.e., 8 hours steady work).**

|  |  |
| --- | --- |
| 1. | Winding bobbins. |
| 2. | Grain or seed sifting. |
| 3. | Splitting and dressing cane. |
| 4. | Weeding and light gardening. |
| 5. | Dressing vegetables. |
| 6. | Sweeping. |

**821. Fixing task for unspecified labour.**---The Superintendent shall fix the task of any labour not specified in the rule 820 or not carried on as a regular industry, or when the form of labour is specified but a definite task is not fixed. The task so prescribed shall not be less than the work performed by labourer outside the prison.

**822. Training in skilled labour.**---(1) The Deputy Superintendent shall keep suitable prisoners under training in all forms of skilled labour in order to replace artisan prisoners on release. The proportion of such prisoners shall not be less than twenty percent in each industry.

(2) In Central Prisons and District Prisons an additional twenty percent of such prisoners shall be trained as are well conducted and are eligible for transfer to smaller Prisons on the termination of the period of training.

(3) When an artisan prisoner is transferred, the Deputy Superintendent of the transferring prison shall certify on the history ticket of the prisoner that he is conversant with the work for which he is being transferred.

**823. Checking of work.**---The Deputy Superintendent or the Assistant Superintendent, incharge of the prison factory shall, every after noon, check the quality of work and see that all prisoners perform their allotted tasks, noting the work done on the task sheets. The action taken on short or bad work shall also be noted on the task sheets.

**824. Checking of tools.**---(1) The Deputy Superintendent or the Assistant Superintendent, incharge of the prison factory shall maintain a tool list in every workshop. He shall cause to be checked all the tools every evening and cause them to be collected and stored in place of security after entering in the tool list the number of tools so stored. The shadow board shall be used in every prison store for this purpose.

(2) The Assistant Superintendent, Head Warder and the Technical Instructor, incharge of workshops and factories shall be responsible for the tools and other property kept therein.

**825. Means and appliances of labour to be provided.**---(1) Every prisoner sentenced to rigorous imprisonment shall ordinarily be employed on some suitable kind of hard labour for which he is fit. Prisoners shall not be put on medium labour or light labour, so long as they are fit to perform.

(2) In all tasked labour due allowance shall be made for beginners. Prisoners shall be gradually worked up to full task which shall usually be possible within a month or so but such period, in no case, shall exceed six months.

(3) The Deputy Superintendent, while allotting labour to a prisoner shall keep in view the health of the prisoner, his aptitude and the requirements of the industries carried on in the prison.

**826. Extra mural labour.**---No prisoner or a group party of prisoners shall be employed extra murally beyond the limits of the Prison precincts without the sanction of the Inspector General.

**827. Specification of labour outside the Prison.**---(1) Prisoners in outside labour on prison premises shall be employed solely for prison purposes and on the following kinds of labour:

(a) brick and tile-making;

(b) work in Prison gardens and farms;

(c) repairs of the quarters of the prison officers, roads and other works and cleaning of prison premises; and

(d) construction of new buildings on prison precincts.

(2) Subject such general or special directions as the Inspector General may from time to time give in that behalf, prisoners may be employed without the prison premises, on public works which are at any time carried out under the supervision and control of any Government Department or of a local authority on daily wages as may be specified by the Inspector General.

(3) Prison labour may be hired out to private individuals and institutions on such terms and conditions as may he specified by the Inspector General in that behalf from time to time.

**828. Sanction of Superintendent to outside employment.**---No prisoner shall at any time be employed on any labour outside the Prison walls or be permitted to pass out of the prison for the purpose of being so employed, unless and until the Superintendent has sanctioned his being so employed and recorded on the prisoner history ticket that such sanction has been given.

**829. Restriction of the employment of prisoners outside the prison walls.**---(1) No prisoner shall at any time be employed on any labour without the walls of the prison:

(a) without the sanction of the Inspector General, until he has undergone not less than one-sixth of the substantive term of imprisonment to which he has been sentenced;

(b) without the sanction of the Inspector General, if the un-expired term of substantive imprisonment together with imprisonment if any, in lieu of fine,   
to which he has been sentenced, exceeds two   
years; and

(c) if any other charge or charges are pending against him:

Provided that clauses (a) and (b) shall not be deemed to apply to any camp prison established for the purposes of carrying out any public work.

(2) Prisoners, who are of good character and not residents of foreign territory shall be employed outside the Prison. When there are more prisoners eligible than are actually required, those with the shortest unexpired sentence shall be chosen. Care shall be exercised not to pass out any prisoner who had escaped or had attempted to escape or possesses any inclination to escape.

**830. Certificate of eligibility for outside labour.**---Before any prisoner is employed on outside work, the Superintendent shall certify on his ticket, after examining the warrant of conviction, that he is eligible for outside labour under the rules contained in this Chapter.

**831. Sanction for employment on outside labour, out-group register.**---(1) The prisoner shall be brought before the Superintendent who shall after satisfying himself that the prisoner is eligible for such employment and that there is nothing in his previous, to indicate that it would be inadvisable to trust him for his outside employment.

(2) The gatekeeper shall maintain a register of all prisoners whose employment outside the prison walls has been sanctioned by the Superintendent.

**832. to 834. ---[Deleted]**

**835. Selection and limitation of Prison servants.**---Sweepers shall be chosen from the general scavenger class. Prisoners of other similar castes may be employed as sweepers. Barber shall ordinarily belong to the casual class. Hospital attendants shall be selected from those passed for light labour or who have completed at least half their sentences. If there is a large number of serious cases in hospital, the proportion of one attendant to ten patients may be temporarily exceeded.

**836. Water carrier and cleaning group for staff quarters.**---Small detachments of the cleaning and water carrier parties may, under proper supervision, be permitted to clean and supply water twice a day to the quarters occupied by the prison staff.

**837. No prisoner to be employed on private work or service.**---(1) No prisoner shall at any time be employed by any officer of the prison, or other person, on any private work or service of any kind whatsoever, except on a work carried on in the prison factories and an order for which has been booked in the regular way with the knowledge and permission of the Superintendent and subject to the payment of the normal charges for such work.

(2) For the purpose of this rule, private work does not include the supplying of water to, the cleaning of the quarters occupied by the prison staff or employment in warders messes, under the orders of the Superintendent.

**838. Employment of prisoners as clerks.**---The employment of prisoners as clerks or on writing work in prison offices or at the gate shall not be allowed.

**839. No prisoner to be allowed to visit the bazaar.**---No prisoner shall at any time, upon any pretext, or for any purpose whatsoever, whether accompanied by Warder or police escort be permitted to proceed to or visit any bazar, market or any unauthorized place

**840. Employment on dangerous work.**---The Superintendent shall not employ prisoners on work, which is likely to endanger life or limb unless they are willing to undertake the work.

**841. How Prison labour may be employed.**---Prison labour shall ordinarily be employed to supply: -

|  |  |
| --- | --- |
| Firstly. | the requirements of the Prisons |
| Secondly. | the requirements of other Government Departments; and |
| Thirdly. | other demands which the Inspector General may from time to time approve. |

**842. Prison labour may be employed for work of Communication and Works Department and works of national importance.**---Prison labour may be utilized-

(a) for the preparation of building material for the Communication and Works Department or for private sale, within the prison premises;

(b) for the construction of works under the Communication and Works Department in or near the prison; and

(c) with the previous sanction of Government, on large works of national importance at a distance from any permanent prison.

**843. Prison labour for construction of buildings.**---Prison labour shall be utilized to the fullest extent in the construction and repair of all prison buildings and in the preparation of materials for the same.

**844. Centralization of industries.**---(1) Large industries shall be centralized in selected prisons and efforts shall be made to mechanize these as far as possible. Modern equipments shall be arranged to increase production.

(2) Skills in trades of tailoring, carpenter and automobiles shall be arranged in all the prisons with the help of Non-Government Organization and Industries Department.

**845. Manufacture of articles for sale.**---When the requirements of the prison and other Government Departments have been met to the fullest extent, prison labour may be employed in the manufacture of articles for sale to public.

**846. Price of prison made articles.**---(1) In calculating the price of prison-made articles, the following shall be taken into account-

(a) the cost of raw materials;

(b) one-third of the cost of raw materials towards wages of labour and profit; and

(c) a show-room shall be establish in each such prison.

(2) In case where the price worked out according to sub-rule (1) is much below the current market rates, the ratio of one-third may be increased to adjust the price.

**847. Restrictions on private orders, sales depots.**---No order from private persons for prison made articles shall be booked until half the estimated value is deposited by the purchaser as an advance. The balance of the price shall be paid on the delivery of the goods. Credit shall not be allowed to private purchasers. Surplus articles manufactured by prisons shall be dispatched to the sales depots organized by the Department at various places where these shall be disposed of by sale to public. The price of these articles shall be re-fixed by a Board, the constitution of which shall be determined by the Inspector General from time to time.

**848. Price list.**---A price list of the articles manufactured in every Prison shall be prepared and maintained in the office. It shall be revised whenever necessary.

**849. Disposal of proceeds of employment of prisoners.**---(1) No officer shall, at any time, retain in his possession, or dispose of without proper authority-

(a) any article supplied for use in any industry in prison, or manufactured by any prisoner;

(b) any sum of money realized from or received on account of the sale of any such articles or of the earning of any prisoner ; and

(c) the entire amount of money so realized or received shall, as soon as possible, be paid to the credit of Government in the nearest public treasury.

(2) No expenditure is to be met from, or payment made out of any sum of money realized by the sa1e of articles or received on account of the earnings of the prisoners. All sums of money so realized or received are to be credited, as soon as possib1e, in the treasury, expenditure being met from sums supplied under proper authority, by the treasury for the purpose. All prison earnings shall pass intact into treasury and accounts, so that every item of receipt and disbursement shall appear in those accounts and be subjected to proper scrutiny and control.

**850. Adjustment of accounts with other Government Departments.**---Payments for all articles received from, or supplies to any Government Department, irrespective of the amount, shall either be in cash or adjusted by book transfer.

**851. How money is to be paid into treasury.**---All cash shall be paid into the treasury under appropriate headings and accompanied in each case by the form prescribed for the purpose properly filled in.

**852. Yearly audit of factory accounts.**---The factory accounts of all District and Central Prisons shall be systematically audited once a year by a staff of auditors, under the orders of the Audit Office, as well as by Internal Audit party constituted by the Inspector General.

**853. Management of prison factories.**---The management of the Prison factories shall be governed as follows-

(i) manufacture of any articles shall not be taken in hand in any factory unless an order has been previously registered for it. This equally applies to goods required for stock or made from materials produced in prison, for example, wood obtained from trees in prison garden;

(ii) when the Superintendent has a large order for an article, he shall register the order in such quantities as to ensure that the work is executed within a reasonable time which shall not ordinarily exceed three months, Orders for goods meant only for stock shall not be booked in large numbers at a time;

(iii) purchase of all raw materials shall be controlled by the Inspector General, subject to any order issued by Government from time to time;

(iv) suppliers shall be required to present, along with the materials supplied, an invoice in-duplicate in the prescribed form giving the number and weight of the materials and the rates. The original invoice bearing the supplier’s signature shall be retained in the prison office and the duplicate shall be returned to the supplier after being signed by way of receipt, by the officer concerned;

(v) the full market value of the materials received from other Departments of Government shall be recorded in the factory registers;

(vi) except with the special permission of the Inspector General, work on the wages system shall not be permitted in the prison. When any work on this system is accepted i.e., when other Departments of Government or private firms, and the Prison charges for the cost of labour only supply materials, the quantity of the materials received shall be entered in the appropriate register on separate pages, the column of price being left blank. In the books of the factories also full details as to the disposal of materials shall be shown on a separate page marked “work on wages”;

(vii) materials shall be indented for, by the officer in charge of the factory from the store keeper to meet immediate requirements only and in no case for more than two weeks’ consumption. The accumulation of materials in factories is prohibited;

(viii) the loss actually incurred in the process of manufacture shall be charged for in the factory registers and shall in no case exceed the authorized scale;

(ix) the Deputy Superintendent or Assistant Superintendent shall be in charge of the factories;

(x) the raw materials for manufacture shall be under the charge of the Deputy Superintendent or Assistant Superintendent, who shall issue each morning what is required for the day’s work and receive back in the afternoon the material which has not been utilized. He shall also, as far as possible, satisfy himself that there is no waste of material, but this shall not relieve the paid instructors of the responsibility for the safe custody and proper disposal of the manufactory stores; and

(xi) the paid instructors employed in the factory shall also be responsible for any shortages found in the tools and raw materials in the process of manufacture under their charge.

**853.A Prisoners earnings.**---(1) Ten per cent (10%) of the profit of the article made by a prisoner shall be given to such prisoner.

(2) The prisoners shall be allowed to spend at least a part of their earnings on approved articles from tuck shop for their own use and to send a part of their earnings to their family;

(3) The earnings shall be saved by the prison Administration so in the manner as it may deem fit as to constitute a savings fund to be handed over to the prisoner on his release.

(4) In the case of convicted prisoners, part of their remuneration or savings from this may be used for reparative purposes if ordered by a Court or if the prisoner concerned consents.

**CHAPTER –34**

**Prison Garden**

**853.B Employment of prisoners in the garden.**---Only casual prisoners with the shortest unexpired sentence shall be employed in the prison garden. They shall be specially passed for such work by the Superintendent. Habitual prisoners shall not be put on garden work except when sufficient number of casual prisoners is not available. In prison reserved for habitual prisoners, habitual with not more than two previous convictions may be employed.

**853.C Employment of prisoners in the garden attached to the residence of Prison officers.**---A party of five prisoners may be employed in the garden attached to the residences of the Inspector General, Deputy Inspector General, Assistant Inspector General and Superintendents. The Inspector General may employ eight prisoners at his residence.

**854. Maintenance of gardens.**---The Deputy Superintendent shall be responsible that the garden attached to the prison grows at all seasons a sufficient quantity of good and wholesome vegetables and condiments for the Prisoner’s use and that the whole of the prison land outside the prison walls available for cultivation is cultivated to the best advantage. A garden of sufficient size and supply all the vegetables and condiments required shall be laid out and another plot set apart as line orchard. All spare land shall be utilized for raising crops suitable for prisoners’ food.

**855. No subordinate officer permitted to enter garden.**---No subordinate officer except Deputy Superintendent shall be permitted to go into the garden unless on duty.

**856. Prison garden to be kept clean.**---All available land shall be laid out in fields of uniform size, which shall be serially numbered. Cemented irrigation channels shall be provided to carry water to all fields. The prison garden shall be kept neat and clean and free from weeds and undergrowth. The nursery shall be located on the best land, which is not likely to remain damp or waterlogged. It shall be within a reasonable distance from the source of water and shall be hedged off from the rest of the cultivation.

**857. Trees and plants.**---(1) Mango, jaman, tamarind and lemon or any other fruit trees shall be freely grown along roads inside Prison, the boundaries of prison land and other available places where they are not likely to interfere with the crops. The trees provide shade when planted within the prison enclosures, but, shall not be allowed to grow within 6 meter of the enclosure walls nor planted so thickly or so near to buildings as to interface free ventilation.

(2) Fruits collected from these trees shall be issued for consumption by patients in hospital and other prisoners.

(3) Old trees, which are no longer bearing fruit and are fit for fuel only, shall be cut down and replaced by young plants. The wood obtained shall be taken on stock and utilized for prison purposes.

**858. Manuring.**---Each and every part of the prison garden shall in turn be allowed to lie fallow for trenching purposes, a moderate sized plot being sufficient at a time. Removal of manure from trenches for use as to dressing in other fields shall not be permitted. All organic refuse such as dry leaves, unused portions of vegetables, fodder, prison sweepings, cattle urine and dung shall be collected and consigned to the manure pit for turning into compost manure. When the pit is full, it shall be covered with a few centimeter of dry earth. In this way a sufficiency of manure will always be available for top dressing.

**859. to 864. ---[Deleted]**

**865. Care in the gardening.**---Successful gardening requires frequent and thorough surface till large and useful attention to weeding and irrigation is essential. Excessive watering of young plants shall be avoided.

**866. to 867. ---[Deleted]**

**868. Supply of vegetables to prison officers.**---Any garden produce, fruits and grass, etc. in excess of the prison requirements, may be sold, the sale proceeds paid into the treasury and the sum deducted from the cost of prison maintenance in the annual accounts.

**869. Permission to keep Milch animals.**---The Superintendent and Deputy Superintendent are permitted to keep two Milch animals with their two calves or a horse in lieu of one of the Milch animals. No other subordinate officer shall be permitted to keep private cattle in the prison premises.

**870. Account of trees.**---(1) The Deputy Superintendent shall maintain an account of trees growing on the Prison grounds with a diameter of 30 centimeter or over in the garden register showing their serial numbers, description, age, etc. The serial numbers shall be painted on the barks of the tree after slightly smoothing the surface. Fruit trees such as lime, etc, shall not be numbered, but the total number of plants of each variety shall be noted in the register. The dropped trees as a result of rain or storm shall also be recorded by Deputy Superintendent in garden register.

(2) The Superintendent shall verify the trees in the register every year in the month of September. He shall record the result of such verification with full details of the trees cut down and the new ones taken on the register during the year. The dropped trees as a result of rain or storm shall also be recorded by Deputy Superintendent in garden register.

(3) No tree on prison land shall be cut down or otherwise removed without an order in writing of the Superintendent. The wood obtained shall be taken on stock and utilized for prison purposes only or if surplus may be auctioned under letter of Inspector General and shall be deposited into Government Treasury.

**870.A Cultivating of prison garden.**---(1) The prison Garden shall be cultivated by prison labour and tractors shall be provided from Government exchequer for each prison garden.

(2) No place shall be left un-cultivated, if such cultivation does not effect the security of the Prison.

**CHAPTER -35**

**Prison Buildings**

**875. Classification of works and repairs.**---(1) Works in buildings in the prisons are classified as follows:

|  |  |  |  |
| --- | --- | --- | --- |
|  |  |  | Rs. |
| A | Original works. | Major works costing over.  Minor works costing over  but not exceeding petty  works costing. | 500,000  300,000  500,000  300,000 or under |
| B | Repairs. | Special periodical or annual. | 200000 |
| C | Other Works | Works relating to white wash and petty works. |  |

(2) Original works include all new constructions whether entirely new or merely additions and alterations to existing buildings, all repairs to newly purchased or previously abandoned buildings required to bring them into use, and substitution of one kind of work for another, for example, a tiled for a thatched roof.

(3) Special repairs include the complete renewal of a roof or floor and repairs rendered necessary by storm, fire, flood or other unforeseen accident. Special repair estimates unlike other repair estimates, do not lapse with the financial year, but remain current till the completion of the work in the same way as estimates for original works.

(4) Periodical or annual repairs comprise not only such work as painting and white-washing but such miscellaneous repairs as it may be convenient to carry out at the same time.

(5) The Inspector General is competent to convey administrative approval for works of Prison buildings to be carried out of Departmental grant under the head “C-Works” upto rupees ten lacs (10,00,000) and grant technical sanction to estimates of expenditure on the work of the nature mentioned above up to. rupees ten lacs (10,00,000) only.

(6) The Superintendent, in Central Prison, is competent to grant administrative approval and technical sanction for work of Prison building to be carried out from the grant of Department under head “C-Work” and technical sanction to the estimate of expenditure on the work of the nature mentioned above.

(7) The Superintendent, in District Prison, is competent to grant administrative approval and technical sanction for works of Prison building to carried out from the grant of Department under head “C-Works” and grant technical sanction to the estimate of expenditure on the work of the nature mentioned above.

**876. Proposal for an original major works.**---(1) Every proposal for a major work shall be accompanied by-

(a) an explanation of the requirement;

(b) a brief statement of the general nature and extent of the work proposed; and

(c) rough approximate estimate of the probable cost, and a rough pencil sketch showing the chief dimensions of the work.

(2) The proposal shall be initiated by the Inspector General and sent to Government for administrative approval.

(3) The Executive Engineer of Communication and Works Department of Government (hereinafter referred to as the Executive Engineer) may be called upon to report on any proposal for an original major work and to state roughly the probable cost, within fifteen (15) days, as required by sub-rule (1), but that officer shall not be asked to prepare detailed drawings and estimates this can only be done under orders of the authority to accord technical sanction to the detailed estimate.

**877. Details when a minor work is proposed.**---When a minor work is proposed, the procedure for the preparation of estimates shall be the same as that for a major work. The Superintendents may ask officers of the Communication and Works Department for rough estimates of the cost of every work they consider necessary and when these are received, submit them to the Inspector General for granting of funds. In the event of the Inspector General being prepared to make a grant, he shall communicate the fact the Superintending Engineer who shall then order the preparation of the detailed estimate.

**878. Detail when a major work is proposed.**---(1) Major work shall ordinarily be proposed by the Superintendent who may call upon the Communication and Works Department of Government, for rough approximate estimates of the cost and on receipt submit them to the Inspector General who may then apply for the administrative approval of Government if the estimates of cost exceed rupees five lacs (500,000). If approved, the Inspector General shall include the work in his list of budget proposals and the Superintending Engineer receipt of administrative approval shall issue orders for the preparation of the detailed plans and estimate.

(2) The detailed plane and estimate shall be sent to the Superintendent for countersignature and afterwards return to the Executive Engineer who shall transmit them through the Superintending Engineer to the Inspector General, for the countersignature and approval of these officers.

(3) The detailed plans and estimates shall finally be forwarded by the Inspector General to the Chief Engineer of the Communication and Works Department of Government for technical sanction. Requisite funds shall be provided by the Inspector General in direct contract with the Finance Department of Government through the Secretary.

**879. Procedure when repairs are required.**---Estimate for repairs shall be prepared by the Communication and Words Department and sent to the Superintendent who will forward it along with his comments to the Inspector General for final approval. No work will be executed unless finally approved by the Inspector General.

**880. Matters concerning works generally.**---(1) Nothing in this Chapter shall be construed as a permission to any officer to carry out in prison any system of works or alterations of which the cost in the aggregate would exceed what he is empowered to sanction.

(2) No material alterations or additions to a building may be made without the approval of Superintending Engineer, nor any building be dismantled or new building constructed without his permission.

(3) No work may be commenced till sanction has been accorded, an allotment of funds made, and order for its commencement issued by the competent authority. In emergent cases of danger or inconvenience suddenly arising, a definite written request must be made to the Executive Engineer who shall act on his own responsibility.

**881. Prison labour, details to be observed in the execution of works.**---(1) In the execution of every prison work, prison labour shall be utilized to the fullest extent. An Executive Engineer shall give the Superintendent the option of executing the whole or any part of a Prison work and to assist him in providing employment for prisoners on such work, but as it shall not always be possible for a Superintendent jail to carry out Prison works, such works may be classed as those to be done by:

(a) prison labour;

(b) paid labour; and

(c) prison and paid labour combined.

(2) As laid down in Public Works Code the estimates for works on which it is intended to use prison labour shall, as in the case of free labour, provided for the full market value of the work to be done, but a note of the reduction to be effected by the employment of prisoners shall be made on the abstract of the estimate.

(3) No charges shall be made to the Communication and Works Department of Government when prisoners are employed on Prison works. When Prison labour is employed on other public works, the full market value of the work performed, as certified by the Executive Engineer shall be charged to the Communication and Works Department of Government and necessary adjustment for such charges shall be afforded to the Prisons.

(4) The Executive Engineer shall from time to time, inform the Superintendent of the probable demand for Prison labour. The Superintendent shall arrange, as far as practicable, for the required number of prisoners being made available and apply, if necessary to the Inspector General for the transfer of more prisoners to make up the required number.

(5) When a sanctioned Prison work is to be executed by Prison labour, the Superintendent shall apply to the Executive Engineer for all tools, plant and materials required for the work. Such tools and materials shall be devoted solely to the purpose sanctioned in the estimate.

(6) The Superintendent shall also engage such paid skilled labour and supervision as is necessary, in consultation with the Executive Engineer this shall be paid for by the Superintendent and charged in the estimate.

(7) The work to be done shall be laid out by the Executive Engineer or by his subordinate deputed officer for the purpose, and no deviation from the sanctioned plan shall be permitted without formal sanction.

(8) It is the duty of the Executive Engineer to point to the Superintendent when progress on a work on which Prison labour is employed, is considered unsatisfactory to assist the Superintendent in framing a table of task work, and to instruct his subordinate to report daily those prisoners who have not completed their tasks or who have been otherwise negligent at their work.

(9) All building operations are to be conducted by the Executive Engineer and his subordinate in charge, without interference. The supervision of Communication and Works Department of Government must, however, be effectual, so that loss to the prison by dismantling of work, waste of materials or loss of tools may be reduced to the minimum.

**882. Annual and special repairs, execution of work.**---(1) The Prison Department is authorized to execute all petty and annual repairs, and also any original works or special repairs not likely to cost more than rupees fifty thousand (50,000) to buildings used, or intended to be used for residential or non-residential purposes, subject to the following exceptions:

(a) such works where skilled civil engineering supervision is required;

(b) such supervision is not considered necessary in the case of simple works which can normally be entrusted to skilled artisans employed by the Inspector General;

(c) construction of buildings for headquarters’ officers;

(d) construction of works in connection with residential buildings for which capital and revenue accounts are maintained;

(e) such works as the Finance Department of Government may call upon the relevant Department of Government to execute;

(f) before works under this order are executed the administrative approval of the competent authority must be obtained by the Superintendent; and

(g) an up-to-date record of expenditure against sanctioned estimates shall also be maintained by the Prison Department.

(2) Estimates for the class of works and repairs thus undertaken by the Superintendant, shall be prepared by the officers of the Communication and Works Department of Government as usual, and when it has been decided that the Superintendant shall carry out work, the abstract of cost shall be cut down to show saving effected by the use on Prison labour.

(3) In cases where the Superintendent has no mason or skilled workmen at his disposal to put in charge of such works, the Executive Engineer shall either lend him one from his own staff, if he has one available, or shall see that the estimate provides for the payment of one charged to works. If in any particular case the Superintendent professes his inability to carry out work which the Executive Engineer has not objected to as unsuitable to prison labour, the Executive Engineer shall, of course, carry it out for him; the matter is one that shall be arranged between the Superintendent and the Executive Engineer But it should be borne in mind that, whenever by supplying help in the way of subordinate staff the Executive Engineer shall aid the Superintendent to carry out work, it shall be preferable to do so rather than to undertake it himself.

(4) The Executive Engineer shall, as far as possible, inspect or direct one of his subordinates to inspect works made over to Superintendent for execution while they are in progress, when they are of such a nature that some degree of professional supervision would be desirable. Superintending Engineer of Communication and Works Department of Government shall also, during tour, examine them.

(5) In carrying out prison works the Superintendent shall act on behalf of the Communication and Works Department of Government and as such it shall be his duty to see that money provide for one work is not directed to another or that no deviations from drawings or specifications are allowed.

(6) On the completion of work carried out in the prison, the Superintendent shall furnish the Executive Engineer with information on the following points to enable the latter to keep the register of buildings upto-date:

(a) particulars of work of the Communication and Works Department of Government;

(b) cost; and

(c) date of completion.

**883. Duties and responsibility of Superintendent and Executive Engineer.**---(1) The disposal of complaints of officers of the Communication and Works Department of Government regarding the work shall rest with the Superintendent. It is be the duty of the Executive Engineer to see that his arrangements for materials, etc., are such that full employments are found for the number of prisoners requisitioned by him.

(2) The Superintendent shall be responsible for the discipline, feeding, clothing, treatment, guarding and supervision of prisoners employed on a work.

(3) No scaffolding, loose bamboos, planks, tools, etc., likely to facilitate escape, shall be left in the prison at night. A special watch shall be placed by the Deputy Superintendent and Superintendent over extensive scaffolding or building materials that are a source of danger and which cannot be removed each evening.

(4) Outside labourers when employed shall be kept separate as far as practicable. When skilled outside labourers are engaged to teach prisoners and supervise their work, laxity in discipline shall not be permitted.

**884. Inspection of buildings and armouries.**---(1) The Executive Engineer in whose Division a prison is situated shall inspect the prison annually. He shall, after the inspection, record a report on the general condition of the building and especially point out the defects, if any, which come to his notice. The Executive Engineer shall submit this report to the Superintending Engineer Communication and Works Department of Government for information and also send a copy to the Superintendent for transmission to the Inspector General with his comments.

(2) On receipt of the inspection report the Superintendent shall ask the Executive Engineer for estimates for such work, as he considers necessary to remedy the unsatisfactory features pointed out by him. If for financial or other reason the Superintendant does not consider it advisable to take action on any of the matters brought out in the report, the Superintendent shall inform the Executive Engineer accordingly, so that these particular points may not be repeated.

(3) The Superintending Engineer shall forward to the Chief Engineer of the Communication and Works Department, for information, only such inspection reports as exhibit unsatisfactory features of an important nature requiring his special attention.

**885. Signing of completion certificate.**---(1) On the completion of a work, a completion certificate shall be forwarded by the Executive Engineer to the Superintendent for signatures. If the Superintendent is satisfied that the work has been executed properly, he shall sign the completion certificate.

(2) A copy of the completion certificate by the Superintendent shall be sent to the Inspector General for information.

(3) If on the other hand, the Superintendent is not satisfied from the work done, he shall refer the case to Inspector General. The Inspector General may refer the matter to Government for examination of work by a technical committee, constituted by Government, from time to time, for final disposal.

**886. Disposal of materials.**---Materials obtained from prison buildings dismantled or undergoing repairs left over after completion shall be issued by the Executive Engineer reasonable rates to the Superintendent if the latter requires such material. The Superintendent shall take these materials on his stock for use in repairs to prison buildings and necessary credit shall be afforded to the estimates. If such material is not required to the Superintendent, it shall be auctioned by the Communication and Works Department of Government.

**887. Grant for annual repairs.**---A grant of funds for annual repairs is made to all the Superintendents for repairs to prison buildings. This grant shall be accounted for in prison resisters in the same way as other expenditure on account of maintenance of prisoners, etc.

**887.A Construction of the outer wall of a prison.**---(1) The outer wall of every prison shall be rounded on top with live electric wire, with live electric wire, cornices, projections of any sort or broken glass only afford a hold for a blanket or cloth. At every junction of a partition wall with the outer wall and at every angle in the outer wall, a sufficient addition shall be made to the height to prevent the possibility of any prisoner scaling the walls at these places. The main wall of a prison shall not ordinarily be less than 4.86 meter in height and a clear space 4.86 meter be left between it and any building on either side of it.

(2) The enclosure walls of barracks and cellblock shall not be less than 3.5 meter in height.

**887.B Capacity of buildings in prisons.**---(1) The accommodation capacity of wards, barracks, cells and other buildings shall be enough so that the prisoners may be able to live and move easily.

(2) In no case the height shall exceed four (04) meter.

(3) No building shall be within 4.87 meter of an enclosure wall and no private building shall be meters outside the perimeter wall and private building shall be within five (05) meters outside the perimeter wall.

**887.C Watch towers.**---Masonry watch towers shall be constructed along the main wall of a prison. Entry to the watch tower shall be from outside or inside of the prison. A sentry armed with a rifle and ammunition shall be posted on each watch tower day and night. Searchlights, find and movable shall be provided on each watch tower and means for raising an alarm shall also be provided. Watch tower sentry shall be responsible for protecting the main wall area under his command. The distance between two watch towers shall not exceed one hundred and eight (180) meter.

**CHAPTER -36**

**Inspector General**

**888. ---[Deleted]**

**889. Appointment and duties of Additional Inspector Generals, Deputy Inspector General or Assistant Inspector General.**---(1) Two or more Additional Inspector Generals, Deputy Inspector Generals and Assistant Inspector Generals shall also be appointed to assist the Inspector General in the discharge of his duties, if the total work load on the Inspector General is great in view of the large number of prisons and the prisoners.

(2) Duties of the Additional Inspector Generals, Deputy Inspector Generals or Assistant Inspector Generals shall be assigned by the Inspector General.

**890. to 891. ---[Deleted]**

**892. Supply of articles to prisons and sale of manufactured articles.**---(1) Subject to the general control of Government and the provisions of these rules, the Inspector General may enter into such arrangements as may be necessary for the construction works and supply of articles, for use in prisons, and for the sale of articles manufactured in prisons.

(2) The Inspector General is empowered to execute deeds, contracts and other instruments for the supply of articles for use in prisons or regarding the sale of articles manufactured in prisons.

**893. Provision of funds, expenditure and accounts.**---Subject to the budget provision and allotment of funds to meet the expenditure of the Prisons Department the entire control over all expenditure on the maintenance of prisons and on all matters in any way relating to, or connected with, the administration of prisons, shall vest in the Inspector General. The Inspector General shall in all respects comply with the requirements, as to the submission of estimates, the expenditure of money, the management and audit of accounts and the like, of the Audit office and all the rules and orders of Government in the Finance Department. All expenditure incurred shall be regulated in accordance with the rules as laid down in the Delegation of Powers under the Financial Rules.

**894. Monthly audit of expenditure by Inspector General.**---The Inspector General shall cause monthly bills of all expenditure, of whatever description, on or relating to Prisons, to be sent regularly to him and shall himself audit such bill or cause them to be duly audited under his directions and orders.

**895. Petty contracts.**---(1) Any contract for the supply of any articles to the extent of the estimated requirements of any prison for a period not exceeding six months shall be deemed to be a petty contract.

(2) Petty contracts may be made by the Superintendent within his financial powers subject to the control of the Inspector General.

**896. All other contracts require previous sanction.**---No contract other than a petty contract shall be made by any officer without the previous written sanction of the Inspector General.

**897. Inspection of prisons.**---It shall be duty of Inspector General, as far as possible to personally visit and inspect every prison at least once a year, and to satisfy himself that the provisions of the Act, and all rules, directions and orders made or issued there under, applicable to such prison are duly obeyed and enforced, and that the management of such prison is in all respect efficient and satisfactory. A note recording the result of each visit and inspection shall be sent to the Superintendent in duplicate who shall place a copy of it in the inspection minutes file and return the other copy with his remarks and explanations to the Inspector General within fifteen (15) days in case of informal visits and within one month in the case of formal inspections.

**898. Duties of the Inspector General at inspections.**---In accordance with the provisions of the preceding rule, the Inspector General shall, at his inspection of each prison, ordinarily-

(a) see all parts of the prison including the workshops, store rooms, kitchen and hospital, noting their state of repair, sanitary condition and efficiency, the extent to which the structural arrangements permit of separation of the different classes of prisoners as required by the Act and these rules and, whether these arrangements are availed upto the fullest extent;

(b) examine the prison garden and note its condition as to its capabilities to supply vegetables in sufficient quantities to all the prisoners and whether it has been successfully cultivated;

(c) note any defects in the water supply and conservancy arrangement, see that the sick are carefully attended to and that the food is of proper quality and quantity;

(d) see that accommodation is ample and there is no over crowding;

(e) see every prisoner confined in the Prison, noting any circumstances of importance requiring attention, such as the adoption of task to physique and capabilities, the condition and sufficiency of the clothing, the working of the remission system, the award of punishments and afford every prisoner a reasonable opportunity of making any request or complaint and investigate those relating to prison discipline;

(f) inspect the Warder establishment as to its efficiency, inspect the arms and accontrements;

(g) satisfy himself that the watch and ward arrangements are satisfactory both by day and night;

(h) satisfy himself that proper arrangements are made for the safe custody of all records, and that due regard is paid to all requirements of the relevant law for the time being in force and these rules; and

(i) record his opinion of the manner in which the prison is administered, the extent to which officers appear familiar with their duties, rules and regulations, together with any suggestions he may wish to make and any orders he may desire to issue to the Superintendent.

**899. A copy of minute when to be submitted to Government.**---A copy of any part of the inspection minute, which deals with matters which shall, in the opinion of the Inspector General be brought to the notice of Government, shall be forwarded by him to Government.

**900. Annual reports and returns.**---The Inspector General shall, in the first week of October each year, submit to Government a report on the administration of prisons, together with statistical and other statements, returns and information, and in such form as Government may from time to time prescribe

**901. Channel of communication.**---The Inspector General shall be the channel of communication between Government and all the Superintendents and staff of the Prisons Department.

**902. Removal of Prisoners.**--- (1) The Government may, by general or special order, provide for the removal of any prisoner confined in a prison—

(a) under sentence of death, or

(b) under, or in lieu of, a sentence of imprisonment for maintaining good behavior, to any Prison in Pakistan.

(2) Government and subject to its orders and control, the Inspector General may in like manner, transfer any prisoner confined in a prison to any other prison of the Province.

**903. Inspection of criminal lunatics by the Inspector General or visitors.**---(1) When any person is confined under the provisions’ of section 466 or section 471 of the Code, the Inspector General, if such person is confined in a prison or the visitors of the mental hospital or any two of them, if he is confined in a mental hospital, may visit him in order to ascertain his state of mind, and he shall be visited once at least in every six months by the Inspector General or by two such visitors. The Inspector General or visitors shall make a special report about the state of mind of the person to the authority under whose order he is confined.

(2) Government may empower the officer incharge of the Prison in which such person may be confined to discharge all or any of the functions of the Inspector General, as mentioned in sub-rule (1).

**904. ---[Deleted]**

**905. Financial control over judicial lockups.**---The Inspector General will exercise financial control over all judicial lockups with regard to such matters as sanctioning expenditure, approving of budget arrangements and dealing with questions relating to the entertainment of special establishments and other similar matters.

**906. Annual Inspection of judicial lockups.**---The Inspector General shall, at least once in a year, inspect all judicial lockups in order to see that the sanitary arrangements are satisfactory and that the financial arrangements are proper. He will bring to the notice of Government any defects which he may observe and shall review the general management of judicial lockups.

**906.A Public awareness.**---The prison authorities shall continually inform the public about the purpose of the Prison system and the work carried out by Prison staff in order to encourage better public understanding of the role of the Prisons Department.

**906.B Research and evaluation.**---Government shall support a programme of research and evaluation about the purpose of the Prison, its role in a democratic society and the extent to which it is fulfilling its purposes.

**Chapter -37**

**The District and Sessions Judge/**

**Deputy Commissioner**

**907. District and Sessions Judge and Deputy Commissioner to visit Prisons.**---(1) It shall be duty of the District and Sessions Judge and Deputy Commissioner, to visit and inspect every prison from time to time, situated within the limits of his district and to satisfy himself that the provisions of the Act and these rules, applicable to such prison are duly observed and enforced.

(2) In all matters relating to discipline and management of the prison, the District and Sessions Judge and Deputy Commissioner visiting and inspecting any prison, under the provisions of these rules, shall discharge his duties subject to the general control of the Inspector General.

(3) The result of each visit and inspection made, shall be recorded in the visitor’s book maintained at the prison.

(4) The District and Sessions Judge and Deputy Commissioner may, from time to time, inspect any Prison situated within the limits of his jurisdiction, for the purpose specified in sub-rule (1).

**908. Powers conferred on the District and Sessions Judge.**---Subject to the provisions of sub-section (2) of section 11 of the Act, the Superintendent of a prison other than a Central Prison, shall comply with all orders not inconsistent with the Act, or these rules which may be given respecting the prison by the District and Sessions Judge, subject to such general or special directions as may be given by Government.

**909. Exercise of powers by the District and Sessions Judge.**---(1) The general or special directions given under sub-section (2) of section 11 of the Act, shall, except in cases in which immediate action is in the opinion of the District and Sessions Judge necessary, be so expressed that the Superintendent may have time to refer, if he thinks necessary, to the Inspector General before taking action thereon.

(2) All orders issued by the District and Sessions Judge shall if expressed in time requiring immediate compliance, be forthwith complied with, and a report made to the Inspector General.

**910. District and Sessions Judge to communicate with Superintendent.**---The District and Sessions Judge shall not address any communication or order to any officer of any prison other than the Superintendent. All orders issued by the District and Sessions Judge shall be in writing.

**911. General directions under sub-section (2) section 11 of the Act.**---(1) The District and Sessions Judge orders shall ordinarily be issued in the form of any entry in the visitors’ book. The District and Sessions Judge and Deputy Commissioner shall not unnecessarily interfere in the management of a prison. He shall avoid any action likely to weaken the authority of the Superintendent over the prison staff and prisoners.

(2) In the matters of an emergent and important character affecting the safety of the public, the prison or the prisoners, it is open to the District and Sessions Judge to take all such measures as may be necessary In the special circumstances of the case, and all action taken shall be promptly reported to the Inspector General.

(3) If the District and Sessions Judge and Deputy Commissioner gives an order to which the Superintendent takes exception, the later officer may represent the matter to the Inspector General, but he shall forthwith comply with any order which is not clearly inconsistent with the Act, or these rules and does not involve any immediate risk or danger. In the event of his hesitating to comply with any order on any of these grounds, he shall in cases of urgency, obtain the Inspector General’s orders by Fax or telephone.

(4) In cases which are not urgent, the Superintendent shall make a reference to the Inspector General in the ordinary course and shall communicate the reply to the District and Sessions Judge and Deputy Commissioner.

**912. ---[Deleted]**

**CHAPTER -38**

**Visitors**

**912.A External Monitoring of prisons.**---There shall be a regular external monitoring of prisons by qualified and experienced persons authorized by Government. Their task shall be, in particular, to ensure that prisons are administered in accordance with these rules and with a view to bring about the objectives of prison Administration.

**913. Powers of Government to appoint visitors.**---(1) Visitors of prisons shall be:

(a) ex-officio officials;

(b) non-officials appointed by name; and

(c) Members of Provincial Assembly, Khyber Pakhtunkhwa.

(2) The following officers and others, whom Government may from time to time nominate, shall be ex-officio visitors of prisons, situated within the areas under their charge, or within their jurisdictions:

(a) the Commissioner of a Division; 

(b) the District and Sessions Judge;

(c) the Deputy Commissioner;

(d) the Deputy Inspector General of Police;

(e) the Superintendent of Police;

(f) the Director Health Services;

(g) the Director of Reclamation and Probation;

(j) the Director of Agriculture;

(h) the Heads of the Departments of Social work, Psychology and Psychiatry of the public sector University concerned;

(i) the Director of Industries; and

(j) District Nazim.

**914. Visits by official visitors.**---(1) The Commissioners and the Deputy Commissioner shall visit the prisons at least once in three months under their jurisdiction.

(2) The District and Sessions Judge shall visit the prisons situated in their jurisdictions at least once a month.

(3) In January each year, the Superintendent shall submit a report to Government through the Inspector General, giving the number of visits made by the visitors during the previous years.

**915. Duties of official visitors.**---(1) Any official visitor may examine any book, paper and record in the prison, and may interview any prisoner confined therein.

(2) It shall be the duty of every official visitor to satisfy himself that the provisions of the Act, and these rules are duly observed, and to hear and bring to notice any complaint or representation made by any prisoners.

**916. Non-official visitors.**---(1) Government may nominate such number of persons not exceeding ten for a District Prison and fifteen for a Central Prison, to be non-official visitors in respect of any prison as it may think fit, depending on the population of the prison. Non-official visitors shall be nominated for one year.

(2) Population means the average population of the preceding year of the new appointments of non-official visitors.

**917. Nomination of non-official visitors.**---(1) A Selection Board under the chairmanship of the District and Sessions Judge of the District concerned, consisting of the local members of the National and Provincial Assemblies, the Superintendents of Police, Superintendent and the Secretary of the Prisoners Aid Society shall be constituted for recommendation of non-official visitors to Government. The Secretary of the Prisoners Aid Society shall be the Secretary of the Selection Board. Two months before the expiry of the term of non-official visitors, the Secretary, shall arrange a meeting of the Selection Board and place before the members the proposed names of the non-official visitors. The Selection Board shall then make recommendations under their signatures to Government. Two names shall be sent for each nomination of the non-official visitors.

(2) The Minister for Prisons and the Secretary may also nominate any person to be non-official visitor to any prison in the Province on the basis of their personal information regarding his interest in the welfare of prisoners.

(3) The Secretary of the Selection Board shall take care to ensure, before placing the names before the Selection Board, that well-educated gentlemen with good record of social service to their credit are recommended. He shall place detailed information before the Selection Board, about their special qualifications such as education, interest in prison reforms, social work and capability in finding employment for prisoners on release. In the case of re-appointment of the previous non-official visitors, a full report about the work done by them shall accompany the recommendations.

(4) The most suitable persons to be nominated as non-official visitors are psychologists, social workers, doctors, men of letters, industrialists, philanthropists and retired Government officials.

(5) For Women’s prison and at prisons where women prisoners are confined lady non-official visitors shall be nominated from amongst prominent lady social workers and lady teachers of industrial homes.

(6) The nomination of non-official visitors shall be made by Government and notified in the official Gazette.

(7) Members of the Provincial Assembly who represent urban or rural constituencies may, during the term of their membership, be nominated ex-officio non-official visitors of the prisons situated in their constituencies.

(8) Every Member of the Provincial Assembly shall have the authority to visit prisons in his constituency as soon as be elected as Member of the Provincial Assembly.

**918. Visits by non-official visitors.**---(1) Every non-official visitors is expected to take interest and visit the prison of which he is a visitor once a month and oftener if possible.

(2) A non-official visitor, likely to be away from the station or unable to visit the prison for six months or so, shall report the fact to the Deputy Commissioner who may nominate a substitute, if necessary.

(3) In the event of a non-official visitor failing to visit Prison for six months he shall be regarded as having vacated office.

**919. General duties of all visitors.**---(1) All visitors shall be afforded every facility for observing the state of the prison, and its management and shall be allowed access under these rules, to all parts of prison, and to every prisoner.

(2) Official visitors may call for and inspect any book or record in the prison other than those of a confidential nature, unless the Superintendent, for reasons to be recorded in writing, declines on the ground that its production is undesirable. Every official and non-official visitor shall have the right to see any prisoner and to put any question to him.

**920. Board of visitors.**---(1) Once in every quarter not less than two ex-officio and one non-official visitors, of which one, unless prevented by unavoidable cause, shall be the District and Sessions Judge, shall constitute a Board and visit the prison of which they are visitors. The District and Sessions Judge, shall be ex-officio Chairman of the Board. The Board shall meet at the prison on a date to be fixed by the District and Sessions Judge, and will 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.

(2) The District and Sessions Judge and the Superintendent of Police shall not delegate their functions under this rule to any of their subordinates.

**921. Duties of visitors.**---All visitors whether official or non-official, during every visit shall-

(1) inspect the barracks, cells, wards, workshops and other buildings of the prison generally and the food;

(2) ascertain whether considerations of health, cleanliness, and security are attended to, whether proper management and discipline are maintained in every respect, and if any prisoner is illegally detained, or is detained, for an undue length of time while awaiting trial;

(3) hear, attend to all representations and petitions made by prisoner; and

(4) direct, if deemed advisable, that any such representation or petitions be forwarded to Inspector General.

**921.A Orientation and Training of non-official visitors.**---A programme of orientation or training shall be established for persons engaged in the monitoring of places of detention which shall cover all aspects of prison life and learning for experience of other countries in prison issues. A monitoring checklists shall also be prepared and made available for the use of the visitors.

**822. Time of visit.**---No visit shall be made after the prisoners have been locked up for the night, or on any public holiday or Sunday.

**923. Punishing the prisoners for complaints made to visitors.**---No prisoner shall be punished for any statement made by him to a visitor.

**924. Respect for visitors.**---(1) Due respect shall be paid to the visitors and their requests for information, shall be complied with readily.

(2) No visitor allowed to go around the prison without escort necessary for personal safety.

(3) Any visitor is at liberty to go round the prison unattended, except for the Warder escort if he so desires:

Provided that the visitor shall in no case interview a political prisoner, militant or dangerous prisoner except with prior permission of the Superintendent except in the presence of the Superintendent or the Deputy Superintendent.

(4) Except on the occasion of the visit of the Board of visitors, no visitor can claim to be accompanied on his rounds by the Superintendent or the Deputy Superintendent.

**925. Visitors not permitted to hold meetings of Prisoners.**---(1) Visitors are not permitted without the express consent of the Superintendent to interview more than one prisoner at a time. Anything in the nature of meeting or conference whether for the discussion of political topics or the ventilation of prison grievances is strictly prohibited. Male visitor shall visit only male section of the prison.

(2) All private interviews with prisoners shall normally be subject to a time limit of ten minutes. If a visitor wishes to exceed this limit, he shall give his reasons for doing so in writing to the Superintendent.

**926. Duties of lady visitors.**---Lady visitors, when nominated to a prison where women prisoners are confined, shall have the same functions and duties as male visitors, except that their functions shall extend only to the women prisoners and women’s enclosures, and that they shall have nothing to do with the male portion of the prison.

**927. Day of visit to be recorded and copy of remarks to be sent to certain officers.**---(1) 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. There shall be only one visitors’ book for both classes of visitors. This book shall on no account be removed from the prison premises.

(2) A copy of the remarks made by every visitor, together with the Superintendent’s comments or the action taken by the Superintendent, shall be forwarded to the Inspector General and, in the case of remarks about the long detention of under-trial prisoners, a copy of such remarks shall also be forwarded to the District and Sessions Judge of the district concerned.

(3) Non-official visitors shall write their remarks in the visitors book at the time of their visit to the prison. Any remarks not recorded at the time and received subsequently from non-official visitors shall be ignored. The Superintendent shall bring these rules to the notice of any non-official visitor who proposes not to enter any remarks in the visitors’ book at the close of his visit

(4) Remarks by the visitors shall be treated as confidential and shall not be communicated to the prisoners or to anyone outside the prison. Visitors shall not give publicity to any remarks recorded by them in the Visitors’ book by publication in the press or otherwise.

(5) Every non-official visitor shall, on the expiry of his term, submit to Government through the Inspector General a detailed report with suggestions for improvements in prison Administration.

**928. Disposal of the record made by visitors.**---(1) Any remarks made by a visitor under the preceding rule shall be limited to a statement and fair criticism of actual facts, which may come to his knowledge and such suggestions as he may desire to make. Criticism shall be constructive and confined to such aspects of the ordinary administration which may be considered susceptible of alteration or improvement and shall on no account directly reflect either favourably or adversely on the character or conduct of any of the prison staffs. If a visitor wish to bring to notice what he considers to be the good or bad work of any official, he shall do so by letter addressed to the Inspector General.

(2) The Inspector General may pass orders on any remarks made by a visitor and shall forward these to Government, if any question of importance is raised, which in his opinion, requires the orders of Government.

(3) In the case of the remarks recorded in the visitor’s book by Commissioners of the concerned divisions, a copy of the record, with the comments of the Superintendent and the Inspector General, shall invariable be forwarded to Government.

(4) A copy of any orders passed by the Inspector General or Government, on any remarks made by a visitor, shall be communicated to that visitor through the Superintendent.

**929. Names of visitors to be displayed.**---The Superintendent shall have a list hung affixed at the main gate, giving the names of all prison visitors official and non-official. Persons other than those authorized shall not be allowed to visit the prison.

**930. Admission of the police officers and the interrogation of prisoners by them.**---(1) The Superintendent of Police or a Deputy Superintendent of Police may, for any purpose connected with the discharge of his duties as such police officer, be permitted to enter the prison during office hours only.

(2) Police officers of subordinate ranks, who may be detailed for duty, shall be permitted to enter the prison-

(a) for the purpose of recognizing old offenders, at the time of the Superintendent’s weekly parade; and

(b) for the purpose of conducting operations for the identification of prisoners during working hours on any weekday.

(3) No police officer shall, at any time, upon any pretext whatsoever, be allowed to enter any women’s ward or any cell or compartment in which any woman is confined without the permission in writing of the Superintendent.

(4) No police officer shall be permitted to interrogate any prisoner, except in so far as may be necessary for the identification of such prisoner, without an order in writing from the District and Sessions Judge or the trial Court, as the case may be, addressed to the Superintendent.

(5) Any interview, permitted under an order from the Deputy Commissioner, shall take place in the presence of the Deputy Superintendent or other officer of the prison, but out of his hearing.

(6) For the purposes of sub-rule (2), prison officer shall give every assistance by parading separately, if required, any prisoners whom the police may desire to inspect for the purposes of identification.

**931. Rank of officer deputed to interrogate a prisoner.**---Police officer deputed to interrogate a prisoner under the provisions of sub-rules (4) and (5) of rule 930 shall ordinarily not be below the rank of an Assistant Sub-Inspector.

**932. Police officer to be in uniform.**---No subordinate police officer shall be admitted to a prison unless he is in proper uniform.

**933. Officers of the Water and Power Development Authority, Communications and Works may enter the Prison during business hours.**---The Superintending Engineer of the circle, the Executive and the Assistant Engineer of the District and employees of the Communication and Works Department and Water and Power Development Authority respectively, shall, during business hours have access to the prison to such an extent, as may be necessary for the purposes connected with the discharge of the official duties of their Departments, but not otherwise. WAPDA authorities shall bond to assist for removal of any electric fault inside or outside the prison.

**934. Visits by authorized persons.**---(1) A person other than an official or non-official visitor may visit a prison if he has obtained the written permission of the Inspector General or the Superintendent. Visits by such persons may be made on any day between the hours of 9:00 A.M and 2:00 P.M. The restriction, however, is not intended to prohibit the Superintendent from admitting persons whom he may wish to show round the prison at any other time.

(2) Any such person shall not in the absence of special orders to the contrary, be permitted to put any question to prisoners or to make any enquiries either from officials or from prisoners concerning the discipline and management of the prison.

**CHAPTER-39**

**The Superintendent**

**934.A Management of the prison.**---Each prison shall be managed by a Superintendent, who shall-

(i) be adequately qualified for the task by character, administrative ability, suitable training and experience;

(ii) devote his entire time to official duties and shall not be appointed on a part-time basis; and

(iii) responsible for the supervision of the whole Prison and the control of prisoners confined in the Prison.

**935. Office of Superintendents.**---The Superintendents shall hold their office either alone or in conjunction with any other duties at the discretion of Government.

**936. (i) ---[Deleted]**

**936.** (2) The terms and conditions of service of the Superintendents shall be regulated by their service rules for the time being in force.

**937. To reside in official quarters.**---Superintendents shall reside in the official residence provided for them near the prison. They shall be entitled to rent free unfurnished quarters or rent in lieu thereof if official residence is not available.

**938. Exercise of powers of Superintendent.**---All or any of the powers and duties conferred and imposed by these rules, on a Superintendent under the Act and these rules, or in his absence be exercised and performed by any other officer whom Government may appoint in this behalf either by name or by his official designation.

**939. Duties of the Superintendent in general.**---(1) The over-all responsibility for the security and management of the prison shall squarely revolve on the Superintendent.

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

(3) Subject to such general or special directions as may be given by Government, the Superintendent of a prison other than a Central Prison shall comply with all orders not inconsistent with the Act or these rules which may be given respecting the prison by the District and Sessions Judge and Deputy Commissioner, he shall report to the Inspector General all such orders and the action taken thereon.

(4) Under section 12 of the Act, the Superintendent shall keep or cause to be kept certain specified records and such other records as may be prescribed under section 59 of the Act.

**940. General duties of the Superintendent.**---(1) The Superintendent shall discharge his duties subject to the control of the Inspector General and all orders passed by him shall be subject to revision by the later.

(2) It shall be the duty of every Superintendent of a prison to-

(a) provide for the maintenance, care, custody and control of all prisoners confined in the prison;

(b) maintain order and discipline amongst the prisoners, and the subordinate officers;

(c) control all expenditure relating to the prison;

(d) enquire into and adjudicate upon all prison offences and breaches of discipline, and to punish those who are found guilty of committing any prison offence or breach of discipline; and

(e) generally take such measures as may be necessary or expedient for the proper protection and management of the prison and prisoners, and for the purpose of effecting and enforcing the provisions of the Act, and these rules which may be applicable to prisoners and staff.

**941. Superintendent to visit prison daily.**---The Superintendent shall visit the prison at least once on every working day, and also on Sundays, or public holidays when special circumstances require his attendance. If, from any cause, the Superintendent is unable to visit the prison on any working day, he shall record the fact and the cause of his absence in his order book.

**942. Time-expired prisoners to be released before noon.**---The Superintendent shall ordinarily release time-expired prisoners as far as possible before noon each day, and shall see to the return of their private property and the grant of subsistence allowance to them.

**943. Prisoners to be seen daily.**---The Superintendent of a District Prison shall as far as practicable, see every prisoner in his charge daily, and the Superintendent of a Central Prison shall likewise see every prisoner once a week, while the Deputy Superintendent shall check every prisoner once in two days.

**944. Inspection of food.**---The Superintendent shall daily inspect the food prepared for prisoners:

**945. Surprise visits.**---The Superintendent shall occasionally visit the prison at uncertain hours of the day and the night, and shall satisfy himself as to the due observance of these rules and orders. At least twice a week he shall visit the prison at night and record a report in his order book noting the time of his visit and stating whether night guarding was being effectively carried out and everything was in order.

**946. Prisons to be inspected and maintained in an efficient state.**---The Superintendent shall frequently visit and inspect every barrack, yard, cell, workshop, cookhouse, latrine, armoury, warders line, every other part of the prison and its precincts. He shall satisfy himself that all buildings, structures, enclosure walls, and the like are secure and maintained in the best possible state of repair. He shall see that every part of the prison precincts and premises is kept clean and in an efficient sanitary condition.

**947. Superintendents order book.**---The Superintendent shall maintain an order book and shall record therein all orders passed by him relating to the management and discipline of the prison. He shall satisfy himself that every such order is duly carried into effect. All officers entrusted in any way with the execution of any such order shall sign the book in acknowledgement of having seen and received the order.

**948. Distribution of duties.**---(1) The Superintendent shall record in his order book the distribution of duties and registers, etc., amongst the subordinate officers in such a way that any responsibility for errors, dereliction of duty or defalcations, etc., may be fixed with precision. A copy of the distribution of duties of executive and clerical staff shall be maintained in the office. Nothing contained in any order recorded under this rule shall be deemed in any way to relieve the Deputy Superintendent of his general responsibility, under the Superintendent for the entire management of the prison, or to relieve the Deputy Superintendent or any other subordinate officer of his liability to discharge any duty imposed on him by any law or rules for the time being in force.

(2) The hours of attendance of the executive staff shall be so fixed that at least one such officer is always present inside the prison throughout the day between unlocking and lock-up.

**949. Change of duties of officers.**---The Superintendent shall, as far as possible, arrange that no official, particularly a storekeeper, shall remain employed on the same duties for more than a year at a time.

**950. Duty hours of Superintendent.**---Superintendent shall attend his office for at least six hours daily and shall ordinarily observe the office hours fixed by Government from time to time.

**951. Visits to the hospital.**---The Superintendent shall visit the hospital frequently and shall see that proper arrangements are made for the safe custody and proper care of sick prisoners and that prison discipline is maintained in the hospital so far as is consistent with the medical treatment of the prisoners. He shall carry into effect all written directions given by the Medical Officer in regard to the proper segregations of prisoners suffering or suspected of suffering from any infectious or contagious disease. He shall, whenever necessary, and without delay, take all reasonable measures for cleaning and disinfecting, any place occupied by such prisoner and for disinfecting, or destroying all infected clothing, bedding or other articles.

**952. Visits to garden.**---The Superintendent shall visit the prison garden at least once a week and satisfy himself that all necessary measures are being taken for the purpose of cultivating and producing an ample and continuous supply of vegetables, condiments, anti-scorbutic and fodder. He shall see that the garden is kept in proper order and free from weeds, that the trenching of filth and refuse from the prison is properly carried out and that stable litter and other manure is suitably disposed of.

**953. Storage of grain.**---At the proper season when grain is cheapest, the Superintendent shall arrange to store a sufficient quantity of each kind of grain required for the dietary of prisoners. He shall see that the grain purchased for storage is of good quality and free from weevils. Proper arrangements shall be made for the preservation of grain and its proper storage.

**954. Checking of stores and equipments.**---(1) The Superintendent shall check all stores, equipments and Government property, etc., at least once in six months and record the result of verification in the remarks column of the store registers. A notice of this check shall be made in his order book and serious discrepancies, if any, shall be reported to the Inspector General at once.

(2) The checking of articles shall be so arranged that the Superintendent check one-half in one quarter, which the Deputy Superintendent shall check in the second quarter and vice versa. In this way every article shall be checked once in three months either by the Superintendent or the Deputy Superintendent. The certificate of the checks shall be submitted to the Inspector General soon after the first January and the first July each year. The Superintendent, on taking over charge need not check the stores, but he shall examine the books to see what articles have not been checked by his predecessor in the half year and shall check these during the remaining period of the half year.

(3) When shortages are found in any of the stores, the Superintendent shall take immediate action to fix the responsibility for the shortages amongst the officials concerned. If the total value of the stores found short does not exceed rupees fifty thousand (50,000), he shall conduct the necessary enquiry and submit full report with his recommendation to the Inspector General for his orders. If the total value of the shortages exceeds rupees fifty thousand (50,000), he will initiate disciplinary proceedings against the official concerned, and submit his findings with recommendations to the Inspector General for orders.

**955. Weekly parade.**---(1) The Superintendent shall hold a weekly parade of prisoners in the prison on any working day.

(2) The Medical Officer shall also be present at such parades in addition to any other parades that he may think fit to hold. In winter, the parade may be held in the open in the sun, but during summer or on rainy days, the prisoners shall be paraded in a sheltered place, such as the shady side or inside a barrack.

(3) In each parade, the Superintendent shall satisfy himself that-

(a) each prisoner is properly classified;

(b) every prisoner is provided with a properly written up history ticket, that weighments have been duly made and recorded on the tickets, and that prisoners showing substantial loss on weight are duly set apart for medical inspection;

(c) the prisoners are clean and are provided with clothing, bedding and utensils, etc., prescribed under these rules ; that the articles supplied to them are properly marked, numbered and are clean, serviceable and in good condition;

(d) the prisoners understand the remission rules, and that remissions have been duly awarded, communicated to them and that each prisoner knows the amount of remission earned by him ; and

(e) these rules and orders applicable to prisoners are being carried out.

(4) At every such parade the Superintendent shall hear and enquire into and pass orders on any complaint or request that the prisoners may make. It shall be his duty to listen to these complaints in a patient and considerate manner and to afford the prisoners reasonable facilities for making any representations that they may like to make. No prisoner, shall, however, leave his place to make such representations.

(5) On such parades every prisoner shall be required to neatly arrange bedding spare clothing, history ticket, cup and plate on the front end of his munjmat. On the arrival of the Superintendent he shall sit at the other end of the mat.

**956. Checking and counting prisoners twice daily.**---The Superintendent shall cause all prisoners to be checked and counted at least twice daily, at unlocking in the morning and at lock up in the evening.

**957. All business to be transacted on prison premises.**---The Superintendent shall ordinarily transact all business connected with the prison within its precincts, and shall not, except in cases of necessity or emergency, require the attendance of the Deputy Superintendent and Assistant Superintendent at any place outside the prison premises.

**958. Superintendent to enquire into all prison offences and record punishments.**---The Superintendent shall hold an enquiry into every offence committed or alleged to have been committed by a prisoner and award punishment and shall satisfy himself that every punishment is duly carried into effect.

**959. Superintendent to visit prison when an unusual occurrence is reported.**---When the Deputy Superintendent reports any unusual occurrence requiring immediate action, the Superintendent shall forthwith proceed to the prison to investigate the case and take such measures as may be necessary. He shall record the matter in his order book.

**960. Record of award of punishment by the Superintendent.**---Any punishment awarded to a prisoner for an offence shall be recorded by the Superintendent on the prisoner’s history ticket, and shall be copied in the punishment register by a subordinate officer and initialed by Superintendent.

**961. Appointment and punishment of subordinate officers.**---(1) The Superintendent shall exercise such powers, in regard to the appointment and punishment of subordinate officers, as are specified in the relevant rules relating to such officers for the time being inforce.

(2) The Superintendent may, at any time enquire into and record his opinion about the conduct of any subordinate officer. In conducting such enquiries he shall be guided by the relevant rules for the time being inforce.

**962. Superintendent to report all important occurrences.**---The Superintendent shall report at once by telephone, Fax or E-mail to the Inspector General and the Secretary-

(a) all serious breaches of prison discipline;

(b) every case in which any prisoner escapes or attempts to escape or is recaptured or commits suicide or dies from or receives a serious injury;

(c) all outbreaks of epidemic diseases or disease which is likely to assume an epidemic form, amongst the prisoners and prison staff, and the measures taken to prevent its spread; and

(d) all serious cases of over-crowding, and all other matters which the Inspector General may by general or special order require to be so reported. Each such report shall be followed by a detailed report.

**963. Superintendent to accompany Inspector General or official visitor.**---(1) The Superintendent shall accompany the Inspector General, whenever he visits the prison for the purpose of inspection and shall take all necessary measures to facilitate the inspection and ensure the safety of the Inspector General.

(2) The Superintendent shall, if so desired, similarly accompany an official visitor during his visit to the prison.

**964. Superintendent to exercise vigilant control over receipt and expenditure.**---(1) The Superintendent shall at all times exercise strict supervision and control over all cash and property received by him or by any subordinate officer, or in his or any subordinate officer’s charge, and over all expenditure of every kind incurred on the upkeep and management of the prison and the maintenance of prisoners. He shall cause proper accounts and vouchers of all such receipts and expenditure and property to be regularly kept and audited in accordance with the provisions of these rules.

(2) The Superintendent shall be personally liable for all defalcations, loss or damage, in any way, due or attributable to any neglect, disobedience or misconduct on his part.

(3) The Superintendent shall keep a constant watch over prison receipt and expenditure to promote all possible economy in every branch. He shall carefully examine all demands and indents before sanctioning them or submitting them for sanction. He shall frequently satisfy himself by personal inspection that the registers and account books are regularly written up, that daily entries are made in-day books, that cash balances correspond with the entries in the cash books and are correct, and that outstanding are not allowed to remain unrealized longer than necessary. The rules issued by the Finance Department shall be observed in all matters of accounts in addition to these rules, and orders of the Inspector General.

**965. Payment of supplies.**---The Superintendent shall satisfy himself that all supplies are paid for at the time of purchase, or as soon afterwards as possible.

**966. Superintendent to give effect to requisitions of the Medical Officer.**---The Superintendent shall carry into effect all written requisitions of the Medical Officer about the provision of extra bedding, clothing, the alteration of the diet of any prisoner or with respect to any alteration of discipline, or treatment in the case of any prisoner whose mind or body may, in the opinion of the Medical Officer, require it.

**967. Procedure on change of Superintendent.**---When an officer is taking over the charge of the office of the Superintendent, he shall satisfy himself that all records and registers are up-to-date and in good order, and that the cash balances, permanent advance and accounts are complete and duly kept. He shall note in writing the defects, deficiencies or irregularities, if any detected either at the time of taking over the charge or within one month thereafter and shall communicate the same to the Inspector General.

**968. Reports and statistics.**---The Superintendent shall regularly and punctually submit to the Inspector General all such special or periodical-

(a) returns of statistical information;

(b) statement of accounts in respect of receipts, expenditure and property;

(c) bills, vouchers and other original documents; and

(d) reports and other information; as he may at any time prescribe by general or special order or as may be required under these rules or as Government may direct.

**969. Precautions against fire.**---The Superintendent shall see that proper precautions are taken to prevent damage by fire to prison buildings and all Government property contained therein. He shall draw up an order showing the duties of the members of the establishment on the outbreak of fire. A copy of this order shall be maintained in the main gate.

**970. Precautions for preventing escape.**---The Superintendent shall see that every necessary precaution is taken to prevent escapes and shall cause a daily examination to be made of all cells, doors, windows, bars, bolts, locks, handcuffs and fastenings, etc. He shall require the Deputy Superintendent to report daily the result of such examination in his report back. On every Sunday and public holiday a special head warder shall be detailed for examining all gratings and doors in the afternoon.

**971. Special precautions for security.**---The Superintendent shall use his direction in ordering such special precautions as may be necessary for the security of any important or dangerous prisoner, whether he has received any warning from the Magistrate or not. As the Superintendent is the sole judge of the measures necessary for the safe custody of the prisoner, he shall be responsible for seeing that the precautions taken are reasonably sufficient for this purpose.

**972. Superintendent not to leave station without sanction.**---The Superintendent shall not leave the station without obtaining the previous sanction of the Inspector General while proceeding on casual leave, the Superintendent shall hand over charge of the Prison to the Deputy Superintendent or the senior most Assistant Superintendent if the former post does not exist at the Prison.

**CHAPTER-40**

**The Senior Medical Officer and Medical Officer**

**972.A Medical and health care personnel.**---(1) In each prison, there shall be a Senior Medical Officer or Medical Officer, as the case may be, and qualified nursing and paramedical staff.

(2) All staff employed in the prison hospital shall be suitably qualified for the post for which they are employed, including relevant academic and professional qualifications prescribe.

(3) The Senior Medical Officer or the Medical Officer, as the case may be, shall be registered with in Pakistan medical and Dental Council.

(4) The prison hospital staff shall at all times respect the confidentiality of prisoners and shall not share personal or confidential information about prisoners with non-health staff unless the prisoner is-

(i) at risk of self-harm;

(ii) an immediate risk to other prisoners or staff; and

(iii) needed to be removed from prison to a hospital or other facility.

(5) Periodic visits by consultants, specialists, psychologists, psychiatrists, dentists, etc shall be arranged by Health Department of Government.

(6) Periodic visits by women’s healthcare specialists or gynecologists shall be arranged for women’s prisons by Health Department of Government.

**973. General duties of Senior Medical Officer and Medical Officer.**---Subject to the control of the Superintendent, the Senior Medical Officer or Medical Officer, as the case may be, shall have charge of the medical and sanitary administration of the prison and shall perform such duties as are assigned to them under these rules.

**974. Appointment of Senior Medical Officer and Medical Officer.**--The Senior Medical Officer or Medical Officers, as the case may be, shall be on deputation to prisons from the Health Department of Government.

**975. Temporary absence of Senior Medical Officer.**---Whenever the Senior Medical Officer is temporarily absent from the station, his duties shall be performed by the Medical Officer or Pharmacy Technician, as the case may be, on temporary bases. Both the Medical Officer or the Pharmacy Technician, as the case may be, shall consult the Medical Superintendent of local hospital in emergency cases, if considered necessary.

**976. Senior Medical Officer or Medical Officer to visit prison daily.**---The Senior Medical Officer or Medical Officer, as the case may be, shall visit the prison at least once a day except on Sunday and public holidays. The Senior Medical Officer or Medical Officer, as the case may be, shall visit the prison more than once a day, if circumstances render it necessary. He shall visit every part of the prison and its precincts frequently. Emergencies and urgent calls shall, however, be promptly attended to, at all times.

**977. Responsibility of prisoners health and hygiene.**---The Senior Medical Officer or Medical Officer, as the case may be, shall be responsible for all matters connected with the health, physical and mental, of the prisoners and their treatment when sick and the hygiene of the prison. He shall take all measures necessary for the maintenance of the prison and its surroundings in a thoroughly sanitary state.

**978. Direction and recommendation by Senior Medical Officer or Medical Officer.**---(1) Any directions, which the Senior Medical Officer or Medical Officer, as the case may be, may think fit to give in respect of the treatment of any prisoner shall be recorded on the history ticket of the prisoner.

(2) Every recommendation relating to the prisoners generally or to any party or class of prisoners or effecting the medical or sanitary administration of the Prison in general, which the Senior Medical Officer or Medical Officer, as the case may be, may think fit to make, shall be recorded by him in his report book

**979. Examination of prisoners on admission and release.**---(1) In addition to complying with the provisions of the Act and these rules with regard to the admission, removal and discharge of prisoners the Senior Medical Officer or Medical Officer, as the case may be, shall record or cause to be recorded under his supervision at the time of the admission of every prisoner, in the admission register and on the history ticket of such prisoner the state of health, age, weight, height, identification etc., the class of labour for which the prisoner is fit if sentenced to labour and any other observations which the examination of the prisoner may disclose, within twenty four hour of admission of prisoners.

(2) The medical information shall be put in a separate medical file which shall be kept confidential.

(3) The Senior Medical Officer or Medical Officer, as the case may be, shall develop a healthcare plan on the basis of the findings of the medical examination, where required, and review the plan at regular intervals.

(4) At the time of the discharge of every prisoner from the prison, the Senior Medical Officer or Medical Officer, as the case may be shall record in the admission register the state of health and the weight of the prisoner so discharged.

**980. Vaccination of prisoners.**---(1) The Senior Medical Officer or Medical Officer, as the case may be, shall vaccinate or cause to be vaccinated soon after admission every prisoner who is not protected against smallpox and other diseases, whenever necessary.

(2) Children received with their mothers or born in prison shall also be similarly vaccinated.

(3) The Senior Medical Officer or Medical Officer, as the case may be, however, dispense with vaccination or re-vaccination in any case in which he considers it unnecessary, either because the prisoner is already sufficiently protected and bears well defined marks of previous vaccination or has suffered from the disease.

**981. Duties With regard to sick prisoner and malingerer.**---(1) The Senior Medical Officer or Medical Officer, as the case may be, shall daily visit the sick in the hospital and shall examine every prisoner who complains of illness and may if necessary, direct the admission of any such prisoner to hospital.

(2) If at any time the Senior Medical Officer or Medical Officer, as the case may be, is of opinion that any prisoner is malingering he shall forthwith report the fact to the Superintendent.

**982. Senior Medical Officer or Medical Officer to report in certain cases.**---Whenever the Senior Medical Officer or Medical Officer, as the case may be, has reason to believe that the mind or body of a prisoner is, or is likely to be injuriously effected by the discipline or treatment to which he is subjected, the Senior Medical Officer or Medical Officer shall report the case in writing to the Superintendent together with such observations as he may think proper. The Superintendent will take suitable action into the matter.

**983. Inspection of prison precincts.**---(1) At least once in every week the Senior Medical Officer or Medical Officer, as the case may be shall inspect every part of the prison and its precincts and shall satisfy himself that nothing exists therein, which is likely to be injurious to the health of the prisoners. He shall particularly examine the drainage, water supply and conservancy arrangements and see that they are satisfactory and in good working order. He shall see that precautions are being taken against overcrowding and that arrangements for the ventilation, and a cleanliness of barracks, cells, workshops, etc, are satisfactory. He shall also visit the garden and satisfy himself that the trenching of filth and refuse from the prison is effectively and duly conducted.

(2) The Senior Medical Officer or Medical Officer, as the case may be, shall inspect the staff quarters and warders’ lines once a week and see that all the area is kept neat and clean, drainage and conservancy arrangements are satisfactory and that unhygienic practices are not allowed to be carried on.

**984. Inspection of prison cookhouse and rations.**---The Senior Medical Officer or Medical Officer, as the case may be, shall inspect the cookhouse daily at uncertain hours and shall at such inspection examine the uncooked rations and test the quality and weight of the cooked rations.

**985. Senior Medical Officer or Medical Officer may vary diet in certain cases.**---The Senior Medical Officer or Medical Officer, as the case may be, in his discretion, make any addition or alteration in the diet of any sick, convalescent, infirm or any other prisoner and in respect of any party specially employed, which he may deem necessary on medical grounds.

**986. Senior Medical Officer or Medical Officer to inspect cemetery.**---The Senior Medical Officer or Medical Officer, as the case may be, shall occasionally inspect the cemetery of the prison, and shall satisfy himself that it is maintained in a sanitary condition.

**987. Senior Medical Officer or Medical Officer’s duty on the appearance of epidemic.**---(1) The Senior Medical Officer or Medical Officer, as the case may be, shall in the event of the outbreak of an epidemic amongst the prisoners or the staff, be responsible that all measures and precautions which may be necessary or expedient to meet the emergency and prevent the spread of the disease are promptly taken, and relevant rules for the time being inforce and orders regulating such matters are fully in forced.

(2) Immediately upon the appearance of any case of infectious disease or any disease which is likely to assume an epidemic form, the Senior Medical Officer or Medical Officer, as the case may be, shall report the fact to the Superintendent for information to the Inspector General together with his recommendations for preventing the spread of the disease and otherwise dealing with it.

**988. Special action in case of cholera.**---The Senior Medical Officer or Medical Officer, as the case may be, shall maintain a special record in the prescribed form, of all cases of cholera, whether sporadic or epidemic, and shall furnish the necessary report as required under these rules.

**989. Attendance of Officers.**---The Senior Medical Officer or Medical Officer, as the case may be, shall in case of illness attend all members of the Prison staff, their families and relatives residing with them in the prison premises.

**990. Examination of candidates.**---The Senior Medical Officer or Medical Officer, as the case may be, shall examine every candidate for employment as a subordinate official who may be sent to him for the purpose and shall report on his physical condition and state of health to the Superintendent.

**991. Supply of medicines and diet.**---Medicines prescribed by the Senior Medical Officer or Medical Officer, as the case may be, for the treatment of prison staff and their families shall be supplied free from the prison hospital.

**992. Duty of Medical Officer upon the death of any prisoner.**---(1) In the event of the death of any prisoner, the Senior Medical Officer or Medical Officer, as the case may be, shall see and if necessary examine the body of the deceased prisoner, so that he may, in every case, be in a position to certify the death and its cause. All deaths shall be recorded in his report book.

(2) When the Senior Medical Officer or Medical Officer, as the case may be, is in doubt as to the cause of death, and every case in which death appears or is likely to have been the result of an offence punishable under the Pakistan Penal Code, 1860 he shall get a complete and regular post-mortem examination conducted of the body of the deceased. In the event of several deaths resulting from any prevailing epidemic a post-mortem examination shall be made in one or more selected cases by the Senior Medical Officer or Medical Officer, as the case may be.

(3) The provision of the above sub-rule shall, mutatis mutandis, apply to the case of a death occurring amongst the officers of the prison while employed on duty at or within such prison.

**993. Record to be made on death of prisoner.---** On the death of any prisoner, the Senior Medical Officer or Medical Officer, as the case may be, shall forth with record in his report book, the following particulars, so far as they can be ascertained:

(i) the day on which the deceased first complained of illness or was observed to be ill;

(ii) the labour, if any on which he was engaged on that day;

(iii) the scale of his diet on that day;

(iv) the day on which he was admitted to hospital;

(v) the day on which the Senior Medical Officer or Medical Officer, as the case may be was first informed of the illness;

(vi) the nature of the disease;

(vii) when the deceased was last seen before his death by the Senior Medical Officer or Medical Officer, as the case may be;

(viii) when the prisoner died; and.

(ix) an account of the appearance after death in case where a postmortem examination is made together with any special remarks considered necessary by the Senior Medical Officer or Medical Officer, as the case may be.

**994. Senior Medical Officer or Medical Officer to comply with duties imposed by the Inspector General.---**(1) The Senior Medical Officer or Medical Officer, as the case may be, shall duly observe and comply with all directions issued by the Inspector General as to the duties which he is to perform and the manner in which they are to be performed. He shall furnish such periodical, statistical and other information and reports, in respect of sickness and mortality amongst prisoners, the sanitation of the prison and other matters pertaining to his duties, as may be prescribed by the Inspector General.

(2) The Senior Medical or Medical Officer, as the case may be, shall-

(a) submit for the sanction of the Inspector General, a yearly indent for medicines and medical stores;

(b) keep or cause to be kept a proper account of medicines, instruments, appliances, and other equipments;

(c) satisfy himself that poisons are kept separate from other medicines properly labeled and always under lock and key;

(d) from time to time examine the medicines in store to assure himself that they are in a fit condition for use;

(e) once in every three months check the stock of medicines and test by weight or measurement the quantities entered in the stock book and examine and check the surgical instruments;

(f) be responsible for seeing that all medicines, instruments and hospital stores purchased for the prison are duly and faithfully applied for the use of the Prison; and

(g) submit a report to the Inspector General through the Superintendent every year in month of August on the medical and sanitary administration of the prison.

**995. Weekly parades.**---The Senior Medical Officer or Medical Officer, as the case may be, shall see all prisoners on the weekly parade. He shall observe the general state of their health, and see that they are clean in their persons and free from disease. He shall examine the records of prisoner’s weighment and satisfy himself that the weighments are properly carried out and recorded and that the prisoners clean their teeth and mouth regularly and the necessary facilities for this purpose are adequately provided. He shall examine all prisoners who show substantial loss in weight.

**996. Prisoners in solitary confinement**--under session 29 of the Act, every prisoner in solitary confinement shall be visited daily by the Senior Medical Officer or the Medical Officer, as the case may be,

**997. Cleanliness of clothing and bedding in prison hospital.**---The Senior Medical Officer or Medical Officer, as the case may be, shall take measures to ensure the cleanliness of the clothing and bedding issued for prison hospital use, and shall make effective arrangements for the boiling, washing and disinfection of these articles.

**998. Bed-head tickets and temperature chart.**---The Senior Medical Officer or Medical Officer, as the case may be, shall cause to be maintained for each patient admitted to prison hospital a temperature chart and bed-head ticket on which shall be recorded daily short notes about symptoms, treatment and diet.

**999. Cleanliness and other amenities in Prison hospital.**---The Senior Medical Officer or Medical Officer, as the case may be, shall select that the prison hospital compound is kept as clean and bright as possible. Lawns and flower beds shall be provided and maintained in good condition.

**1000. Training of prisoners as nursing orderlies.**---The Senior Medical Officer or Medical Officer, as the case may be, shall see intelligent long-term prisoners as sick attendants, who shall be carefully trained by the junior Senior Medical Officer or Medical Officer, as the case may be, before their employment as prison hospital orderlies.

**1001. Electric fans in hospital.**---Every prison hospital ward shall be provided with a sufficient number of electric ceiling fans for the use and comfort of the patients. The Senior Medical Officer or Medical officer, as the case may be, shall ensure that this facility is provided in the prison hospital.

**CHAPTER-41**

**The Deputy Superintendent**

**1002. ---[Deleted]**

**1003. (i) ---[Deleted]**

**1003.(ii) Appointment of Deputy Superintendent.**--- The Deputy Superintendent shall be appointed by Government. The terms and conditions of service of Deputy Superintendent shall be regulated by their service rules for the time being in force.

**1004. General duties.**---(1) The Deputy Superintendent shall discharge his duties under the immediate direction and orders of the Superintendent. It shall be his duty to see that all orders issued by the Superintendent are duly carried out.

(2) It shall be the duty of the Deputy Superintendent to maintain discipline both amongst subordinate officers and the prisoners and the strict enforcement of all rules, regulations and any orders, there under relating to the management of the prison, prisoners and the prison staff.

**1005. Residence.**---The Deputy Superintendent shall reside in the house provided at the prison premises unless the Superintendent permits him in writing to reside elsewhere when a house is not available. He shall be provided with rent-free quarters or rent in lieu thereof if official residence is not available.

**1006. Absence at night.**---The Deputy Superintendent shall not be absent from the prison for the night without permission in writing from the Superintendent. If absent without leave for a night from unavoidable necessity he shall immediately report the fact and the cause of it to the Superintendent.

**1007. Deputy Superintendent to make over charge when leaving the prison.**---The Deputy superintendent shall, before leaving the prison for any purpose whatsoever, and on every occasion on which he proposes to leave the prison, make over charge of the prison to the next senior officer present, and shall record the fact of having done so in his report book. The officer receiving charge shall countersign the entry made in acknowledgement of having done so.

**1008. Duties as regards safety of prisoners, discipline, visits and attendance.**---(1) The Deputy Superintendent shall take every action necessary or expedient for ensuring the safe custody of prisoners confined in the prison, as well as for enforcing and maintaining discipline and order amongst prisoners and subordinate officers.

(2) The Deputy Superintendent shall at least once daily see every prisoner confined in the prison and visit every cell, barrack, ward, workshop, cook-house, latrine and every other part of the prison and its premises including the hospital. He shall, except as provided under these rules, always remain present within the prison or its premises.

(3) The Deputy Superintendent is permitted to be absent for meals and rest at such time and for such periods as the Superintendent may specify, or when required to appear in a Court, or when leave of absence is granted by the Superintendent.

**1009. Report book.**---(1) The Deputy Superintendent shall regularly maintain a report book, in which he shall record all reports and other matters which these rules and the instructions require him to record, and all important events connected with the administration of the prison. The report book shall be put up before the Superintendent every day and signed by him.

(2) No space shall be left blank either below or on top of the pages or between the reports. Each report shall be serially numbered and the numbering shall be renewed on the first of each month. Important reports shall be underlined and the Superintendent shall initial them and pass necessary orders. The Superintendent shall also affix his initials at the bottom of each page of the report book.

**1010. Daily entries in report book.**---The Deputy Superintendent shall record in his report book -

(a) the time of unlocking of the prison, and the number of prisoners unlocked;

(b) the members of the staff (if any) who were absent;

(c) distribution of morning meal and the time prisoners began work;

(d) the time midday meal was served and work recommenced, checking of midday meal and a report about its quality and quantity;

(e) the time work was stopped for the day, checking of evening meal and time of meal; and

(f) the time the lock-up was completed and the number of prisoners locked up.

**1011. Other matters of importance to be recorded in the report book.**---The Deputy Superintendent shall record in his report book all instances in when he may have found it necessary to use restraint to any prisoner, any violent outbreak or serious offence, accident, death, or other occurrence out of the ordinary routine, application for the Superintendent’s sanction for the employment of prisoners in any special manner or for any unusual expenditure, and whenever it is proposed to draw money from the Treasury for factory or prison purposes and a note showing the necessity for the same.

**1012. Deputy Superintendent not to delegate his duties without permission.**---If the Deputy Superintendent is at any time prevented, by any unavoidable cause, from performing any duty imposed upon him as Deputy Superintendent, he shall take immediate measures to have such duty performed by the next senior officer present and report the fact to the Superintendent, except as herein-before provided, the Deputy Superintendent shall not, without the previous permission of the Superintendent, delegate at any time any duty to any other officer.

**1013. Presence at lockup.**---The Deputy Superintendent shall be present and supervise the locking up of the prisoners. He shall satisfy himself, both morning and evening, that all prisoners are present in safe custody.

**1014. Allotment, distribution and checking of labour.**---The Deputy Superintendent shall allot to each prisoner sentenced to undergo rigorous imprisonment a proper task and satisfy himself that every such prisoner who is fit for labour is daily put on the allotted labour and performs his prescribed task. He shall visit the workshops frequently while the prisoners are at work and check the tasks performed.

**1015. Inspection of rations and food.**--- The Deputy Superintendent or under his orders Assistant Superintendent incharge cook-house shall supervise the daily issue of raw rations and satisfy himself that these are of good quality, properly cleaned and up to weight. He shall see that the food is properly cooked, good in quality and correct in weight. He shall supervise the distribution of food and satisfy himself that each prisoner gets his proper quantity at the prescribed times.

(2) In larger prisons the Superintendent may assign this duty to an Assistant Superintendent but this will not absolve the Deputy Superintendent of his over-all responsibility about the proper cooking of the food, its quality and quantity.

**1016. Report of unusual occurrence.**---The Deputy Superintendent shall immediately report every unusual occurrence of a serious nature to the Superintendent.

**1017. Admission of prisoners.**---Upon the admission of every prisoner the Deputy Superintendent shall-

(a) examine the warrant or order under which such prisoner is committed to the prison and satisfy himself that it is in all respects complete, in order and valid;

(b) remove, or cause to be removed, from such prisoner all money or other articles found on him including (if such prisoner is not entitled to retain these) his wearing apparel and shall provide him with a complete prison outfit;

(c) take measure to preserve and protect all property belonging to the prisoner; and

(d) shall satisfy himself that these rules regarding the search and admission of prisoners contained in Chapter IV of the Act, are duly complied with.

**1018. Articles of prisoners.**---All money or other articles about which no order of a competent Court has been made, and which may with proper authority be brought into the prison by any prisoner or sent to the prison for his use, shall be placed in the custody of the Deputy Superintendent.

**1019. Execution of sentences.**---It shall be the duty of the Deputy Superintendent-

(a) to cause all lawful warrants and orders of commitment to be duly obeyed and carried into effect;

(b) on the admission of every prisoner, to cause the name to be duly recorded in the register of releases under the date on which such prisoner is entitled to be released;

(c) to give effect to all remission of sentence lawfully earned or granted;

(d) to take all measures that may be necessary or expedient in order to avoid premature release or over-detention;

(e) to bring up every prisoner who is liable to undergo the punishment of whipping, on the proper day before the Superintendent; and

(f) to give effect to the sentences of solitary confinement awarded by the Courts.

**1020. Prisoners committing offences to be brought before the Superintendent.**---The Deputy Superintendent shall, in the event of any prisoner being guilty of a breach of discipline or misconduct, cause the offender to be brought before the Superintendent for orders and shall record the charge on the prisoner’s history ticket.

**1021. Weekly search.**---The Deputy Superintendent shall, at uncertain times, at least once a week, cause each prisoner, all clothing and bedding and all barracks, cells, workshops, latrines and other places occupied by prisoners, to be thoroughly searched for prohibited articles.

**1022. Interviews and communications.**---It shall be the duty of the Deputy Superintendent to regulate all interviews and communication between prisoners, their relatives and friends, and to prevent all unauthorized persons from entering the prison premises or communicating with the prisoners. He shall arrange for a proper prison officer to supervise and conduct all interviews.

**1023. Deputy Superintendent when required to accompany officer and visitors.**---The Deputy Superintendent shall, whenever required to do so accompany the Superintendent, Senior Medical Officer or Medical Officer, as the case may be, and other Government officer visiting the prison.

**1024. Enforcing of discipline amongst subordinate officers.**---(1) It shall be the duty of the Deputy Superintendent to exercise proper control over all officers subordinate to him and to satisfy himself that every such officer is at all times efficient and that he discharges his duties regularly and in a satisfactory manner.

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

(a) all officers subject to discipline of a military nature are acquainted with drill and the use of arms;

(b) all officers in respect of whom uniforms are prescribed, wear proper uniforms;

(c) the prescribed roster of attendance and duties is carried into effect;

(d) all officers are neat and clean in appearance, properly dressed and account when on duty; and

(e) that every instance in which any subordinate officer is guilty of any dereliction of duty, breach of discipline or other misconduct which comes to his knowledge, is recorded in his report book and brought to the notice of the Superintendent.

**1025. Power to grant four hours leave.**---(1) The Deputy Superintendent may grant leave of absence for a period not exceeding four hours at one time to any subordinate officer. He shall make all necessary arrangements for the due performance of the duties of the officer to whom such leave is granted, and shall make a record of all such leaves granted. 

(2) At a prison where the Deputy Superintendent is in charge, he will have the powers of granting casual leave to the staff.

**1026. Weekly parades.**---(1) One day in week at morning, the Deputy Superintendent shall before the arrival of the Superintendent hold a parade of all the prisoners confined in the prison and shall-

(a) carefully inspect every prisoner;

(b) examine and check the clothing, bedding, utensils and history tickets of every prisoner; and

(c) check the barrack register and satisfy himself that every prisoner is present or accounted for; and

(d) satisfy himself generally that everything is in proper order.

(2) The Deputy Superintendant shall record the result of his inspection in his report book noting the shortage, if any, the state of clothing, cleanliness, numerical strength and other matters of importance relating to the prisoners.

**1027. Responsibility for records, warrants, money, etc.**---The Deputy Superintendent shall be responsible, for the safe custody of the records to be maintained under section 12 of the Act, for the commitment warrants and all other documents kept his care, and for the money and other articles taken from prisoners.

**1028. Custody of Government, property periodical stock taking.**---(1) The Deputy Superintendent and other subordinate officers shall be responsible for the receipt, issue and safe custody of all stores, machinery, tools, plant, raw materials, manufactured goods and all other articles of whatever kind for the time being in their charge and they shall maintain proper accounts and registers thereof. The Deputy Superintendent shall frequently, examine and verify the accounts and registers. Grain godowns shall be checked, once a month.

(2) The Deputy Superintendent shall check every article of store at least once in six months and record the result of his verification in the remarks columns of the stock registers noting, the discrepancies, if any. A note of his check shall also be made in his report book and the discrepancies if any, shall be reported to the Superintendent. The relieving Deputy Superintendent, if there is a change in office, shall check all articles on assuming charge and this may be taken as a six monthly check.

(3) The checking of articles shall be so arranged that the Superintendent checks one-half in one quarter while the Deputy Superintendent shall check in the second quarter and vice versa. In this way every article will be checked once in three months either by the Superintendent or the Deputy Superintendent. The certificate of check shall he submitted to the Inspector General soon after the 1st January and 1st July of each year.

**1029. Sick prisoners.**---(1) The names of prisoner desiring to see the Senior Medical Officer or Medical Officer, as the case may be, or appearing ill shall, without delay, be reported by the officer incharge of such prisoners to the Deputy Superintendent.

(2) The Deputy Superintendent shall immediately inform the Senior Medical Officer or Medical Officer, as the case may be, to see such prisoners and shall carry into effect all written directions given by the Senior Medical Officer or Medical Officer, as the case may be, respecting alterations of the discipline, diet or treatment of such prisoners.

**1030. Record of directions of the Senior Medical Officer or Medical Officer.**---All directions given by the Senior Medical Officer or Medical Officer, as the case may be, in relation to any prisoner shall be recorded on the prisoner’s history ticket and the Deputy Superintendent shall state in his report book whether the directions have been carried out and if not complied, he shall state the reasons.

**1031. Notice of death of prisoner.**---Upon the death of the prisoner, the Deputy Superintendent shall give immediate notice of it to the Superintendent and Senior Medical Officer or Medical Officer, as the case may be.

**1032. Prisoners not to be ironed except under necessity.**---No prisoner shall be put in irons or under mechanical restraint by the Deputy Superintendent on his own authority, except in case of urgent necessity, then an immediate report shall be made to the Superintendent at his next visit.

**1033. Management of prison factories.**---There shall be a separate Deputy Superintendent as Incharge of jail factory in every Central Prison. The Deputy Superintendent shall use all means in his power to ensure that the employment of prisoner on various labours is profitable to Government. He shall prevent waste and misappropriation of material in the factories and shall be responsible for the checking of materials consumed in the process of manufacture. He shall see that the quantities of material indented for have been received, that all purchases have been made at the cheapest market rates and that the selling prices fixed for manufactured goods are profitable and the amounts are promptly realized from the sale of goods and for remitting these into the local Treasury.

**1034. Warder Guard.**---(1) The Deputy Superintendent shall control and supervise the posting of the Warder Guard on various duties. He shall, at uncertain intervals, visit the guards at their posts, and satisfy himself that the Warders are duly posted and are alert, and that the patrolling is being properly performed.

(2) The Deputy Superintendent shall ordinarily change the duties of Warders every month or oftener at any time, if considered necessary.

(3) The Deputy Superintendent shall see that all Warders enter and leave the prison with military precision. He shall cause the Warders to be searched at uncertain hours at least once a week and report the result in his report book. He shall see that the Warders sleep in the quarters allotted to them do not leave the prison without permission.

**1035. Deputy Superintendent responsibility for property and money.**---The Deputy Superintendent shall render an account on his removal or transfer of all Government and other property and money entrusted to his care. He shall see that all storerooms are clean, neatly arranged and protected from varmin, insects and weather etc., and that they are secure and in-accessible to prisoners.

**1036. Testing weights, scales and measures.**---(1) Once in every three months, the Deputy Superintendent shall test all weights, scales and measures in use in godowns, cookhouse, etc, and shall record the result of such test in his report book. Any weights scales and measures found below the standard or defective shall be placed before the Superintendent for condemnation and be destroyed in his presence

(2) The Deputy Superintendent shall before taking delivery, weight, measures or count all store items supplied to the prison.

**1037. Supervision of office work.**---(1) The Deputy Superintendent shall exercise general supervision over the work of the office. The delegation of responsibility of the preparation of returns, entries in register or of any of the Deputy Superintendent’s duties to any subordinate officer, in no way relieves the Deputy Superintendent of the responsibility for ensuring that these are correctly and punctually made. His most important duties are the direct control of prisoner and the management of the prison. He shall daily check the cash books, compare the balance of cash in hand with the balances shown in the cash book initial the later if correct, and present them to the Superintendent daily for examination.

(2) The Deputy Superintendent shall report every month in his report book the state of the registers etc in charge of each of his subordinates.

**1038. Responsibility for economy in every department.**---The Deputy Superintendent shall promote such economy, as is consistent with efficiency in every section of the prison. He shall prepare or cause to be prepared and submit to the Superintendent, all indents for the requirement of food, clothing and other articles. He shall prevent needless destruction of Government property, utilize prison labour to full extent for supply of the requirements of the prison and other sections and bring to the notice of the Superintendent, any waste or extravagance.

**1039. Inventory of property and stores on handing over the charge.**---(1) When making over charge of his duties on resignation, suspension, transfer, discharge or on taking leaves other than casual leave, the Deputy Superintendent shall, prepare an inventory list in the prescribed form of all property, stores, etc. in his immediate charge, which shall be signed by himself and by the officer who relieves him, and kept in the prison record.

(2) The Superintendent shall countersign the inventory list after satisfying himself as to its correctness and copies shall be given to the relieved and the relieving officers. In the case a Deputy Superintendents death the inventory list shall be made by or under the direction of the Superintendent. All stores, including, the stores of grain shall be carefully counted or weighed and checked by the relieving officer.

(3) The stock ammunition shall be compared with the stock as shown in the ammunition register and also the numbers of empty fired cases in stock, it shall also be seen whether the stock of ammunition is in accordance with the prescribed scales.

**1040. Deputy Superintendent, on duty transfer of Superintendent.**---When a new Superintendent assumes charge of a prison, it shall be the duty of the Deputy Superintendent to bring to his notice in writing all orders specially relating to that prison. In the event of any grave irregularity taking place in consequence of the non-observance on the part of the Superintendent of any such order, the Deputy Superintendent will be held responsible unless he can show that he brought the order in question to the notice of the Superintendent.

**CHAPTER-42**

**Senior Assistant Superintendent and**

**Assistant Superintendent**

**1041. Appointment and conditions of service.**---(1) For every prison there shall be appointed three or more Senior Assistant Superintendent and Assistant Superintendent according to the nature, class and population of the prison.

(2) The terms and conditions of service of the Senior Assistant Superintendent and Assistant Superintendent shall be regulated by their service rules for the time being inforce.

(3) An Assistant Superintendent shall undergo six months initial training after recruitment.

**1042. Physical standard.**---Candidates for direct appointment shall be physically fit in all respects, and conform to the following standard:-

|  |  |  |
| --- | --- | --- |
| (a) | Minimum height | 1.70 m. |
| (b) | Minimum girth of chest | 78 cm, with an expansion  of 3.3 cm. |
| (c) | Vision Right eye - | 6/6} without glasses. |
|  | Left eye - | 6/6} without glasses. |

**1043. Residence.**---Senior Assistant Superintendent and Assistant Superintendent shall reside at the prison premises and shall be entitled to rent free quarters or house rent allowance in lieu thereof if official residence is not available.

**1044. General duties.**---(1) Senior Assistant Superintendent and Assistant Superintendent shall, subject to the orders of the Superintendent, be competent to perform any of the duties, and be subjected to all the responsibilities, of a Deputy Superintendent under the Act or these rules.

(2) Senior Assistant Superintendent and Assistant Superintendent shall be subordinate to the Deputy Superintendent and shall obey all orders issued by him.

(3) The Senior Assistant Superintendent and Assistant Superintendent may be assigned the charge of Deputy Superintendent when Deputy Superintendent is temporary absent or incapacitated for duty.

(4) Some of the duties of the Deputy Superintendent may be assigned to the Senior Assistant Superintendent or Assistant Superintendents, who shall perform such duties under the general supervision of the Deputy Superintendent.

**1045. Assignment of duties.**---(1) The Senior Assistant Superintendent and Assistant Superintendent shall perform such duties as the Superintendent may prescribe in writing in his order book or on some other documentary paper. The duties shall be clearly prescribed and shall be changed periodically to afford them every opportunity to acquire a thorough training and all round experience of every detail of Prison management.

(2) The following duties shall ordinarily be allocated to the Senior Assistant Superintendent and Assistant Superintendents-

(a) direct charge of a section of the prison including the prisoners confined there and Government property that may be located there;

(b) admission, transfer and release of prisoners;

(c) award of ordinary remission to prisoners;

(d) appeals and petitions of prisoners;

(e) supervision of factories;

(f) supervision and drill of Warder Guard;

(g) supervision of cookhouse, issue of rations to the cooks and the examination of cooked food and its distribution;

(h) supervision of interviews and letters of prisoners;

(i) search of prisoners and buildings under their charge;

(j) maintenance of registers pertaining to their duties and responsibility for their correctness;

(k) maintenance of report book, when incharge of a factory or circle, to record discharge of their daily duties, and any important matter concerning their duties which may be necessary to bring to the notice of the Superintendent;

(l) presence and supervision at distribution of meal and at evening lock-up; and

(m) night round on turn and search of relieving and relieved night guard once a week .

(3) The Senior Assistant Superintendent and Assistant Superintendents shall perform all other duties as are specified in the various provisions of these rules.

**1046. Leave on Sunday and public holidays.**---(1) In prisons where there are two or more Senior Assistant Superintendent or Assistant Superintendents, one Senior Assistant Superintendent or Assistant Superintendent may have the day off in rotation on Sunday.

(2) On Sundays and public holidays the Deputy Superintendent shall arrange duties of Senior Assistant Superintendent and Assistant Superintendents in such a way that one officer is always present inside the prison from unlocking to lockup. All Senior Assistant Superintendent and Assistant Superintendents shall attend the evening lock-up.

**1047. Weekly checking of clothing and equipment.**---One day in every week in evening the Senior Assistant Superintendent and Assistant Superintendents incharge of circles shall hold a parade of the prisoner confined in their sectors/circles and shall-

(a) carefully inspect every prisoner;

(b) examine and check the clothing bedding, utensils and history tickets of every prisoner; and

(c) check the barrack register and satisfy themselves that every prisoner is present or accounted for; and

(d) satisfy themselves generally that everything is in proper order. They shall record in their report book the shortages (if any), the state of clothing, cleanliness of barracks and yards and any other matter of important relating to prisoners of their sector/circle.

**Chapter-43**

**Pharmacy Technician**

**1048. ---[Deleted]**

**1049. Pharmacy Technician.**--- The Pharmacy Technician shall-

(i) entitle to free quarters if such quartets are not available he shall reside near the prison in a place approved by the Superintendent and shall be entitled to house-rent in lieu thereof; and

(ii) not engage in private practice and shall not absent himself from the prison premises without the permission of the Senior Medical Officer or Medical Officer, as the case may be.

**1049.A Nurses for Prison.**--- Government shall appoint such number of Nurses as it any deem fit for performing the duties of Pharmacy Technician inside the female section of the prison.

**1050. ---[Deleted]**

**1051. Procedure when Pharmacy Technician commits an offence.**---If a Pharmacy technician commits an offence, other than an offence punishable by law, a report shall be made to the Inspector General by the Superintendent in this regard.

**1052. Pharmacy Technician to obey orders of certain Officers.**---(1) In all matters relating to prison hospital management and other professional duties, the Pharmacy Technician shall obey the orders of and discharge such duties as may be lawfully assigned to him by the Senior Medical Officer or Medical Officer, as the case may be. In matters relating to the maintenance or order and discipline in the prison, he shall obey the orders of the Superintendent and the Deputy Superintendent.

(2) In every prison, the Pharmacy Technician shall record in his report book and report to the Senior Medical Officer or Medical Officer, as the case may be, all orders given to him by the Superintendent or the Deputy Superintendent as the case may be,

**1053. Pharmacy Technician to inform Senior Medical Officer or Medical Officer of death.**---Pharmacy Technician shall, without delay report to the Senior Medical Officer or Medical officer, as the case may be, every death that occurs in the prison.

**1054. Hours of duties.**---(1) In prison where there are two Pharmacy Technicians, their duties shall be so arranged by the Senior Medical Officer or Medical Officer, as the case may be, that the work is evenly distributed or more, and that one of them shall always be present throughout the day. They shall all be present when the Senior Medical Officer or Medical Officer, as the case may be, is visiting the sick, and at such other times as he considers necessary.

(2) In prisons where there is only one Pharmacy Technician, he shall remain present throughout the day except when allowed for meals and rest. A part time Pharmacy Technician shall pay a visit early in the morning and again in the evening before lock-up. The Pharmacy Technician shall visit the hospital frequently at night when any prisoner is seriously ill and see that the medicines and food prescribed have been distributed. He must be prepared at all times to attend when his services are required.

**1055. General duties of a Pharmacy Technician.**---The general duties of Pharmacy Technician shall-

(a) perform the duties of Senior Medical Officer or Medical Officer, as the case may be, if the posts of Senior Medical Officer or Medical Officer, as the case may be, does not exist or as temporarily vacant for any reason;

(b) attend any prisoner who complains of sickness and if necessary send them to prison hospital and bring them to the notice of the Senior Medical Officer or Medical Officer, as the case may be, at his next visit having distributed the necessary medicines to out door patients, to visit the prison hospital, do whatever is needful there, and note the condition, progress and temperature, when necessary of each case on the bed- ticket;

(c) visit the infirm and convalescent prisoners and any prisoner kept under observation, every morning distribute such medicines, as may be necessary, satisfy himself that the prisoners get the food, clothing, bedding and rest ordered for them and that no prisoner is removed without the permission of the Senior Medical Officer or Medical Officer, as the case may be.

(d) visit all prisoners confined in cells daily, and report to the Senior Medical Officer or Medical Officer, as the case may be, any complaint that may have been made to him;

(e) be responsible for the custody and care of stock of medicines, instruments, appliances, clothing and other equipment in the prison hospital;

(f) keep all prisoners under lock and key and retain the key in his possession, be responsible that such poisons are properly labelled and kept separate from other drugs and not allow any prisoner attendant to handle any poison or vessel containing any poison;

(g) make the necessary indents for all prison hospital supplies and see that the food for the sick is properly prepared and distributed in his presence;

(h) keep all the prison hospital registers written up-to-date, be responsible for their safety, and prepare and submit to the Senior Medical Officer or Medical Officer, as the case may be, at proper times, all monthly and other returns;

(i) responsible that the surgical instruments and appliances are kept in good order, that the clothing and bedding are marked in the specified manner, and that all articles issued for use in prison hospital are safely stored and kept clean;

(j) responsible that cleanliness, order and discipline are maintained in the prison hospital, that attendants perform their duties, and that any excess or deficiency of attendants is brought to the notice of Senior Medical Officer or Medical Officer, as the case may be;

(k) keep a vigilant watch on any prisoner, suspected of malingering, or whose soundness of mind is a matter of doubt and report the result of his observations to the Senior Medical Officer or Medical Officer, as the case may be;

(l) present at the various parades and frequently visit any prisoner who appears not to be in his usual health or complains of loss of appetite ; and

(m) arrange that all cases of bowel complaints are, as far as circumstances permit, treated in a separate ward that the dejecta of such patients is, when necessary, kept for the inspection of Senior Medical Officer or Medical Officer, as the case may be, and is subsequently properly disinfected and disposed of to accompany the Senior Medical Officer or Medical Officer, as the case may be, when the latter visits the prison and give effect forthwith to any orders given to him relating to the health of the prisoners or the sanitation of the prison.

**1056. Examination of newly admitted prisoners.**---(1) The Pharmacy Technician shall examine all newly admitted prisoners carefully and under the supervision of the Senior Medical Officer or Medical Officer, as the case may be, record, in the admission register and history tickets, all the particulars required by rules 18 and 979, and to satisfy himself that the private clothing of newly admitted prisoners in cleaned, and, if necessary, disinfected before removal to the godown.

(2) When a prisoner with injuries on his body admitted into a prison from police custody, his medical examination shall be conducted in the manner mentioned in rule 19.

**1057. Duties as regards vaccinations, pregnancy and serious diseases.**---(1) It is the duty of the Pharmacy Technician to see that every unprotected prisoner is vaccinated immediately, after admission, and record the result in admission register and the history ticket, or, in the case of a child, on the history ticket of the mother.

(2) If the Pharmacy Technician or Nurse has reason to believe that any woman prisoner is pregnant, he shall report the circumstances to the Senior Medical Officer or Medical Officer, as the case may be,

(3) The Pharmacy Technician shall promptly bring to the notice of the Senior Medical Officer or Medical Officer, as the case may be, and Superintendent any case of suspected cholera, infectious disease, serious injury or other serious cases.

**1058. Duties as regards food and its distribution.**---It is the duty of the Pharmacy Technician-

(a) to inspect the grain godown and kitchen daily, see that these and all vessels used for cooking or distribution of goods are clean and that the food is of good quality, properly prepared and cocked and is in the prescribed quantities both in the raw and the cooked condition, to keep samples of anything he considers to be unwholesome for the inspection of the Senior Medical Officer or Medical Officer, as the case may be to see that the milk is properly boiled before issue, and to inspect the food supplied to civil and under-trial prisoner by their relatives; and

(b) to examine the food before it is distributed be responsible that the proper quantities of ghee and salt have been added and thoroughly mixed.

**1059. Duties as regards water supply, sanitation and ventilation.**---It is the duty of the Pharmacy Technician to-

(a) examine periodically the wells or other source of water supply and bring to notice any defects in quantity , or quality to examine daily all vessels in which drinking water is stored or conveyed, and see that they are kept clean;

(b) inspect daily all bathing places, latrines and urinals, see that they are kept clean; and

(c) see that the ventilation of the hospital sleeping barracks and workshops is properly attended to according to season, and that the prisoners are not exposed to inclemencies of weather.

**1060. Weighment of prisoners.**---The Pharmacy Technician shall conduct monthly weighments of prisoners, record each prisoner’s weight on his history ticket, and report all prisoners steadily losing weight to the Senior Medical Officer or Medical Officer, as the case may be, as soon as possible after weighment. Patients in prison hospital shall be weighed every week and their weights recorded on the temperature charts.

**1061. Report of deaths and assist at post-mortem.**---The Pharmacy technician shall forthwith report every death to the Senior Medical Officer or Medical Officer, as the case may be, and the Deputy Superintendent. He shall assist at the postmortem examinations, and see that the body is afterwards properly stitched up and covered.

**1062. To assist Senior Medical or Medical Officer generally.**---The Pharmacy Technician shall, under the directions of the Senior Medical Officer or Medical Officer, as the case may be, afford medical aid to all officers, their families and dependents living in the prison premises, render that officer every assistance, and report all matters which may, in any way, affect injuriously the health of the prisoners or the staff, such as:

(a) overcrowding;

(b) unseasonable or worn cut clothing;

(c) neglect of personal cleanliness;

(d) undue exposure to the weather;

(e) neglect of punctuality of meals;

(f) neglect to air, dry or clean clothing and   
bedding; and

(g) unsuitable tasks.

**1063. Assistance by Junior Pharmacy Technician.**---Junior Pharmacy Technician shall obey the lawful orders of the Medical Officer, when such orders are not inconsistent with instructions of the Senior Medical Officer.

**1064. Duties of Junior Pharmacy Technician.**---The Junior Pharmacy Technician shall work under the orders of the Senior Medical Officer or Medical Officer as the case may be, in matters connected with the medical work of the prison and of the Superintendent, the Deputy Superintendent and Assistant Superintendent in other matters. He shall assist the Senior Medical Officer or Medical Officer, as the case may be, in compounding and distributing medicines, taking temperatures and weighing prisoners, etc., He shall be present at unlocking. His duties shall be prescribed in writing by the Senior Medical Officer or Medical Officer, as the case may be, in his report book.

**Chapter-44**

**General**

**1065. Prisoners to be treated with tact, humanity and strict impartiality.**---(1) Every officer of a prison shall at all times avoid all conduct likely to unduly irritate or annoy any prisoner, and shall treat every prisoner humanly and with tact, good temper, and strict impartiality. He shall listen, without displaying impatience or irritation, to every complaint or report which any prisoner may at any time make to him, and shall show all such kindness and consideration to every prisoner as is compatible with the firm and effective discharge of his duties. Subject to the foregoing provisions every officer shall firmly maintain strict discipline and enforce these rules and orders made there under applicable to the discharge of his duties.

(2) Every complaint made by a prisoner shall be listened with attention, so that, if genuine, the grievance may be redressed or remedied and there should not be any just cause for discontentment.

**1066. Prisoners not to be struck, use of force to regulated.**---(1) No officer shall, at any time, under any circumstances or under any pretext, strike any prisoner otherwise than in exercise of the right of private defence or in pursuance of his duty in giving effect to punishment lawfully inflicted or to any other provision of law, for the time being in force.

(2) No officer shall, in the discharge of his official duties, at any time use more force than is absolutely necessary for the purpose of enforcing the law and carrying out his official duties.

(3) It is lawful to use all means necessary to effect an arrest, and a prisoner has no right of private defence against prison officers, acting in the discharge of their official duty and every officer may use all force necessary to resist any force used by prisoners against lawful authority.

**1067. Officers not to have business dealings with prisoners.**---No officer shall sell or let, nor shall any person in trust for or employed by him sell or let, or derive any benefit from selling or letting any articles to any prisoner or have any money or other business dealings directly or indirectly with any prisoner.

**1068. Officer not to be interested in prison Contracts.**---No officer shall directly or indirectly be concerned in contract or agreement for the supply of any article to the prison, not receive directly or indirectly any fee, gratuity, present or loan from any contractor or supplier, or from any prisoner, prisoner’s relative or friend or any person visiting the prison.

**1069. Prisoners to be punished only by the Superintendent, Improper language to be avoided.**---(1) No officer of a prison, other than the Superintendent shall at any time award any punishment to any prisoner or, otherwise than in accordance with law and the orders of the Superintendent, inflict any punishment on any prisoner;

(2) No officer of prison shall use violent, abusive, insulting or unnecessarily irritating language to any prisoner.

**1070. Private employment of prisoners.**---Prison officers are prohibited from employing any prisoner directly or indirectly for their private benefit or advantage or of any other person except in a regular way by placing a proper order for the manufacture of an article.

**1071. Report of misconduct and violation of these rules.**--- Every prison officer shall forthwith report to the Superintendent or other superior officer any misconduct or deliberate breach of these rule on the part of any subordinate prison officer or of any prisoner which may in any way come to his knowledge.

**1072. Duty of all officers to prevent and report escapes and breach of discipline.**---(1) It shall be the duty of every officer to do all lawful acts, which may be necessary, and to exercise the utmost vigilance for the purpose of preventing any prisoner from breaking out of prison or escaping or from creating any disturbance or riot, or from doing any other violent or disorderly act.

(2) Every prison officer is required to take all lawful measures to prevent the commission of any prison offence and to enforce these rules, and orders made there under in regard to conduct and discipline of the prisoners and the administration of the prison. He is required to report, at the earliest opportunity, to superior authority every breach or attempted breach of discipline on the part of prisoners.

**1073. Prohibition against entering cell at night.**---No prison officer shall enter a cell or barrack occupied by any prisoner at night unless accompanied by another officer and only in case of emergency.

**1074. Application of these rules to Senior Assistant Superintendent and Assistant Superintendents and others.**--- Unless there is anything inconsistent with anything contained in these rules relating to any officer or class of officers, or repugnant to the subject or context, these rules relating to subordinate officers, generally hereinafter following shall be deemed to apply also to the Deputy Superintendents, Senior Assistant Superintendent, Assistant Superintendents and all persons serving under the orders of the Superintendent.

**Explanation:-** The term subordinate officer means and includes every Prison officer other than the Superintendent;

**1075. Certificate of fitness for employment.**---(1) No candidate for employment as a subordinate officer shall be entertained, unless and until the Medical Officer of a prison or a Medical Superintendent certifies that he is mentally and physically fit.

(2) Every prison officer shall be vaccinated on appointment and re-vaccinated whenever considered necessary.

**1076. ---[Deleted]**

**1077. Posting and transfer of subordinate officers.**---(1) It shall be deemed to be a condition of the employment of every subordinate officer that he shall be liable, at the discretion of the Inspector General, to serve in any prison to which he may at any time be transferred or appointed, whether in the same or any other capacity.

(2) Every member of the Warder establishment of a circle shall be liable to serve at any place in or prison or outside his Circle when required, if such circles exist.

(3) No subordinate officer shall be posted to a Prison, other than a Central Prison, in his home district without the sanction of the Inspector General

(4) It shall be the duty of every candidate for employment and of every subordinate officer to forthwith inform the Superintendent if he is in any way related to or connected with another officer employed in the same prison, or with any prisoner confined in that prison.

**1078. Prohibition against employment of Officers/officials persons dismissed or punished criminally.**---(1) Officers or officials who have been dismissed from Government Service shall not be employed in the Prisons Department without the special sanction of Government. Government shall, be given a full statement of the facts relating to such dismissal.

(2) Officers or officials who have been convicted of any offence against the Criminal Law and punished with imprisonment and shall not be employed in the Prison Department without the special sanction of the Inspector General.

(3) Only persons of good conduct and respectable character shall be employed as prison officers.

**1079. Candidates to disclose previous punishment.**---(1) Before any person is temporarily or permanently appointed as prison officer, he shall be required to make a declaration that he has not at any time been dismissed from Government service or convicted of any offence and punished with imprisonment.

(2) If any such person has been dismissed or convicted and punished, he shall instead of making a declaration as aforesaid, make a full disclosure of the circumstances attending such dismissal or conviction and punishment, for the information and orders of the proper authority.

**1080. Prohibition against business and pecuniary transactions.**---(1) No prison officer shall directly or indirectly engage in any trade, business or employment other than his legitimate duties.

(2) No prison officer shall lend money to, borrow money from, enter into any pecuniary transaction with, or incur any obligation in favor of any other officer or any prisoner.

**1081. Residential quarters.**---(1) Rent free residential quarters shall ordinarily be provided at each prison for the Superintendent, Deputy Superintendent, Senior Assistant Superintendent, Assistant Superintendents, Senior Medical Officer, Medical Officer, Pharmacy Technician, Assistants and Clerical Staff, Storekeepers, Instructors, Teachers, Head Warders and the Warders.

(2) Every prison official for whom the residential quarters are not available in prison shall reside within such distance from the prison as the Superintendent may direct,

**1082. Leave to Subordinate Officers.**---(1) No subordinate officer shall, at any time, without the permission of the Deputy Superintendent, if such officer is subordinate to him, and, in any other case, of the Superintendent, be absent from the prison premises, whether by day or night.

(2) The Deputy Superintendent shall not, without the sanction of the Superintendent, grant leave of absence to any subordinate officer, or permit any such officer to remain absent, for any period exceeding four hours at any one time.

(3) Whenever any leave is granted by the Deputy Superintendent to any subordinate officer he shall, at the time the leave is granted, record the fact, and the period of leave in his report book.

(4) Every subordinate officer shall immediately on return from leave report the fact to the Deputy Superintendent, who shall forthwith record his arrival in his report book.

(5) The Deputy Superintendent shall similarly record in his report book, all 1eave granted by the Superintendent and all reports made of return from leave.

(6) Fifteen (15) days recreation leave shall be granted to every employee of Department once in a calendar year on rotation basis.

**1083. Absence caused by illness or other unavoidable cause.**---Whenever any subordinate officer is at any time prevented by sudden illness or other unavoidable cause, from attending the prison or performing his duties he shall forth-with give notice to the Superintendent along with his reasons for absence. The Superintendent shall then make suitable arrangements for the due performance of his duties.

**1084. Acquaintance with these rules and directions.**---It shall be the duty of every prison officer to make himself thoroughly acquainted with the duties of his office and these rules and directions. He shall discharge his duties with zeal, efficiency, honesty, alacrity and regularity.

**1085. Note Book.**---Every subordinate officer shall keep a notebook with him in which he shall record every order given to him by his superior officers.

**1086. Subordinate Officer to render prompt obedience.**---It shall be the duty of every subordinate officer at all times to render prompt and implicit obedience to every lawful order, given to him by superior officer, with proper courtesy and respect.

**1087. Prohibition against communicating with prisoners, their-relatives and friends.**---(1) No subordinate officer shall, otherwise than with the special permission of the Superintendent, at any time,-

(a) correspond or communicate with any relative or friend of any prisoner;

(b) hold any unauthorized communication with any prisoner;

(c) correspond or communicate with any discharged prisoner; or

(d) permit any discharged prisoner or any relative of any prisoner to visit or remain at his quarters.

(2) No subordinate officer shall, at any time,-

(a) hold any unnecessary conversation with any prisoner; or

(b) treat any prisoner with familiarity; or

(c) discuss any matter relating to the discipline or of the prison with or within the hearing of any prisoner.

**1088. ---[incorporated in Uniform Chapter]**

**1089. Officer not to leave place of duty idle about or quarrel.**---(1) Every subordinate officer when on duty, except when ordered by a superior officer to go elsewhere, shall not leave his beat or place of duty. Idleness or lounging about the prison premises is prohibited.

(2) No subordinate officer shall at any time, while on duty, smoke sing or talk loudly, or cook or eat his food, or do any act likely to distract his attention from his duty, or in any way conduct himself in an unseemly or disorderly manner.

(3) All quarrelling or disputes between prison officers is prohibited. Any dispute between subordinate officers about any matter connected with their duties shall at once be referred to the Deputy Superintendent.

(4) When any subordinate officer is accused or suspected of having committed any of the following offences, and a prima facie case against him exists, a proceedings shall be initiated,-

(a) willfully or negligently permitting a prisoner to escape or any other serious offence punishable under the Penal Code

(b) any offence punishable under section 42 of the Act.

(c) any breach of rule 1094 or clause (c) of rule 1095; and

(d) any breach of section 9 or section 10 of the Act.

**1090. Visitors to subordinate officers.**---No subordinate officer shall at any time be permitted to receive any visitor inside the prison or while on duty outside the prison.

**1091. Complaints.**---(1) Any subordinate officer desiring to make any complaint of any kind shall do so in writing to the Superintendent with in twenty-four hours of the occurrence of the cause of complaint.

(2) The making of frivolous, vexatious or false complaints is prohibited.

**1092. Combined action by officers forbidden.**---Subordinate officers are forbidden from taking part in any agitation for the redress of any grievance or supposed grievance, or for any other purpose whatsoever.

**1093. Care and Custody of Keys.**---(1) No subordinate officer who is at any time entrusted with any key shall, under any circumstances or any pretext whatsoever,-

(a) take any key belonging to a lock in use for securing the custody of any prisoner out of the prison; or

(b) leave any such key lying about; or

(c) deliver any such key to any person other than a Prison officer duly authorized to receive such key or to have the care or custody thereof; and

(d) leave his post of duty or the prison without delivering such key to the officer duly authorized to receive the same from him.

(2) The key of any cell, barrack, ward, godown, main gate or main gate wicket, shall not, under any circumstances or under any pretext, be at any time made over to any prisoner.

(3) If any key is lost or misplaced, the lock shall at once be condemned and destroyed by the Superintendent. The Officer held responsible for the loss shall be liable to pay the cost of the lock.

(4) Every warder shall keep the bunch of keys secured to his waist belt with a stout chain.

(5) Locks supplied to prisons shall not be provided with duplicate keys.

**1094. Officers not to resign without Notice.**---No subordinate officer shall, without permission in writing of the Superintendent, resign or otherwise leave service, unless he has submitted a notice in writing for a period of not less than two months, of his intention to resign and the period of such notice has expired.

**1095. Prohibitions against sleeping on duty or other irregularities.**---No subordinate officer shall at any time,-

(a) be in a state of intoxication;

(b) sleep while on duty;

(c) enter any enclosure reserved for women prisoners unless he is authorized to do so under the rules and is accompanied by a woman wader;

(d) commit, or permit or abet the commission of any irregularity in the supply of distribution of food, clothing, or other articles to prisoners;

(e) display cowardice in the discharge of his duties;

(f) be guilty of any act of insubordination, disobedience, breach of discipline or neglect of duty; and

(g) malinger or render himself unable or unfit to discharge his duties.

**1096. Grant of leave by whom sanctioned.**---(1) Leave, other than casual leave, to Deputy Superintendents, Senior Assistant Superintendents, Assistant Superintendent, Budget and Accounts Officer, Clerical Staff, Teacher, Instructor, Psychologist, Junior Pharmacy Technician, etc., shall be sanctioned by the Appointing Authority but any officer to whom a certificate of sickness is granted by the Medical Officer, may be allowed to proceed on leave in anticipation of the sanction of the Inspector General.

(2) In the case of others, the grant of all kinds of leave shall rest with the Superintendent.

(3) Application for leave from officers mentioned in sub-rule (1) shall be submitted to the Inspector General one month before the date on which the leave is required.

**1097. Communication of address during leave.**---(1) Whenever a prison officer proceeds or leave or is absent from the station he shall leave his address and phone number at the prison office and keep it informed of any subsequent change of address.

(2) Whenever a Superintendent proceeds on leave, he shall communicate his address and phone number to the inspector General.

**1098. Leave to Warders.**---The leave granted to Warders shall be so arranged that not more than ten percent of their sanctioned strength shall be absent from all causes at any one time. For this purpose warders shall be required to apply for leave well before the date on which the leave is required.

**1099. Superintendent may stop or cancel leave.**---The Superintendent may stop all leave or recall any officer on leave except in the case of leave on medical grounds during the prevalence of unusual sickness in the prison or on the occurrence of any circumstances requiring his presence.

**1100. Service books.**---(1) A service book shall be prepared for every non-gazetted officer on appointment (at his own expense), in which all changes of appointment, offences, punishments, leave, transfers, and changes of pay, shall be recorded under the signatures of the Superintendent. It shall be kept in the office of the Line Officer of the prison to which the officer is attached. On transfer of an officer his service book, after recording necessary entries in it, shall be sent under registered cover without delay, to the Superintendent of the prison to which he is transferred. On the resignation or discharge without fault of an officer except retirement on pension his service book may be given to him, after making an entry to this effect in his service book.

(2) The entries on the opening page of service books shall be attested at least once in five years, and the signatures of the officers and the Superintendent be taken on that page and dated.

(3) Every step in the official life of a Government servant must be recorded in his service book and each entry shall be attested by the Superintendent. The head of the office must see that all entries are duly made and attested and that the service book contains no erasure or overwriting. All corrections shall be neatly made and properly attested.

(4) Every period of suspension from employment and every other interruption of service must be noted, with full details of duration and entry made across the page of the service book and must be attested by the attesting officer. It is the duty of the attesting officer to see that such entries are promptly made.

(5) Personal certificates of character shall not, unless the Inspectorate General directs, be recorded in a service book, but if a Government servant is reduced to a lower substantive post the reason of the reduction shall be briefly shown. The Superintendent may, however, record his opinion about the work, conduct and integrity of each member of the Warder establishment at the end of the year in his service book.

(6) It is the duty of every Government servant to see that his service book is properly maintained as prescribed in sub-rule (3), so that there may be no difficulty in verifying his service for pension. The Superintendent may permit an officer to examine his service book if he desires to do so.

**1101. to 1107. ---[Deleted]**

**1108. Powers regarding subordinate officers.**---All officers of a prison shall obey the directions of the Superintendent; all officers subordinate to the Deputy Superintendent shall perform such duties as may be imposed on them by the Deputy Superintendent with the sanction of the Superintendent.

**1109. ---[Deleted]**

**Chapter-45**

**Warder Establishment**

**1109.A Prison work as a public service.**---(1) Prisons shall be managed within an ethical context which recognizes the obligation to treat all prisoners with humanity and with respect for the inherent dignity of the human person.

(2) Staff shall operate to high professional standards and shall at all times conduct themselves and perform their duties in such a manner as to influence the prisoners by good example and to command their respect. Management shall provide effective leadership for this purpose.

(3) The duties of staff go beyond those required of mere guards and shall take account of the need to facilitate the reintegration of prisoners into society after their sentence has been completed, through a programme of positive care and assistance.

(4) Prison authorities shall give high priority to observance of these rules concerning staff and shall pay particular attention to the management of the relationship between first line prison staff and the prisoners under their care.

**1109.B General duty of prison staff.**---Every member of prison staff must act in conformity with these rules and obey any lawful instructions of the Superintendent and inform the Superintendent promptly of any breach of these rules and any abuse or impropriety.

**1109.C Code of ethics and conduct.**--- Government shall approve a code regulating the conduct and discipline of prison staff. The code shall include procedures which may be invoked where it is suspected that the acts or omissions of a member of prison staff may constitute misconduct and the rights to fair hearing and of appeal of any such member of prison staff.

**1109.D Specific prohibitions.**---Prison staff are prohibited from,-

(i) taking part in any contract, business or financial transaction with, or on behalf of, a prisoner;

(ii) bringing in or taking out, or attempting to bring in or take out, or knowingly allowing to be brought in or taken out, to or for any prisoner any item whatsoever, except with the authority of the Superintendent;

(iii) receiving any unauthorized fee, gratuity or other consideration in connection with his or her duties;

(iv) receiving any fee, gratuity or other consideration from or on behalf of any contractor at, or any person tendering for a contract in connection with, a   
prison; and

(v) making any unauthorized communication, either directly or indirectly, to a media representative or any other person concerning matters which have become known to the member of prison staff in the course of his or her duties.

**1110. Warder establishment organized in circle.---**(1) For the purpose of appointment and promotion of warders and the better organization of the Warder establishment of the Province, prisons may be grouped into one or more circles or regions according to the number of prisons in the Province. Each circle or region shall be under the charge of a Superintendent or regional prison officer who shall be designated as Superintendant, Circle Headquarters or regional prison officer, for the purpose of appointments under these rules.

(2) The management of the Warder establishment of prisons shall, for the purpose of appointments and promotions, etc, rest with the Superintendant of the headquarters prison of the circle or with regional prison officer, to which such prison is attached. The Additional Inspector General shall be the transferring and appellate authority for the Watch and Ward Establishment of the Prisons in the Province.

(3) The Inspector General may, at any time transfer any prison from one circle to another or create additional circle.

(4) Women’s prisons shall be the headquarters prison for all the women Warders of the Province.

**1111. Cadre of Warder Establishment.**---The Warder Establishment shall consist of a hierarchy of Warders. Such establishment shall comprise the posts of Chief warders, head warders, warders and such other posts in the departments as may be determined by Government from time to time

**1112. Permanent strength.**---(1) The permanent strength of the Warder establishment shall be allocated to each prison by the Inspector General and may be revised by him if and when necessary.

(2) The strength of the Head Warders shall be calculated on the basis for every ten (10) Warders.

**1113. to 1114. ---[Deleted]**

**1115. Warder liability to serve at any prison.**---Appellate Authority at the time of appointment every Warder shall be informed that he is liable to serve at any prison in the Province.

**1116. ---[Deleted]**

**1117. Conditions as to posting.**--- Warder shall not ordinarily be allowed to remain at a Central Prison for more than three years or over two years at other prisons. However, they can be retained if their services are required for their special qualification.

**1118. Warders to be vaccinated.**---All Warders shall be vaccinated immediately on appointment and revaccinated whenever considered necessary.

**1119. Gradation list.**---In the office of Superintendent headquarter prison shall maintain, a gradation lists showing the seniority and other particulars, etc., of all the Warders in the circle, shall be maintained. All permanent Warders shall be shown in this list according to their categories. Each Warder shall be allotted a serial number on permanent appointment, which shall be his personal number. Seniority shall count from the date of appointment in a permanent vacancy.

**1120. Service registers and service sheet-monthly statement of offences and punishments.**---(1) A service register shall be maintained, by the Superintendent Headquarter Prison, containing the particulars of appointment, promotion, home district, place in which service has been passed, rewards, offences, punishments and leave with the dates in each case, of every Warder.

(2) The Superintendent of each prison shall send to the Superintendent Headquarter Prison by the 10th of each month, a complete and correct copy of the entries, in the Warder services books for the preceding month for record.

(3) In the same statement shall be shown the offences committed by and the punishment awarded to the Warders.

(4) Temporary Warders, who have been punished, shall not be shown in the list and Warder officiating, as Head-Warders should be shown in their substantive grades.

**1121. ---[Deleted]**

**1122. When a Warder gets leave or is suspended.**---When a Warder is granted leave or suspended, the Superintendent to which the Warder is at the time attached shall make his own arrangements for carrying on the work of the absentee

**1123. Warders on transfer to be relieved on fixed date.**---The transferring authority concerned, when ordering transfer of Warders, shall fix the date on which the Warders concerned shall be relieved, allowing sufficient time for his instructions to be received and acted upon. The Warders shall be relieved on the dates fixed unless it is not practicable on account of sickness or some equally important reason, in which case the Warders should be relieved at the earliest and intimation shall be sent to the Inspectorate General or respective Superintendent Headquarter Prison. No casual or other leave shall be granted to any warder who is under order of transfer.

**1124. ---[Deleted]**

**1125. Separate accommodation for warders.**---(1) All Chief Warders, Head Warders and seventy-five percent of the Warder shall be provided with family quarters. The rest shall be accommodated in single Warder barracks.

(2) Single Warder barracks shall be provided with electric lights and fans or lamps at Government expenses. Alternate power supply shall also be made available in Warder line.

**1126. Messing system for Warder.**---In all Central and District Prisons a messing system for Warders shall be provided. Government shall incur initial expenditure on kitchen utensils and a cook shall be entertained at Government expense. All single Warders shall have their meals in this mess.

**1127. ---[Deleted]**

**1128. Re-employment after leaving service.**--- No Warder who has left the Prison service shall be again entertained without the sanction of the Inspector General.

**1129. Training of Warder establishment.**---(1) All Warders and Head Warders shall be properly trained, both at the outset and on a continuing basis.

(2) Before entering into duty, staff shall be given a mandatory course lasting four months training in their general and specific duties, rules and regulations, drill, in the use of arms and be required to pass theoretical and practical tests in Training Institute or prison Staff Training Academy Haripur or NAPA or any other Training Academy or Institute specify by the Inspector General.

(3) A copy of these rules in Urdu shall be supplied to him free of cost.

(4) Management shall ensure that, throughout their career, all staff maintain and improve their knowledge and professional capacity by attending courses of in-service training and development, to be organized at suitable intervals for future promotions.

(5) Women prison staff shall receive equal access to training as male staff and consideration shall be given to arrangement of training in such a manner as to enable women prison staff to attend.

(6) Staff who have to work with specific groups of prisoners, such as women, juveniles, mentally ill, foreign nationals, or life sentence prisoners, shall be given specific training for their specialized work.

(7) The training of all prison staff shall include instruction in the international, national and regional human rights instruments and standards, especially the United Nations prison-related instruments, as well as in the application of these rules.

(8) Ten per cent of the existing Watch and Ward staff in each prison shall under go Elite or Commando type training, to be arranged by Inspector General with the cooperation of the Police Department. This special force shall work as rescue, anti riot operation and combat force in case of any outbreak.

**1130. Discipline of Warders.**---Warders shall be subject to discipline necessary for efficient discharge of all duties and functions for the protection and management of the prison.

**1131. Hours of duty.**---The hours of duty of Warder shall not ordinarily exceed on an average nine hours on any one-day. This includes half an hour’s drill.

**1132. Temporary Warders in emergencies.**---(1) When, for any sufficient reason, it is necessary to entertain Warders in excess of the sanctioned strength, and the matter is so urgent that the previous sanction of the Inspector General cannot be obtained, the Superintendent may in anticipation of sanction, entertain such number of additional Warders as may be necessary, but an immediate reference shall be made to the Inspector General.

(2) Temporary Warders must conform to the standard Permanent Warders. An exceptional case, if any, should be referred to the Inspector General for relaxation.

(3) The character and antecedents of temporary Warders who shall be verified through the police prior to employment.

(4) Only those person shall be entertained as temporary Warders who are considered fit for confirmation in due course.

**1133. Pay of temporary Warder sanction to their entrainment.**---(1) Extra Warders entertained under the provision of the preceding rule shall receive the pay of newly enlisted Warders.

(2) When applying for sanction to the Inspector General the number of men entertained, the period for which, required and the reasons for entertaining them shall, be stated.

(3) Temporary Warder shall not be entered in the gradation list if they are up to standard, posses the necessary qualifications for enlistment, and their work and conduct has been satisfactory, they may be put up for selection in the permanent establishment.

**1134. Rewards.**---(1) The Inspector General may grant cash rewards equal to one month initial basic pay and commendatory certificate to employees of the prisons Department including any officer or official for special services as for example:

(a) bravery in preventing an escape or disturbance etc;

(b) special skill or energy in recapturing a runaway prisoner when the escape is not due to the negligence of the officer or official, proposed for reward;

(c) securing the highest number of marks in the annual musketry practice;

(d) rendering valuable assistance in the management of the Prison;

(e) furnishing information leading to the discovery of stolen Government property, or giving information about plots of escape or mutiny, etc.;

(f) exceptional devotion to duty or courage;

(g) special care of uniform, arms and equipment;

(h) gardening; and

(i) other miscellaneous services.

(2) The Inspector General may grant a reward not exceeding. rupees ten thousand (Rs. 10000/-) to any person other than an officer of the Department who furnishes valuable information e.g. about stolen Government property, misconduct of Warders, pre-escape information and presence of escapee.

(3) The Superintendent may grant cash reward not exceeding rupees five thousand (Rs.5000/-) and commendatory certificate in case of a Chief Warder, a Head Warder or Warder for special service as mentioned in sub-rule (1).

**1135. Duties of Warder Guard.**---The general duties of watch and Ward, the posting and duties of guards and sentries, the fixing of their period of duty and their strength, an all matters relating to the protection of prisoners and the prison, and the duties of Warders and like, shall be regulated by the Superintendent in accordance with the orders of the Inspector General. In emergent cases or matters about which no provision has been made in any such order, the Superintendent shall use his own discretion.

**1136. Assignment of duties of Head Warder.**---(1)The Superintendent or the Deputy Superintendent may direct any Head-Warder or Warder to perform any duty in any part of the day or night. Duties shall ordinarily be assigned on the first day of every month and shall as far as possible be changed on monthly basis and may be change oftener if considered necessary.

(2) Every Head-Warder or Warder shall comply with the orders of all officers superior to him in rank.

**1137. Uniforms, arms and accoutrements.**---(1) When on duty, all Chief Warders, Head Warders and Warders shall wear the uniform and shall not sit or lie down, they shall keep their uniforms arms and accoutrements clean and in good order.

(2) The Chief Warder in the Central and District Prisons and the Senior Head-Warder on duty in other prisons shall be responsible for the appearance and discipline of the Head Warder and Warders working under them and shall report any Head Warder or Warder found to be slack or improperly dressed, while on duty.

**1138. Duties of Chief Warder and Head Warder.**---The Chief Warder in the Central and District Prisons and the Head Warder in other prison shall-

(a) post the Warders under the orders of the Deputy Superintendent explaining to each Warder the duties and responsibilities of his post and supervise the Warders on duty;

(b) assist the Deputy Superintendent at unlocking midday count and lock-up and in the distribution of various groups in the morning and their collection in the evening and the maintenance of attendance register;

(c) visit and count at uncertain hours all groups working inside the prison and forthwith report to the Deputy Superintendent any unusual occurrence;

(d) visit the barracks and cells and satisfy himself that the Numberdar inside barrack are present at their posts, and are on the alert;

(e) supervise the distribution of food and the conservancy arrangements;

(f) cause all gratings door or other openings of enclosures and barracks in which prisoners are confined to be secured and satisfy himself by personal inspection that they are secured;

(g) pay surprise visits to all outside groups and visit them at least once daily;

(h) be responsible for the general cleanliness of the Warders line, and see that all Warders live in the quarters provided for them. He shall report Warders who absent themselves without leave, or who permit released prisoners or friends and relatives of prisoners to remain in or to visit their quarters.

(i) supervise the Warders subordinate to him in the discharge of their duties;

(j) assist in every possible way in the management of the prison, the prevention of escapes and the maintenance of order and discipline generally amongst subordinate officers and prisoners;

(k) comply with the requirement of all rules regulations and orders about the duties he is to perform and the manner in which he is to perform them;

(l) assist the Deputy Superintendent in all routine duties;

(m) open the cells, barracks and other compartments each morning and count the prisoners;

(n) distribute the prisoners, who are liable to labour to their work parties each morning;

(o) cause the name and prison number of every prisoner placed incharge of any Warder to be entered in the attendance register;

(p) issue all necessary tools, raw materials and other articles required for the day’s work and to keep a record of all articles issued;

(q) collect all such articles, together with the produce of the prisoners labor in the evening;

(r) satisfy him self that all articles issued have been duly returned to him or accounted for;

(s) measure or check the task performed by each prisoner and note the same in, the task sheet;

(t) supervise the use of latrines, bathrooms and the distribution of meals;

(u) check all prisoners at each change of guard;

(v) check all gratings, locks bolts and the like, daily and satisfy himself that they are secured;

(w) keep all the building under his charge neat and clean and in proper state of repair;

(x) cause all bamboos, scantlings, poles, ladders, ropes, well-gear and other articles likely to facilitate escape to be removed and, kept in a safe place, beyond reach of prisoners;

(y) keep constantly moving about while on day duty amongst the prisoners, supervising the work and discipline of the prisoners and keeping the Warders and Numberdar on alert;

(z) count, search and lock the prisoners in   
cells, barracks, etc., at the prescribed time, each evening in the presence of the Assistant Superintendent; and

(aa) give the Warders half an hours drill daily.

**1139. ---[incorporated in preceding Rule]**

**1140. Duties of Chief Warders and Head Warders on relieving guard.**---(1) No Chief Warder or Head-Warder or Warder shall leave his post of duty until he has been duly relieved and his responsibility shall continue till he is relieved.

(2) The Chief Warder and Head-Warder shall, at least ten minutes before the hour fixed for reliving the guard on duty, collect the Warders of the relieving guard in the main gate. At proper time he shall march the relieving guard to their respective posts and remove the guard to be relieved. Relieves shall be carried out with military precision.

(3) No relieve whether by day or night shall be effected otherwise than in the presence of both the relieved and the relieving officers and also in presence of the Senior Head Warder carrying out the relief such head Warder shall satisfy himself that the party is complete and corresponds with the number in the attendance register.

(4) Warder whether going on or off duty shall be marched, in double file. When relieve is complete the relieved Head-Warder shall march the relieved Wader to the main gate.

**1141. Periods of duty-drill, arrangement of duties.**---(1) Every Chief Warder and Head-warder shall ordinarily be on duty for six hours daily, exclusive of the period spent on night duty, drill, at unlocking and locking up.

(2) Every Chief Warder and Head-Warder shall attend, such drills, and parades for instruction in drill, in a maneuvering, practice in the use of arms and other matters in the nature of military training as the Superintendent may prescribe.

(3) The periods at duty shall be so arranged that a Head Warder shall be present at every relieve of Warders from duty of any kind throughout the day and night.

**1142. ---[Deleted]**

**1143. Relieving guard over women prisoners.**---The Head Warder incharge of women’s enclosure shall, at each change of guard, ascertain from the women Warder without entering the women’s enclosure, that the count is correct.

**1144. Custody of keys.**---(1) The keys of the prison shall, when not in use, be kept in a locked chest in the main-gate. The keys of this chest shall be kept in the custody of the gate-keeper.

(2) Any key which any officer may have to carry about in his person, while on duty, shall be attached to him by means of a stout chain.

**1145. Duties of Head Warder in charge of armoury.**---The duties of the Head Warder incharge of the armoury shall-

(a) give each Warder except those who are exempt half an hours drill daily and report about Warders who are absent;

(b) give effect to any punishment drill ordered by the Superintendent;

(c) inspect daily all arms, accoutrements and see that they are kept clean and fit for immediate use;

(d) take charge of the armory ammunition and spare accoutrements keep the keys of the armory in his possession, see that the ammunition is kept dry and in good order, and that ten rounds of ammunition are always kept ready for use for each rifle;

(e) satisfy himself that each sentry knows and understands the duties of his post;

(f) keep note of ammunition in stock, received and expended;

(g) see that torches and the like required for use at night in case of alarm are always kept ready and in serviceable condition; and

(h) report to the Superintendent daily on his arrival that arms and ammunition are in good order and fit for use and any other matter of importance that has come to his knowledge.

**1146. Assignment of duties of Warders.**---(1) Each Warder shall have specific duties assigned to him by the Superintendent or Deputy Superintendent such as the charge of barracks, workshops, or a group of prisoners either inside or outside the prison. The posts and duties shall ordinarily be changed on the first day of every month or oftener if necessary, to prevent them establishing relations with the prisoners.

(2) The more important duties shall be entrusted to the senior and experienced Warders. Junior Warders being placed in less responsible charges.

**1147. General duties.**---It shall be the duty of every Warder at all times to-

(a) render all assistance in his power in the management of the prison, the maintenance of order and discipline amongst Warders and prisoners the guarding and defending of the prison and all persons and property kept therein or belonging thereto against the use of criminal force by any person;

(b) obey the orders of all officers superior to him in rank;

(c) comply with all rules, regulations and orders regulating the duties, which he is to perform, and the manner in which he is to perform them;

(d) take proper care of all property of whatever kind in his charge and duly to account for the same when called upon to do so; and

(e) be at all times in a state of readiness to turn out immediately accounted and armed, whenever called to do so or when an alarm is raised, and to do all lawful acts to prevent escapes and disturbances, etc.

**1148. Detailed duties.**---It shall be the duty of every Warder-

(a) not to take off any portion of his uniform or lie or sit down while on duty;

(b) to know the number of prisoners in his charge, to count them frequently during his hours of duty and to satisfy himself that he has in his custody, not only the correct number, but also the particular prisoners for whom he is responsible;

(c) to search the prisoners as well as the factories, cells and barracks in which they are confined at the time of receiving and making over charge;

(d) to report about every prisoner whom he considers to have committed a Prison offence;

(e) to see that any prisoner who has to go to the latrine at unauthorized times, is made over to the charge of a responsible officer while away from the group;

(f) to maintain scrupulous cleanliness in the buildings in his charge and see that the drains are clean and kept free from silt;

(g) to bring to the notice of the Assistant Superintendent, Medical Officer or Junior Technician Pharmacy, any prisoner appearing to be ill or complaining of illness;

(h) to report any plots for escape, assault, out-break, or for obtaining prohibited articles;

(i) to give an immediate alarm by blowing his whistle if a prisoner is missing, or if any disturbance appears imminent or takes place;

(j) to prepare prisoners for parades and see that each prisoner takes his place in proper order and behaves well; and.

(k) to keep his arms and accoutrements clean, in good order and fits for immediate use.

**1149. No warder to leave his post.**---No Warder shall, while on duty, at any times, under any circumstances, on any pretext, leave his post or absent himself from duty until relieved in due course and released from duty provided that he may leave his seat to prevent an escape or to assist in suppressing a disturbance taking place within his sight when he is on main-wall duty or when is incharge of prisoners, if he can do so without serious risk to the safe custody of his prisoners.

**1150. Duties on being relieved.**---A Warder on being relieved shall explain to his successor what the duties of the charge are, and shall bring to the notice any long-termed and dangerous prisoners. The relieving Warder shall, before taking charge, satisfy himself that the property and the number of prisoners made over to him are correct.

**1151. Arms for warder.**---Every Warder shall be provided with a rifle and ammunition. All arms and ammunition shall, when not in actual use, be securely kept in the armoury.

**1152. Main-gate sentry.**---(1) Two sentries shall be posted at the main-gate day and night.

(2) During the day each sentry at the main-gate shall be posted immediately outside the gate and carry his rifle with fixed bayonet. The rifle shall not be loaded but thirty (30) rounds of ammunition shall be kept in the pouch, which shall be brought round to the front of the belt, the flap being left unbuttoned.

(3) During the night each sentry at the main-gate shall be posted between the gates from lock-up to unlocking, and shall similarly be in possession of thirty (30) rounds of ammunition.

**1153. Sentry’s picket.**---Six Warders and one Head Warder shall form the main-gate picket of every prison from unlocking to lockup. They shall be specially selected and as far as possible be ex-soldiers.

**1154. Duties of sentry.**---The duties of a sentry are-

(a) to mount guard with fixed bayonet, move briskly on his post with his rifle at “the slope” and not to “order arms” or “stand at ease” for more than fifteen minutes in an hour;

(b) not to enter into conversation with anyone except when questioned by a superior officer;

(c) not to interfere unnecessarily with any prisoner or prison officer;

(d) not to leave his post without regular relieve upon any pretext whatsoever;

(e) not to allow any person to approach his post after dark, without challenging;

(f) challenging after dark, to warn the person challenged, if the reply is unsatisfactory, to stand until the officer in-charge of the picket, arrives bringing his rifle at the same time to “the charge”;

(g) challenging on a dark night, on hearing voices or the approach of footsteps, if he receives no answer, or an unsatisfactory answer, to call the officer incharge of the picket, or if necessary, give the alarm;

(h) to satisfy himself that the main-gates and pickets are securely locked when on duty at night;

(i) not to allow persons to crowd around him;

(j) to fire on the prisoner, provided, he cannot otherwise prevent escape if he sees a prisoner attempting to escape, to call on him to stop, and if he refuses to do so and there is no superior officer present;

(k) to raise the alarm, or fired a shot in the air as the signal for alarm if he is beyond call;

(l) to report the matter to the officer in charge of the picket if he sees any article in or near the prison likely to facilitate escape, or if any unusual incident comes under his observation;

(m) not to allow any person to enter or leave the prison who is not on official duty authorized to enter or leave, and not to permit any Warder to enter or leave except when accompanied by the patrolling officer on duty, or one of the superior officials when on duty at the main-gate at night;

(n) not to challenge so loudly as to be heard by the Warders on duty inside the prison, and not to give notice to these Warders of the approach of any Visitor;

(o) to retain in his possession at night the key of the lock of the outer wicket and the key of one of the locks of the inner wicket; and

(p) to enforce his orders firmly and without distinction of persons.

**1155. Daily Inspection by Superintendent, Reception of visitors.---** The members of the Warder guard mustered for morning drill shall be paraded daily under the supervision of the Deputy Superintendent and on the arrival of the Superintendent at the jail shall “present arms”. If and official or non official visitors arrives while the parade is in progress, the guard shall also “present arms” to the visitor. At other times the gate picket shall turn out and stand to “attention”. The Superintendent shall inspect the parade of the Warder guard once a week.

**1156. Escorts for visitors.---** The escort for an official or non-official visitor to a jail shall consist of a warder armed with a baton, from the warder guard. The Warder may be taken from the main-gate picket if it is a double one; otherwise it shall be taken from the men detailed for the next relief of the main-gate picket.

**1157. Gatekeepers.**---(1) A literate Head Warder or Warder shall be employed constantly on duty as a gatekeeper in the main gate of every prison during day time. A penal of names of head Warders and Warders specially selected for efficiency and integrity shall be maintained at every prison after approval by the Superintendent for their employment as gatekeepers. The gatekeepers shall be posted out of this panel and changed monthly.

(2) The gatekeepers shall usually perform eight hours duty daily.

**1158. Gate book.**---(1) The gatekeeper shall maintain a gate book in which he shall make all entries in, chronological order and shall not, leave any blank space with a view to preventing spurious entries, being made subsequently.

(2) The date in the gate book shall be changed at midnight and the hours shall be recorded from 01 to 24.

**1159. Entries to be recorded in gate book.**---The gatekeeper shall record in the gate book-

(a) the names of all persons passing into or out of the prison, together with the hour and minute of their entrance and exit;

(b) the hour and minute at which any articles pass into or out of the prison, their description and number or weight, the entries being made in red ink, and the name of the officer or person bringing in or taking out the articles;

(c) the time to be entered in red ink, at which the bugle is sounded for the unlocking and the lock up or for an alarm, etc., and

(d) a note of the exact time of each relief and the number of keys taken over, with the signatures of both the relieved and the relieving officers.

**1160. Prison officers to sign the gate book.**--- The prison officer going into or out of the prison shall sign their names with ranks in the gate book and enter the, hour and minute of entrance and exit, and also record the number of the bunch of keys which they may take from or return to the key chest. They shall write their names legibly and in full.

**1161. Statement of prison population.**---The gatekeeper shall write in the gate book, in tabular form, a daily statement of the prison population, showing the balance of prisoners from the previous day, the number of prisoners admitted and the number of prisoners released or otherwise disposed of, and the balance at the end of the day such balance should correspond with the actual number of prisoners locked-up for the night.

**1162. Daily check of the gate book.**---The Deputy Superintendent shall check and sign the gate book daily.

**1163. Examination of gate book by the Superintendent.**---The Superintendent shall examine the gate book at least once a week and see that all entries have been made neatly and all orders as to its maintenance are duly complied with.

**1164. Admission of outsiders.**---The gatekeeper shall admit all prison officers on duty. He shall not admit any other person without authority from the Superintendent or the Deputy Superintendent. He shall be furnished with a list of all official and non-official visitors and shall admit such persons on their presenting themselves for admission.

**1165. Gatekeeper to know all Prison officers and to observe prisoners going out of prison.**---The gatekeeper shall make himself thoroughly acquainted with the appearance of all prison officers, and shall carefully observe the faces and appearance of all prisoners leaving the prison in order to prevent any prisoner attempting to escape in disguise.

**1166. Personal search by the gatekeepers.**---(1) The gatekeeper or other warder or Head warder posted for the purpose is authorized to search every person entering into or going out of the prison except the following:

(a) all official and non-official visitors;

(b) higher officials of the prison including Chief Warders; and

(c) casual visitors admitted by order of the Superintendent and Inspector General.

(2) The gatekeeper shall supervise the search of all prisoners who pass through the gates.

(3) The search of all persons, including prisoners shall be carried out with due regard to decency and with as little annoyance and inconvenience to the person searched as possible.

(4) Women prisoners shall be searched by a female Warder only in a secluded place and not in the presence of any male person.

**1167. Search of officers ordinarily exempt from search.**---When the gatekeeper has exempted reason to suspect that any officer or other person ordinarily from search is introducing or removing unauthorized articles, he shall detain him between the gates and send notice to the Deputy Superintendent, who may, if necessary, cause the person concerned to be searched or take such other action as he may consider necessary.

**1168. Prevention of introduction of prohibited articles.**---The gatekeeper shall endeavour by every means in his power to prevent the introduction of unauthorized or prohibited articles and the misappropriation of any prison property. The gatekeeper or any other Prison officer may examine anything carried in or out of the Prison.

**1169. ---[Deleted]**

**1170. A warder to assist the gatekeeper.**---In Central Prison and District Prison, a Warder may be employed to assist the gatekeeper in writing up the gate book, but the responsibility of the correct record of the person or prisoners entering or leaving the Prison and for the number and weight of arties shall lie with the gatekeeper.

**1171. Working of the double gate system.**---All prisons shall be provided with double gates. The gatekeeper shall open only one gate or wicker at a time, and before doing so shall satisfy himself that all other means of entry and exit are secured. For ordinary purpose entrance or exit shall take place through the wickets.

**1172. Passing out and in out groups.**---When prisoners employed in out parties are going out or returning to the prison, the following procedure shall be followed-

(a) on passing prisoners out, the gatekeeper shall first let them through the inner wicket and then lock it, the prisoners shall then be made to sit down while the roll is being called from the out group register by the Head Warder Incharge of out groups. The totals of each party shall be signed by the Head Warder. The gatekeeper shall enter in the gate book the number of prisoners sent out in each group and the name of the Warder Incharge. The entry shall be signed by the Warder Incharge of the group. The gatekeeper shall then open the outer wicket and count the prisoners as they pass out of the Prison to verify the total. Every change in the group shall be noted by the head warder Incharge of out groups in the register of out groups and recorded by the gatekeeper in the gate book;

(b) when the prisoners in out groups are returning to the prisons, the gatekeeper shall first open the outer wicket and admit the group to the passage between the gates. He shall then lock the outer wicket and call out the name of each prisoner as recorded in the out group register. When the number in the party has been found to correct, he shall open the inner wicket and count the prisoners as they pass into the prison to verify the total;

(c) the gatekeeper shall not allow passing out of the prison any prisoner who is not in the custody of a Warder duly authorized to take him outside the prison; and

(d) if the gatekeeper 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 report the matter at once to the Deputy Superintendent.

**1173. Cleanliness of main gate.**---The gate keeper shall be responsible for seeing that the prison front, the main gate and the passage between the two gates is always kept clean. He shall keep the passage clear of any person 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.

**1174. Key of main gate.**---The gate-keeper shall supervise the keys of the locks of the two main gates and the wickets during the day. The gates and the wickets of every prison shall except when it is necessary to open the same for the purpose of lawfully passing any prisoner or thing into or out of the prison, be kept shut and locked.

**1175. Making over keys of the gate at lock-up.**---When the prisoner are locked up for the night, a second lock shall be put on the main gate and the keys holder shall then deliver the keys of inner and outer gates to the Deputy Superintendent for custody in the key chest provided for the purposes. He shall deliver one key of the inner wicket to the sentry posted between the gates and shall himself keep the other keys of the wickets.

**1176. Gatekeeper’s keys to be kept in bunch with others.**---The main gate keys shall be kept in a bunch with at other somewhat similar keys, though not exactly resembling them, and shall be attached by a stout chain to the belt of the Inner Sentry. This will add materially to the security of the prison by making it difficult for prisoners to obtain the keys and to ascertain which of them will fit the locks of the gates in case of outbreak, etc.

**1177. Issue and receipt of bunches of keys.**---The gatekeeper shall record in the gate book the time of issue and receipt of all bunches of keys of the prison with the name of the officer to whom he issues or from whom he receives the bunches.

**1178. Light.-**--The gatekeeper shall keep a light brightly in the passage between the gates through out the night.

**1179. Articles to be kept between the gates.**---The gatekeeper shall be in-charge of the following articles, which shall be kept between the main gates:

(a) a clock;

(b) a standing desk with lock and key for the gate book and writing materials;

(c) a key chest;

(d) the Deputy Superintendent’s cash chest;

(e) apparatus for extinguishing fire:

(f) the List of visitor’s and other persons who are authorized to enter the Prison under these rules; and

(g) notice boards.

**CHAPTER-46**

**Lady Deputy Superintendent, Lady Senior Assistant**

**Superintendent and Female Warders**

**1180. Duties of Lady Assistant Superintendent.**---(1) In the women prison, there shall be a Lady Deputy Superintendent or Senior Assistant Superintendent or Assistant Superintendent who shall, subject to the control of the Superintendent of the local men’s prison, have complete charge of all women prisoners at any time committed to, or detained, in the prison.

(2) The Lady Deputy Superintendent or Senior Assistant Superintendent or Assistant Superintendent shall be assisted by a staff of female Warders who shall perform duties as laid down in the succeeding rules, subject to the control of the Lady Deputy Superintendent or Senior Assistant Superintendent or Assistant Superintendent.

**1181. Female warder duties.**---(1) In every other prison where women prisoners are confined, a Female Chief Warder, Female Head Warder and Female Warder shall be incharge of the Women enclosure. She shall work under the supervision and orders of the Deputy Superintendent and the Superintendent.

(2) The duties of the Female Chief Warder, Female Head Female Warder and Warder shall, as regards Women prisoners, be similar, to those performed, as regards male prisoners, by Warders and Head Warder. All rules, regulations, orders and directions for the time being applicable to such Warders and Head Warders, shall be applicable to Female Warders.

**1182. ---[Deleted]**

**1182.A Training of female Warders.**---Female prison staff shall have access to the same level of training as male prison staff. In addition they shall receive special training relevant to the management of women’s prisons, taking into account the need to respond appropriately to the gender specific needs of women prisoners.

**1183. Prohibition against male entering the women’s prison.**---(1) No male person employed in any capacity or connected with the women prison shall, otherwise than in case of emergency and when called upon to do so by the Lady Assistant Superintendent or a Female Warder and then only when accompanied by the Lady Assistant Superintendent or a Female Warder, at any time enter any barrack, cell, compartment, or other place in the said prison occupied by any woman prisoner.

(2) The duties of the Male Warders shall be to patrol the area outside the main wall at night, to act as gatekeepers and sentries, to prevent escapes and any unauthorized persons from having access to and any prohibited article from being introduced into or removed from the prison.

(3) Female sweepers shall be employed for conservancy work in the women’s enclosure.

**1184. Distribution of food.**---The Female Chief Warders, Female Head Warder or Female Warder shall carefully supervise the distribution of food to women prisoners and see that each prisoner receives her proper ration. She shall report to the Lady Deputy Superintendent or Assistant Superintendent any instance in which the food is bad, or badly cooked or is insufficient in quantity.

**1185. Escorting of woman prisoners.**---The Female Warder shall escort every woman prisoner leaving the women’s enclosure, and shall remain with her till she returns to the enclosure or quits the prison premises.

**1186. Search of women prisoners.**---The Female Warder shall conduct the search of women prisoners. Such search shall not be conducted in the presence of any male person.

**1187. Entrance door of women’s enclosure, how to be regulated.**--- (1) When the Female Warder is present on duty, the entrance door to the women’s enclosure shall be locked on the outside by the Head Warder who shall retain possession of the key, and it shall also be locked on the inside by the Female Warder.

(2) A call bell shall be provided in the women’s enclosure for emergency calls.

**1188. Female Warder not to permit males to enter women’s enclosure.**--- Female Warder shall not allow any prison officer or male prisoner to enter the women’s enclosure without proper authority. If any male prison officer or male prisoner without proper authority at any time enters or attempts to enter any ward or portion of the prison reserved for occupation by women prisoner, she shall make a report to the Deputy Superintendent and the Superintendent forthwith.

**1189. Communication with male prisoners forbidden.**---No Female Warder shall at any time, on any pretext, hold any interview, interaction or communication of any kind whatsoever with any male prisoner, or visit any part of the prison reserved for male prisoners, except in the discharge of her duties.

**1190. Duties in regard to sick and children.**---(1) It shall be the duty of every Woman Warder to call the attention of the Medical Officer to any woman prisoner who complains of illness or appears to be ill. She shall satisfy herself that every woman prisoner who is sick receives the special diet, if any at any time prescribed for her by the Medical Officer and that all woman prisoners at any time in any special or convalescent group, are duly supplied with any special or extra diet ordered for them by the Medical Officer.

(2) The Female Warder shall be responsible for seeing that every child for the time being in the Prison receives the clothing and the diet prescribed for and is properly cared for.

**1191. Duties as to the task of women prisoners.**---(1) The Female Warder shall make over to women prisoners sentenced to rigorous imprisonment their allotted tasks and satisfy herself that every such prisoner performs her full task properly. She shall bring to the notice of the Deputy Superintendent every default on the part of woman prisoners.

(2) The Lady Deputy Superintendent or Senior Assistant Superintendent or Assistant Superintendent and Female Warders shall organize, in coordination with relevant Government agencies and Non-Governmental Organizations, educational, vocational training and other programmes and activities in prisons to assist with the rehabilitation of women prisoners.

**1192. Duties as to lock up of prisoners at night.**---The Female Warder shall,-

(a) each evening, before the time fixed for lock-up, search every woman prisoner and her clothing and bedding and every ward, cell and other compartment allotted to woman prisoners;

(b) count the woman prisoners and lock them up in their respective places and report to the Deputy Superintendent that she has done so and record the fact in the lock-up register; and

(c) after having complied with the requirements of the above clauses, deliver the keys of the wards, cells, other compartments and the women’s enclosure to the Deputy Superintendent.

**1193. to 1203. ---[Deleted]**

**Chapter-47**

**Psychologist**

**1203.A Appointment and condition of service.**---(1) For every Central Prison and District Prison, there shall be appointed Psychologists preferably male according to the nature, class and population of the prisons.

(2) The terms and condition of service of Psychologist shall be regulated by their service rules for the time being in force.

(3) The Psychologist shall be subject to the orders of Inspector General, competent to perform duty under the supervision of the Superintendent.

(4) The Inspector General is competent to transfer a psychologist from one prison to another prison or any other place is considered suitable by him.

**1203.B Assignments of duties.**---The following duties regarding both male and female prisoners and prison staff shall ordinarily be assigned to Psychologist:

(i) to carryout intelligence, vocational aptitude and personality tests;

(ii) to interviews of prisoners for preparing case reports;

(iii) to give general vocational, academic, social and personal counseling to prisoners and staff members;

(iv) to evaluate prisoner’s behavior and determines the progress made through treatment programs;

(v) to recommend cases for Parole and give technical information to prison staff, regarding behaviour of prisoners;

(vi) to assist in planning or revising programs for medically sponsored cases including Psychiatric and severe disability cases;

(vii) maintain records, prepare reports and compose correspondence relating to work and progress to Superintendent and thereof to the office of Inspector General on monthly basis;

(viii) develop case histories for use by Psychiatrists and administrator for evaluation and treatment of social factors in the prisoner’s situation;

(ix) participates in research by investigating problems of penal Psychology or test construction and prepare reports of findings;

(x) to psychologically prepare and treat prisoners for   
re-integration into society;

(xi) to prepare and give report to prison administration regarding traits and behavioural change of prisoners;

(xii) to help prison administration in classification of prisoners on the basis of behaviour;

(xiii) to inform the prison Administration regarding suicidal tendencies in any prisoner of if noted by him or her;

(xiv) to treat and give psychological counseling to Prison staff for positive change in their behavior;

(xv) to start a programme for detoxification of drug addicts. Prisoners and submit result to Superintendent on monthly basis;

(xvi) the Psychologist must at least reform hundred (100) prisoners per years;

(xvii) the Psychologist must follow the reformation programme of prisoners prepared and arranged in consultation with the Superintendent.

**1203.C Duty hours of psychologist.**---(1) Psychologist shall ordinarily observe the office hours fixed by Government from time to time.

(2) Leave other than earned leave shall be granted to the Psychologist by the Superintendent.

**Chapter-48**

**Uniforms**

**1204. Uniform of Inspector General, Deputy Inspector General, Superintendent and Deputy Superintendent.**---(1) The following uniform has been prescribed by Government for Inspector General, Deputy Inspector General, Superintendent Deputy Superintendent of a prison:

|  |  |
| --- | --- |
| Jacket. | Khaki drill/serge with rolled collar: four medium prison pattern buttons down the front, two breast and two side pockets with plain flaps to button, shoulder straps plain fastening at top with button, for Inspector General a sword cross, one peps and for Deputy Inspector General one crescent and three peps and a crescent, Two peps across center of straps with one crescent in the case of A.I.G/Superintendent BPS-19 and a crescent and one peps in the case of Superintendent in BPS-18” and a crescent by the Deputy Superintendent and Senior Instructor BPS-17. |
| Trousers. | Slacks, khaki drill serge not turned up at ends. |
| Shirt. | Mazri cloth with turned down collar. |
| Tie. | Khaki woolen/silk. |
| Head Dress. | A blue woolen peaked cap with a floral brass cap badge with inscription “Prisons”. |
| Boots. | Brown, ankle laced. |
| Socks. | Khaki cotton or woolen. |
| Belt | Brown leather or Nilone Sam Brown belt with brass fittings. |
| Swagger stick. | Cane |
| Whistle. | Fastened with a khaki silk cord and carried in the left breast pocket. |
| Jersey. | Black woolen, full sleeves, V neck with pockets. |
| Greatcoat. | Khaki woolen, double breasted with prison pattern brass buttons. |

(2) Except on ceremonial occasions, the Superintendent and Deputy Superintendent may wear mazri shirt with shoulder straps and badges, khaki slacks, peaked cap, brown shoes and belt during summer in his office. Boots will be worn on parades.

**1204.A Uniforms.**---(1) Every subordinate officer for whom uniform is prescribed shall wear such uniform at all times when on duty except the Assistant Superintendent during the night. The Chief warder and Head Warder during their second time duty are also exempted from wearing uniform.

(2) Every subordinate officer shall at all times and on all occasions be neat and clean in his dress and person.

**1205. Uniform of Senior Assistant Superintendent and Assistant Superintendent.**---The uniform of Senior Assistant Superintendent and Assistant Superintendent shall be the same as that prescribed for the Deputy Superintendent except that three pepes shall be worn across center of straps by the Senior Assistant Superintendent and two peps by the Assistant Superintendent and Instructor.

**1206. Uniform of Lady Senior Assistant Superintendent and Assistant Superintendent.**---The following uniform has been prescribed for the Lady Senior Assistant Superintendent and Assistant Superintendent:

|  |  |
| --- | --- |
| Shirt. | With pointed collar and two breast pockets, made of gray cotton, cambric or linen cloth. |
| Shalwar. | Made of gray long cloth or linen. |
| Dopatta. | Made of gray Muslin cloth 2 Metre 28 cm |
| Shoes. | Brown leather lace walking shoes or brown Afghan chappals medium heels. |
| Badges of Rank. | As for Senior Assistant Superintendent  And Assistant Superintendent. |
| Belt. | Brown leather Sam Brown with brass fittings. |
| Great coat. | Khaki serge |
| Jersey. | Grey woolen, “V” neck, full sleeves with pockets. |
| Socks. | Khaki cotton or woolen. |

**1207. Uniform for Warder and Drill Instructor.**---(1) The uniform of Warder and Drill Instructor shall be as under:

|  |  |
| --- | --- |
| Shirt. | Mazri cloth with turned down collar, two breast pockets with plain flaps fastening with gray plastic buttons, inscription “ Prisons” in brass across shoulder straps which will fasten at top with one button. |
| Trousers. | Slacks, khaki drill not turned up at the ends. |
| Cap. | One piece blue woolen beret cap super-imposed with a maroon cloth diamond 5 Cm X 5Cm with a floral brass badge with inscription “Prisons”. |
| Foot wear. | (i) Black Afghan leather Chappals; and  (ii)Black ammunition leather boots. |
| Socks. | Khaki woolen. |
| Waist belt. | Black leather 6.2 cm wide with brass clasp with the words “Prisons” and “Warder” embossed thereon to be worn over shirt. |
| Greatcoat. | Blue woolen. |
| Jersey. | Blue woolen full sleeves. |
| Baton. | 76 cm long cane sticks with 2.5 cm diameter with  23 cm black leather thong at upper end. |
| Whistle. | Fastened with a black leather and carried in right breast pocket |
| Rain coat Passban. | Rain coat of blue colour Passban on left arm. |

(2) Chappals may be worn in summer only. On parades boots will be worn. Sentry at the gate shall always wear boots.

(3) In prisons located in cold climate one flannel shirt and ones erge slacks shall also be issued to the Warder Guard. Inspector General shall determine the prisons where such uniform is to be issued.

(4) The uniform of a head warder shall be the same as that prescribed for Warders with the following addition

(5) Three chevrons on both sleeves above elbow.

(6) Belt to have the words “Head Warder” embarrassed on the clasp.

(7) The uniform of a Chief Warder shall be the same as for Head Warders with the difference that he will wear leather Black belt.

(8) Chevron shall consist of black braid on red ground.

(9) Ex-service personnel shall not be permitted to wear their old service badges and uniform.

(10) Drivers in prison shall also wear the uniform specified for warder and shall be issued to them officially.

**1208. Uniform of a Female Warder.**---The uniform of a Female Warder shall be as under:

|  |  |
| --- | --- |
| Dopatta. | Gray muslin 2.28 meter long with a maroon border 2½ cm. |
| Shalwar. | Mazri cloth. |
| Shirt. | Mazri cloth. |
| Footwear. | Black boots. |
| Greatcoat. | Khaki woolen with round collar. |
| Jersey. | Grey woolen, full sleeves “V” neck. |
| Socks. | Khaki woolen. |
| Belt. | As for Warder. |

**1209. Superintendent to provide own uniforms.**---(1) Members of the Executive Staff shall be entitled to uniform allowance on the following scale:

(a) Assistant Superintendent or Instructor and above shall be entitled on their appointment or promotion to an initial uniform allowance of rupees six thousand (Rs. 6000);

(b) Assistant Superintendent or Instructor and above shall be entitled to an allowance of rupees three thousand (Rs. 3000) per month which shall be a part of their monthly salary”; and

(c) uniform allowance shall also be admissible to those members of the Executive Staff who are performing duties in the Inspectorate General of Prisons either permanently or temporarily.

**1210. Free issue of uniform to Warders.**---Every member of Warder Establishment and drill Instructor shall be provided with uniform etc., free of cost according to their rank or grade. The articles so supplied and the period of renewal from the date of issue is shown below:

**Warders**

|  |  |  |
| --- | --- | --- |
| **Name of Articles.** | **No.** | **Years/**  **Months.** |
| Khaki drill slacks. | 01 | 06 months |
| Mazri shirt. | 01 | 06 months |
| Khaki woolen great coat. | 01 | 05 years |
| Gray woolen jersey. | 01 | 03 years |
| Khaki woolen beret cap. | 01 | 01 year |
| Woolen socks. | 2 pairs | 01 year |
| Chevron. | 01 | 02 years |
| Afghan chappals. | 01 | 01 year |
| Ammunition boots. | 01 | 02 years |
| Set of buttons, badges and letters. | 01 | 05 years |
| Belt. | 01 | 05 years |
| Rain coat. | 01 | 03 years |
| Whistle. | 01 | 01 year |
| Baton. | 01 | 02 years |
| Ammunition pouch. | 01 | 03 years |
| Rifle sling. | 01 | 03 years |
| Kit box. | 01 | 05 years |
| Charpoy. | 01 | 05 years |
| Polish tin. | 01 | 03 months |
| Shoe brush for polish. | 01 | 06 months |
| Passban. | 01 | 01 year |
| Mazri ban or Newar. | Ban- 06 kg  Nawar - 03 kg | 03 years |

**Female Warders**

|  |  |  |
| --- | --- | --- |
| Dopatta. | 01 | 06 months. |
| Shalwar. | 01 | 06 months. |
| Shirt. | 01 | 06 months. |
| Afghan chappals. | 01 | 01 year. |
| Woolen great coat. | 01 | 05 years. |
| Woolen jersey. | 01 | 03 years. |
| Woolen socks. | 2 Pairs | 01 year. |
| Belt. | 01 | 05 years. |
| Whistle. | 01 | 01 year. |
| Kit box. | 01 | 05 years. |
| Charpoy. | 01 | 05 years. |
| Polish tin. | 01 | 03 months. |
| Shoe brush for polish. | 01 | 06 months. |

**1211. Issue to temporary Warders.**---Every prison shall when necessary be supplied yearly with complete suits of uniform for the use of temporary Warders, according to season and requirements. Chappals shall however be provided for the use of those temporary Warders, whose appointment is likely to last for a year or more. Articles not in use shall be kept in the custody of the Assistant Superintendent, and time-expired or unserviceable articles of such uniforms shall not become the property of such warders. No temporary Warders shall be allowed to enter the prison unless he is properly dressed in uniform. Charpoys and kit boxes shall be issued. All the articles of uniform shall be issued to them subject to the condition that these articles are properly looked after by them.

**1212. Annual indent for uniforms.**---(1) All other Superintendents shall indent direct to the Superintendent Central Prison Peshawar for the supply of articles of uniform for the Warder establishment not later than the 15 February for summer uniforms and 15th of August for winter uniforms.

(2) Such Superintendents may indent for uniform for all the Watch and Ward staff.

(3) In the case of articles issued at longer intervals than a year, jerseys shall be requisitioned for not more than one-third and great coats one-fifth of the strength of the Warder Establishment.

(4) Uniforms shall be made in the following sizes and shall be ordered accordingly:



No. 1 for height 1.75 meter to 1.83 meter

No. 2 for height 1.70 meter to 1.71 meter.

(5) When received, they shall be distributed by the Assistant Superintendent who shall maintain a uniforms register, showing the date of receipt and issue of all articles.

(6) All articles of uniform shall be supplied by the Superintendent Central Prison Peshawar.

**1213. Marking of articles.**---(1) Every article of clothing shall, before issue be marked with the personal number of the Warder and the date of issue with one inch figure in the case of woolen articles and half inch figures for cotton articles as under:

Mazri shirt---on the inner side of neckband;

Slacks---On inside of the waistband;

Cap---on the inside jersey inner side of back; and

Great coat---inner side of back.

(2) Cotton articles shall be marked with undeletable ink and woolen ones with white paint.

**1214. Conditions under which free issue of uniforms, etc., is made.**---(1) Every article of uniform including chappals and boots, supplied free to any Warder, is Government property during the period for which it was issued and shall be duly accounted for during such period but shall be taken by the Warder wherever he may be transferred. Each such article becomes the property of the Warder to whom it was issued after the expiry of the prescribed period.

(2) Arms and accoutrements, such as bayonet frogs, ammunition pouches, kit boxes and charpoys shall not be taken by the Warder on transfer but shall remain at the prison. Any Warder losing or damaging any of these articles otherwise than by fair wear, shall be required to pay the cost of renewal or repair, as the case may be.

**1215. Kit Inspections.**---(1) A kit inspection shall be held by the Superintendent once a month, when every Warder shall be required to exhibit all the articles of uniform issued to him. Any article lost or damaged during the period for which it was issued, shall be replaced at the expense of person to whom it was issued, the value being recovered from his next pay, provided that not more than rupees five hundred shall be recovered in any one month.

(2) A few spare articles of clothing, buttons and badges etc., shall be kept at each prison for sale. Any article purchased to replace, lost or damaged shall be marked with the purchaser’s number and the date on which the last free issue of a similar article was made to him, it shall become his property when the period of issue of the article of which it as substitute, expires.

**1216. Adjustment of cost of uniform when a warder leaves service.**---(1) If a Warder is discharged, dismissed, resigns, retires or dies, before the expiry of the period for which any article of uniform is issued to him, it shall be received back and taken on stock by the Prison provided the article is not damaged by unfair use; It shall be issued to a temporary Warder or a Warder appointed in his place. If the article is lost or damaged by unfair use the unused value of such article shall be deducted from any payment due to him, and the article will then become the property of his heirs.

(2) The unused value of any article is that part of its total cost which corresponds with the time it has still to last as compared, with the period for which it was issued. In the calculation, less than fifteen (15) days shall be ignored and fifteen (15) days or more shall count as a full month.

(3) When the pay due to the credit of a Warder, does not cover the estimated value of the lost damaged articles of his uniform, the prison shall bear the loss.

**1217. Disposal of money recovered for uniforms.**---All moneys received from Warders under the provisions of the proceeding rule shall be credited to Government under head “XXII” Prisons and Convict Settlements, Prison Miscellaneous and the treasury receipts kept in record.

**1218. Issue of uniforms.**---Uniforms shall be issued to Warders on appointment. All subsequent issues shall be made when due. The date of issue of every article of uniform shall be recorded in the kit ticket, which shall accompany the service book of the Warder on transfers

**1219. ---[Deleted]**

**1220. Washing and repair of uniform.**---(1) Arrangements shall be made in every prison for washing Warders uniforms, a monthly deduction to meet the actual cost of material used, being made from each Warder. Woolen clothing shall be cleaned at Government expense. Prison labour may be utilized for washing, etc.

(2) Uniform damaged by fair wear and tear may be repaired by, prison labour free of cost.

**Chapter-49**

**Arms, Ammunition and Drill**

**1221. Prison Armoury.**---A special room near the main gate shall be set apart for storing the arms and ammunition. It shall be furnished, with suitable boxes, racks for the rifles and pegs, to hang accoutrements.

**1222. Management of Prison armory.**---The following steps shall be taken for the management of prison armoury:

(a) it, shall, at all times be kept scrupulously clean;

(b) a brush shall be kept for cleaning it;

(c) no unauthorized person shall at any time be admitted into it;

(d) it official directly incharge shall take care that it is well and securely locked;

(e) it shall not be open during or on the approach of a storm except in case of emergency.

(f) no naked lights or smoking shall, be allowed in it;

(g) boxes containing arms or ammunition shall not be thrown down or dragged along the floor;

(h) empty boxes or loose packing materials shall not be kept in it; and

(i) it is not to be used for storage of dynamite or any explosive, except ammunition.

**1223. Supply of arms and Ammunition.**---(1) Indents in quadruplicate for arms and ammunition, shall be submitted to the Inspector General for submission to Government through the Department not later than the March of each year. Fifty rounds of ammunition per Warder is sanctioned annually. Ammunition actually utilized and such as may have deteriorated and needs renewal shall be indented for.

(2) The ammunition for Deputy Superintendent and Assistant superintendent shall be indented for, on the scale allowed for Warder.

(3) Unserviceable ammunition and empty or cartridges cases shall be returned to the Inspectorate General at the time the annual indent is submitted.

(4) The ammunition shall only be issued by the Inspectorate General of Prisons in exchange for an equivalent number of empty fired cases of the same description, if such empty or cartridges recovered after firing.

**1224. Procedure for dispatch of consignments of ammunition.**---All consignments of empty cases shall be sent in sealed S.A. ammunition boxes, and packing notes filled up and signed by the Deputy Superintendent shall be deposited in the box. The packages shall be addressed directly to the Inspectorate General and shall be marked with the name of the consignor, the number and description of the fired cases and their weight.

**1225. Committee to investigate losses and condemn unserviceable arms or ammunition.**---(1) To maintain strict control and check over losses of arms and ammunition a committee of three officers to be appointed by the Inspector General, shall investigate case of loss of ammunition and arms. The Inspector General shall accept the finding of this committee.

(2) As the requisitions for ammunition are only complied with by the Inspector General on the prior receipt of an equivalent number of empty fired cases of the same description, if available, great care should be exercised for the custody of fired cartridges at the time of expending the ammunition.

**1226. Expenditure of ammunition.**---(1) In order to effect a regular turn over of the stock of ammunition, the issue of ammunition for expenditure shall be made in the following order:

(a) the contents of broken boxes viz. boxes the tin lining of which have been opened, and loose rounds;

(b) boxes of ammunition on which the words   
“Examine year” are enfaced on the label. This ammunition shall be used up in order of date of examination; and

(c) other ammunition, the oldest in stock to be used first.

(2) The period of complete turn over of ammunition has been fixed at not more than eight years.

**1227. Storage of Ammunition.**---The spare ammunition shall be kept in the ammunition pit in the armoury secured with two padlocks.

**1228. Annual musketry Course.**---(1) Every Deputy Superintendent, Senior Assistant Superintendent, Assistant Superintendent, Chief Warder, Head Warder and Warder shall be put through an annual musketry course in January and February of each year before the submission of annual indent for ammunition in March. Each prison shall submit the result of the annual musketry course to the Inspector General soon after its communication.

(2) There shall be target practices of 15 rounds for all uniform prison staff. The ammunition for this purpose shall be supplied from the prison Armoury.

(3) The following regarding the annual musketry course for uniform prisons staff shall be followed: -

**MUSKETRY COURSE FOR UNIFORM**

**PRISONS STAFF**

1. After a recruit has been practiced in the firing exercise and has mastered all details, he should be made to fire a few rounds to accustom him to the explosion of the charge and to give him steadiness before he commences his course with bullets at the target.

2. The course at the target for recruits and trained warders alike will consist of

5 rounds at 45 Metres---72 C.M Standing.

5 rounds at 68 Metres---58 C.M Knealing.

5 rounds at 91 Metres---44 C.M Lying.

3. The target shall be 1 M- 83 C.M x 1 M---21 C.M. made of coarse cloth stretched on an iron or wooden frame and white washed.

The other particulars are as follows:

|  |  |  |
| --- | --- | --- |
|  | **Dimensions** | **Value of hit** |
| Bull’s eye | 30.48 C.M in diameter | 4 points |
| Centre | 91.44 C.M in diameter | 3 points |
| Outer | Remainder of target | 2 points |

4. The Bull’s eye should be made of paper painted black, and pasted in the center of the target. The center should be indicated by a black circle.

5. Ricochets and misses should be recorded by zero.

6. For signaling purposes a dummy target shall be provided at the butts, with two discs at the end of bamboo rods. One disc to be painted white on one side and black on the other, and the second is to be painted red. In addition to the above two flags shall be provided, one red, and the other red and white. Shots shall be signaled as follow:

**Bulls eye.**---White disc to be placed on corresponding spot on dummy, face towards firing point.

**Centre.**---Red disc to be placed on corresponding spot on dummy, face towards firing point.

**Outer.**---Black disc to be placed on corresponding spot on dummy, face towards firing point.

**Ricochet.**---Red flag waved horizontally.

Miss Red and white flag to be held up and waved to and from.

7. There should always be two markers at the butts when class firing is going on one of them should not be below the rank of a Head Warder.

8. All practices at the range must be conducted in the presence of an officer not below the rank of Assistant Superintendent.

9. Before the firing commences, the officer superintending the practice shall satisfy himself that there are no bullet marks on the target and that it is otherwise in accordance with orders.

10. No shot must be fired at the range until the red flag on the stop-butt is hoisted and the “commence fire” has been given, either by bugle call or other means.

11. There should be danger flag at the marker’s butt, and at the firing point, and all firing shall cease when these flags have been hoisted. Whenever possible, a bugler should be on the range under the orders of the officer superintending the practice.

12. Warders shall be classed as follows, according to the number of points obtained for the 15 shots fired during the annual course:

|  |  |
| --- | --- |
| Marksman | 45 points and upwards. |
| Ist class shot | 35 and less than 45 |
| 2nd class shot | 25 and less than 35 |
| 3rd class shot | 20 and less than 25 |

13. Warders who do not obtain the required number of points necessary to admit them to the 3rd class should be put through a second course of musketry.

14. Marksman shall be given a badge consisting of crossed rifles, which shall be worn on the right sleeve below the elbow. Badge shall be worn only during the year succeeding that in which the Warder has qualified for it.

15. The annual course shall ordinarily be fired between 1st November and 31st December of each year, but it is discretionary with the Superintendent to order the commencement of the course on an earlier date.

16. The officer superintending the practice should remain with the firing party the whole time it is on the range. The Superintendent should also, as often as possible, attend and personally satisfy himself that the practices are properly and regularly conducted, and that the superintending officer and markers understand their duties.

**1229. Rifles to be numbered.**---(1) Every rifle shall be numbered and placed in the special charge of the Warder for whose use it is intended, who will be held responsible that such rifle with the bayonet and accoutrements entrusted to his care are always kept clean and in good serviceable condition.

(2) A list showing the number and name of each Warder, the number of his rifle, and the various, arms and accoutrements for which he is responsible shall be posted in the Armory.

**1230. Rifles to be kept in a special place-ammunition to be in readiness.**---Each rifle shall have a special place assigned to it in arms rack, and bearing the same number so that every Warder can find his own readily. The rifle when not in use shall be kept in its place and a packet of ammunition shall he kept near it in readiness. Spare ammunition shall be kept securely locked-up in the ammunition pit and the keys shall be kept by the Warder or Head Warder incharge armoury.

**1231. Inspection of arms and accoutrements.**--- All arms, accoutrements and ammunition shall be inspected daily by the head warder in charge of the armoury and weekly by Line Officer and Deputy Superintendent. It shall be checked by the Superintendent once in three months.

**1232. List of arms, etc to be sent to Inspector General.**---On the 1st December of each year a list of arms and accoutrements in stock with remarks as to their condition and the quantity of each kind in ammunition in store shall be submitted to the Inspector General for information.

**1233. Petty repairs of arms.**---All petty repairs to arms shall be carried out by the armourer attached to the Central Prison Peshawar, who will visit each prison once a year or oftener for this purpose. Arms requiring major repairs shall be sent to the District Police Headquarters.

**1234. Inspection of arms by Armourer.**---The Armourer of Central Prison Peshawar will inspect the arms and ammunition in possession of prison. The inspection will be carried out once every year.

**1235. Rifles not be taken inside the prison.**---Rifles shall not be ordinarily be taken inside the prison but in times of emergency or an alarm or for the purpose of security they may be brought inside under the orders of the Superintendent or the Deputy superintendent.

**1236. Drill and use of arms weekly parade.**---(1) Every Deputy Superintendent, Assistant Superintendent and Warder shall undergo a thorough, training in squad and company drill and in the use of the arms provided for them. They shall also be put through a musketry course once a year.

(2) Any Deputy Superintendent or Assistant Superintendent who has acquired a sound knowledge of drill and is qualified to drill the guard, shall be required to attend the Superintendent drill parade which shall ordinarily take place on working days. On these occasions the whole establishment is required to undergo training in drill, and available for the purpose, shall be inspected by and drilled in the presence of the Superintendent. Warders, who are proficient in drill, shall not, except as a punishment, be required to be present at drill parade more than three times a week.

(3) Subject to the provision of the following sub-rule and the exemption in the case of Head Warders, all Warders shall unless prevented by sickness or an absence on leave, be required to attend drill daily for half an hour either in the morning or evening except Sundays and Public Holidays.

(4) At the weekly inspection parade, the Superintendent should make a close examination of the arms, accoutrements, etc and satisfy himself that they are clean and in good order that the men are properly turned out, and clean in their persons and uniforms.

**1237. Instructions as to saluting superior officers.**---(1) The gate sentry shall present arms on the arrival at the prison of-

(a) the Inspector General;

(b) the Superintendent; and

(c) distinguished visitors.

(2) The gate sentry shall give butt-salute to the Medical Officer and Deputy Superintendent on their approach. He shall come to attention when a Senior Assistant Superintendent or Assistant Superintendent approaches.

(3) A Warder sitting shall when any of the above officer approaches rise and stand at attention.

(4) Before addressing an officer, a Warder shall halt two paces from him and salute with hand. He shall also salute when withdrawing.

**Chapter-50**

**Registers, Forms, Accounts And**

**Office Procedure**

**PART-1---Registers**

**1238. to 1239. ---[Deleted]**

**1240. List of registers.**---In addition to any registers which the inspector General may, at any time by executive order, require to be maintained in any prison or class of prisons the following registers shall be maintained prisons in so far as may be applicable, namely:

|  |  |
| --- | --- |
| **No. of Register.** | **Description of register.** |
| 1. | Admission register of male under trial prisoners. |
| 2. | Admission register of male convicted prisoners. |
| 3. | (i) Civil prisoners register;  (ii) Civil under-trial prisoner register; and  (iii) Civil convicted prisoner register. |
| 4. | Release diary of convicted prisoners. |
| 5. | Punishment register. |
| 6. | Transfer register of prisoners. |
| 7. | Condemned prisoners/Death sentence prisoners register. |
| 8. | Admission register of female under trial prisoners. |
| 9. | Admission register of female convicted prisoners. |
| 10. | Petty cases prisoners register. |
| 11. | Foreign prisoners register. |
| 12. | Deportation prisoners register. |
| 13. | Detenue prisoners register. |
| 14. | Property register of prisoners. |
| 15. | Barrack or party wise distribution of prisoners. |
| 16. | Interview register. |
| 17. | General lock-up register. |
| 18. | Lockout register. |
| 19. | Entry Exit register. |
| 20. | Entry Exit register chakkar and sectors. |
| 21. | Current prisoners register (CRP). |
| 22. | Prisoner Court Attendance register. |
| 23. | Berth Allotment register. |
| 24. | Duty Numberdar register. |
| 25. | Internal Barrack Change register. |
| 26. | Alphabetical register of prisoners. |
| 27. | Prison cashbook. |
| 28. | Register of contingencies. |
| 29. | Register of contingencies/stock register (miscellaneous items); |
| 30. | Register of contingencies (edible items register). |
| 31. | Register of C-Work. |
| 32. | Book of purchases. |
| 33. | Gate book. |
| 34. | Register of letters received. |
| 35. | Register of letters dispatched. |
| 36. | Visitors’ remarks book. |
| 37. | Superintendent’s order book. |
| 38. | Deputy Superintendent, Senior Assistant Superintendent and Assistant Superintendent’s report book. |
| 39. | Ammunition register. |
| 40. | Inventory of miscellaneous articles. |
| 41. | Garden register. |
| 42. | Night duty report book. |
| 43. | Warders’ uniform register. |
| 44. | Target practice register. |
| 45. | Warders day duty book. |
| 46. | Warders night duty book. |
| 47. | Daily diet requisition book. |
| 48. | Clothing and bedding register of prisoners. |
| 48. | Factory cashbook. |
| 50. | Factory contingent register. |
| 51. | Factory order book. |
| 52. | Register of raw material. |
| 53. | Factory process register. |
| 54. | Register of manufactured articles. |
| 55. | Daily sales register. |
| 56. | Labour distribution register. |
| 57. | Medical Officer’s report book. |
| 58. | Hospital admission register. |
| 59. | Medicines stock book. |
| 60. | Prison hospital out-door register. |
| 61. | Medico legal register. |
| 62. | Tree register. |
| 63. | Search and recovery register. |
| 64. | Contractor payment record register. |
| 65. | Purchase of uniform and prisoners articles register. |
| 66. | Stationery register. |
| 67. | Outside gang register. |

**1241. Forms of register.**---The forms of, and the particulars to be recorded several registers specified in the proceeding rule, shall from time to time be specified by the Inspector General:

Provided that every register use shall be maintained in its present form until the Inspector General shall supersede the same by a direction given under this rule.

**1242. Instructions for keeping registers.**---The following instructions for keeping the registers shall be carefully attended to:

**Registration No. 1, 8, 10, 11.**

**Admission register or under trial prisoners.**

Column 5: If Muslim, the caste, and if Christian or Hindu, the denomination or caste shall be entered.

Column 10: All property brought with the prisoners, from him afterwards, shall be here entered and the excess on his requirement and which is to be kept in shall be entered separately.

Column 11& 12:

Shall be filled in by the Senior Medical Officer. The prisoner shall be medically examined within 12 hours of their to the prison, as far as possible.

Column 13: A full personal description of the prisoner such as may be useful for his identification and identification mark shall be given in the column.

Column 14: Shall be filled in by the Senior Medical Officer.

**Registration No. 2, 7, 9, 12, 13.**

(1) **Admission registers of convicted prisoners.---**Age, labour, health, weight, protection and identification are to be filed in by or under the direction of the Senior Medical Officer or Medical Officer, as the case may be. The entries in the register shall be made within 12 hours admission of prisoner, as far as possible.

(2) **Previous occupation.**---The particulars shown shall be in accordance with the classification required in quarterly statement.

(3) **Previous conviction.**---All previous convictions, if established shall be entered in this column with the date, crime and sentence in each case.

(4) **Sentence.**---In cases in which a convicted prisoner is sentenced to two or more sentences under different warrants, the aggregate of the sentences shall be shown in the register and each sentence shall also be entered separately and in detail. On receipt of result of appeal it the sentence is reduced or the section of law under which he is convicted is altered, the amended sentence and said section shall be recorded in red ink after crossing out the original sentence and said section.

(5) **Date of release.---**If a convicted prisoner is sentenced to imprisonment in default of payment of fine, the dates of expiry of both the substantive sentence and the sentence in lieu of fine shall be shown. On payment of fine or receipt of notice of payment thereof, the latter date shall be scored out and initialed by the Assistant Superintendent if the fine is paid in part, an entry shall be made to show the amount paid and the consequent date of release.

(6) **Check date.**---The check date of every convicted prisoner with a sentence of four months or more shall be fixed immediately after admission to the prison.

(7) **Weight.**---Weight shall be recorded in Kgs., fractions of a lb. being ignored.

(8) **Property.**

(a) detail of all property of a prisoner taken from him or delivered with him on admission into Prison, or afterwards received on his account, shall be entered in this register in the columns provided for their purpose;

(b) when the property of a prisoner is recorded by an official and made over to another for custody, latter shall initial the entries in this register in token of its receipt;

(c) the page number of cash book in which the cash property of the prisoner is entered shall be noted below. The similar entry be made in this register in order to facilitate checking; and

(d) a receipt stamp shall be fixed to the receipt obtained from a prisoner on his release for his cash property if the payment exceeds Rs.1,000/-.

(9) The names of the civil prisoners and detenues shall also be recorded in this register.

**Register No. 3.**

**Admission Register of Civil Prisoners.**

This Register shall contain all the particulars as given for other prisoners.

**Register No. 4.**

**Release Diary of Convicted Prisoners.**

(1) This register shall be containing 366 pages. A page shall be set apart for every day of the year.

(2) On the conviction of a prisoner with a sentence of less than four months, his name shall be entered on the page allotted to the day on which he is to be released.

(3) If a prisoners is entitled to be released, before the expiry of his sentence on account of the award of special remission or reduction of sentence, a line shall be drawn through his name where it is entered on the date of the expiry of his sentence and.

(4) The names of civil prisoners and detenues shall be entered in the day on which they are to be release at the bottom of the page.

(5) On the fixation of final date of release of a prisoner his name shall be entered on the page allotted to the day on which this date of release has been fixed.

(6) When a prisoner is transferred or dies before the expiry of the sentence, his name shall be scored out under the date in which it is entered and a note made against his name in the remarks column.

(7) Cause of discharge such as on appeal, expiry of sentence, transfer, furnishing security, or under Chapter-8 shall be entered in the column provided for the purpose. If the prisoner is released under the Chapter-8, the amount of remission earned shall also be entered in this column.

**Register No. 5.**

**Punishment Register of prisoners.**

(1) Entries of sentences inflicted by a Court for offences committed in prison shall be entered in red ink, in order that they may be readily distinguished. At the end of each month, an abstract of offences and punishments according to the headings in monthly statement No. VI shall be prepared.

(2) When a prisoner is sentenced to change of labour, the Medical Officer certifies the prisoner undergo the punishment shall be obtained in appropriate column.

(3) When the prisoner punished is a Woman, letter “W” shall be written under her admission number in column 3.

(4) When an offence is committed it shall be brought on this register promptly, even if judgment has not been pronounced

**Register No. 6.**

**Transfer Register of prisoners.**

Column 6 Full detail of documents such as warrant, remission sheet, property sheet, etc., sent along with a prisoner on transfer shall be given in this column.

Column 7 Cash property of a prisoner sent along on transfer shall be entered in this column.

Column 8 Transfer charges, if any, such as diet money, conveyance allowance, etc., shall be entered in this column.

Column 11 Receipt of the Police escort shall be obtained in this column.

**Register No. 14.**

**Property Register of prisoners.**

All gold articles, Jewelry watches, foreign coins, bonds, shares and other valuable articles belonging prisoners shall be recorded in this register which shall remain in the custody of the Deputy Superintendent. While handing over articles to a prisoner at the time of his release, his receipt shall be obtained in the appropriate column.

**Register No. 15.**

(1) **Barrack or party wise distribution of prisoners.**---Serial number commencing from 1 shall be entered in the column of the day concerned against the name of each prisoner in a barrack or forming the party deputed for work. If for any reason any prisoner is not locked up in the barrack or is unable to accompany the party a cross mark shall be entered in place of a serial number.

(2) The names of prisoners subsequently added shall be entered after the last name on the register and the sequence of serial number shall be maintained in order to facilitate the counting of the Prisoners.

(3) The Warder locking up the barrack and the Assistant Superintendent in-charge shall sign the register daily after back up.

(4) In the case of out parties the gatekeeper shall obtain the signature of the warder at the bottom of the column of the day concerned and shall himself clearly record the number of prisoners forming the party.

**Register No. 16.**

**Interview Register.**

Full particulars, CNIC No. and address of the interviewer be recorded in this register by the official incharge of interviews.

**Registration No. 17.**

**General lock-up register.**

Against the side heading “name of sector or barrack” shall be entered circle No. I. II Women’s enclosure, Juvenile ward, etc., as the case may be and immediately under this entry the authorized accommodation of such ward shall be given. The number of prisoners actually confined in a circle or ward at any lock-up shall be given against the date.

**Registration No. 18.**

**Lockout Register.**

This register shall contain names of prisoners locked out at morning from each barrack.

**Registration No. 19.**

**Entry Exit Register (Main Gate).**

This register shall contain names, crime and parentage of all the categories of prisoners admitted into Jail and the name and parentage of these prisoners released or transferred and discharged from Jail.

**Registration No. 20.**

**Entry Exit Register Chakkar and Sectors.**

The same particulars shall be contained in this register for Chakkar Office and each sector as contained in the register No.19.

**Registration No. 21.**

**Current Prisoners Register (CRP).**

This register shall contain names, and crime of prisoners currently confined fin Jail.

**Registration No. 22.**

**Prisoner Court Attendance Register.**

This register shall contain names and parentage of prisoners alongwith the date on which they will be required to produce before Court.

**Registration No. 23.**

**Berth allotment register.**

This register will contain the S.No. and Sequence of merit in each barrack, on which a berth is to be allotted to prisoners.

**Registration No. 24.**

**Duty Numberdar register.**

This register shall contain the name, time and barrack No. of Numberdar in which a Numberdar is to perform his duties.

**Registration No. 25.**

**Internal Barrack Change register.**

This register shall contain name of prisoners and the barrack from which he has been changed alongwith the order and reasons of such change.

**Registration No. 26.**

**Alphabetical Register of prisoners.**

This register shall contain the names of prisoners in Alphabetical order either in English or Urdu.

**Registration No. 27.**

**Prison cash book.**

(1) In this register, shall be entered the receipt and disbursement of the money passing through the hands of the Deputy Superintendent except such as relate to the Factory’s section for which a separate register is provided.

(2) A fixed sum of money known as “permanent advance” is sanctioned for every prison. On the 1st April of each year the Audit office is to be furnished with a certificate that the full amount of the advance is in possession of, and to be accounted for, by the Superintendent. Petty payments shall be made by the Deputy Superintendent in cash from this advance. When the payment of large sums is necessary, the Superintendent shall draw upon the treasury by abstract bill, which he may after obtaining a proper receipt for the amount endorsed for payment to the person to whom the money is due, or the money may be received from the Treasury and paid in cash. No large sums shall be kept in hand for more than 24 hours, so that money shall not be draw until it is actually required for disbursement. There shall, therefore, seldom by a balance against the Prison, except the permanent advance, prisoner cash diet money of civil prisoners, Cash realized by sale of Government property (not manufactory) and possible petty refunds which, however, shall always be paid into the Treasury without unnecessary delay.

(3) A receipt shall be taken for all disbursements even for small sums. The receipts shall when possible, be in national or official provincial language and the payee shall state in words the amount received. Separate receipts for payments under factory and Maintenance Sections shall be taken. All receipts for sums over Rs.100/- must be stamped.

(4) Large sums shall, as far as possible, be paid in the presence of the Superintendent, but when this is not practicable witnesses, who shall attest the payment by affixing their signature to the receipt.

(5) All receipt for cash payment shall bear two series of numbers, firstly, a serial number for the month. The former shall be entered upon the receipt at the time it is given by the recipient of the money, the latter at the close of the month after the receipts have been arranged in the manner described in clause (3) above, the annual number shall be given on top, and the monthly number under neat, thus No. 1001. Receipt relating to prison maintenance and Prison manufactory, respectively, shall be given a separate and district series of annual and monthly numbers. Only the annual numbers shall be shown in the columns provided for the purpose in Register No.28 and 49. The serial numbers shall commence with the financial year vis., 1st July.

(6) Before signing the certificate printed on the bill, the Superintendent shall satisfy himself that all vouchers under Rs.1,000/- in amount have been cancelled and cannot be used again.

(7) A detail of the balance in hand shall be very minute and must give full information as to the items, which made up the balance under each of the heads. It shall be signed by the superintendent when prepared.

(8) Receipt shall not be utilized towards expenditure but shall be credited into Treasury at once. Money can be drawn from the Treasury as often as is required.

(9) Cash book shall be put up daily before the Superintendent who shall initial it in token of his having examined it.

(10) No advance shall be made to any from the permanent advance sanctioned for the prison.

(11) A formal receipt shall he issued for the money received in the prison in all cases except from the treasury.

(12) All receipt on account of diet money of civil prisoners shall be credited into the treasury at once.

(13) No loans shall be obtained from, any person or other head of account.

**Register No. 28.**

**Register of contingences.**

(1) When the permanent advance is running short and money is required from the Treasury the entries in this register shall be totaled and the total shown in red ink. If money is required in excess of the permanent advance for making purchases the amount so required shall he entered in this register and included in the abstract bill.

(2) Money may be drawn from the Treasury on abstract bills as often as may be necessary but, such drawings shall usually be limited to three or four in a month and drawings made between the 26th and the last day of the month shall be utilized solely, in paying for purchases actually made between the 26th of the previous month the 25th of the month to which the bill relates.

(3) Save as above provided, no money shall be drawn through the treasury between the 26th and the last day of the month payments for purchases made between those date shall be made from the permanent advance and accounted for in the succeeding month’s bill.

(4) Strict compliance with the two preceding clauses is necessary, with the objection of obtaining agreement between the monthly accounts of prisoner as kept in the office of the Inspector General and, the Audit Office.

(5) In the first abstract bill presented after the 1st of the month, shall be included the amount paid from the permanent advance between the 26th and the end of the previous, months

(6) When funds are needed, the Deputy Superintendent shall note in his report book the amount he requires under each head of expenditure. He shall present this entry to the Superintendent, who after satisfying himself that the sums included in it properly represent requirements shall sign or initial it.

(7) Such entry in the Deputy superintendent’s report book duly signed or initialed by the Superintendent will be authority for the official entrusted with the duty to prepare an abstract contingent bill for the amount therein set forth entering each sum under its appropriate head of expenditure, and thereafter writing the total of the bill in words as well as in figure. He shall see that the amount shown in the abstract bill corresponds with the total of this register.

(8) The Deputy Superintendent having satisfied himself that the bill has been drawn according to the items entered in his report shall endorse it, and present it before the superintendent for his signature.

(9) The Superintendent after comparing the items with the register will sign the abstract bill and at the same time initial such entries. He shall then hand over the abstract bill to the Deputy Superintendent who shall be held responsible for it.

(10) It will be the duty of Deputy Superintendent to count the cash actually received from the Treasury, to compare it with the entries in this register and to bring to the notice of the superintendent at once any discrepancy he may discover.

(11) No money shall be drawn from the Treasury until it is required for disbursement.

(12) The abstract bill form shall always be kept locked, in an almirah, the key of which is to be in charge of the head clerk.

(13) When the accounts for a month are closed, a memo shall be prepared in the register to show the total expenditure under each head of grant and budget allotment available.

**Register No. 29.**

**Book of purchase.**

(1) The same register will do for the maintenance and the factory section. The purchase order (indents on supplier) should be compiled in this book, columns 1 to 5 being written up at that time, and columns 7 to onwards being entered up from information when the goods and the invoice have been received. The order book shall be placed before the Superintendent and he will observe whether orders have been strictly complied with as to quantity quality and the date of delivery and from this information decide whether or not to continue dealing with firms and remark accordingly in the last column. The system of calling for tenders and selection by the Superintendent shall be continued. The account office shall particularly watch invoices, and see that the quantity billed for agrees with the quantity delivered.

(2) Stock, limits The limits of stocks to be carried shall be carried i.e., the minimum below which the stock of each kind of article shall not fall and thus interrupt manufacture and the maximum above which, for financial reasons, it would not be expedient to pass. Stocks would then be held at a safe level within these limits.

(3) Indents on supplier, when stocks are reaching the minimum limit, the storekeeper shall notify the accounts office, who will prepare an indent and put it up to the Superintendent for Signature. The indent will be duplicated by a double carbon paper, the original being dispatched to the supplier.

**Register No. 30.**

**Gate Book.**---(1)There shall be only one gate book with the Gatekeeper. This will record the particulars of all persons. Prisoners, visitors and articles or goods entering or leaving the prison. No column shall be left blank, if it is not acquired it must be scored out so that subsequent entries cannot be made in the book.

(2) For further instructions regarding the maintenance book see-rules 1038 and 1039.

**Registration No. 31 & 32.**

**Letters received and dispatched.**---(1) All letters received shall be entered in a single consecutive series in register No. 17 and all letters dispatched shall, in like manner, be entered in register No. 18. The series shall be conterminous with the calendar year.

(2) An account in the service stamps purchased and expended shall be kept in the column of stamps account. The balance shall be struck daily.

(3) When a letter has been filed after information, the fact shall be noted in column of Register No. 17.

(4) All correspondence shall be arranged in the correspondence almirah (each year’s separately) according to the subject. The classification of subjects shall ordinarily be as follows, but may be modified by the Superintendent to suit the requirements of his office. A table showing the classification adopted shall be pasted on the inside of the front covers of register No 17,-

(a) accidents, assaults or outbreaks;

(b) accoutrements, arms uniforms, ammunition and indent therefore, alarm parades and military training;

(c) admission and release of prisoners, including correspondence relating to warrants, fines, remission of sentence and the release of prisoners on account of sickness;

(d) annual reports and returns;

(e) appeals;

(f) bills and accounts, general maintenance and manufactory, including budget;

(g) civil prisoners;

(h) classification and separation of classes including correspondence about habituals and previous convictions;

(i) convict Officers, clerks and servants;

(j) discipline, offences and punishments of prisoner’s rules and orders;

(k) epidemics and outbreaks of infectious diseases, camping out;

(l) escapes and recaptures, guarding, watch and ward;

(m) establishment, appointment, offences and punishments of prison officers security bonds, leave and transfer of officers, pay traveling allowances;

(n) executions and correspondence connected therewith.

(o) garden and dairy;

(p) general registers and returns;

(q) indents for clothing, bedding stationery forms and other supplies;

(r) labor and employments of prisoners;

(s) mental Patients (criminal and non-criminal);

(t) prisoners property and petitions;

(u) public Works, original works, additions, alterations and repairs;

(v) sickness and mortality and matters connected with sanitation conservancy, or medical administration;

(w) storage of grain and the purchase of supplies;

(x) transfers of prisoners, including over crowding, escort and railway passes;

(y) visitors, remarks and inspection; and

(z) miscellaneous.

(5) The latter on each subject shall be placed between protecting paper covers or file boards and held in position with a tags or lace and arranged in order of date. These files shall then be grouped together to form collective files according to the classification adopted, and in each collection the separate files of correspondence shall be serially numbered and the years and subject matter of the contents so prescribed on each. The file number shall shown in column No. 7 of Register No. 17 and column No.5 of Register No 18 respectively against entries made therein. When not in use the filed shall be arranged in serial order on a shelf in the corresponding almirah.

(6) No file shall, except when in use, be kept at any place outside the almirah. When more than one officer has access to the file almirah each file shall, when being taken front its place, be substituted by a slip of paper with the signature of the other who removed it, who shall be held responsible for its safety till it is again restored to its place.

(7) The Superintendent shall himself open all letter and thereafter pass on them with any instructions he may wish to give so the receipt for entry in the receipt register and disposal.

**Register No. 33.**

**Visitors Remarks Book.**

The Register shall be kept in the prison gate and put up before official and no official visitors and other important visitors for their signatures.

**Register No. 34 & 35.**

**Superintendent’s order book and Deputy Superintendent, Senior Assistant Superintendent and Assistant Superintendent.**

Superintendent’s report book.

For instructions see rules 842 and 904.

**Register No. 36.**

**Ammunition register.**

It shall be written like a ledger and account shall be opened for, every item or a separate page the name of ammunition of being mentioned on top. This register must be written, and maintained by the Assistant Superintendent himself and shall be put up before the Superintendent once a month for checking of ammunition.

**Register No. 37.**

**Inventory of miscellaneous articles.**

It shall written only once in the beginning of the year. Three or four lines shall be left between each item to have enough space for entering subsequent purchases or condemnations during the year.

**Register No. 38.**

**Register of garden.**---(1) Each plot in the garden shall be allotted a distinct number that shall be clearly exhibited on the spot by means, of small pillar or, post.

(2) The area of each plot shall be shown in the register in acres.

(3) The actual amount, of produce from a plot either sent, for storage to the god-own or issued prisoners shall be shown in this register. Such as grain, straw, fruit, vegetables, etc. The yield per acre should be worked out and, entered in the register.

(4) A note signed by the Superintendent shall be entered in the register dwelling on any special feature of the crop whenever necessary

(5) The signature of the official in charge of the godown shall be recorded against the entry of all articles sent for storage to the godown.

(6) When a plot is allow to lit fallow the reason shall be recorded in the register under the signature of the Superintendent.

(7) An account, of all trees on prison land shall also be maintained in this register.

**Register No. 39.**

**Night Duty Report Book.---**(1) This book shall remain in the custody of the Assistant Superintendent during the day and in the custody of the Searcher (Talashi Gate) during the night. The Assistant Superintendent shall put up this book before the Deputy Superintendent and the Superintendent every day.

(2) The officer visiting the prison at night shall record his observations in the book before leaving the prison.

**Register No. 40.**

**Warders’ Uniform Register.**

This register shall be maintained at all prisons. The Assistant Superintendent shall be responsible for the receipt and issue of articles and for an accurate account of the same being kept in the register. Each article before issue shall be marked according to the orders in rule 1085.

**Register No. 41.**

**Target Practice Register.**

The result of the annual musketry course of officer and the warder guard shall be maintained in this register by the Lines officer.

**Register No. 42 & 43.**

**Warders Day and Night Duty Book.**---(1) Any alterations made in the duties of Warders shall be attested by the Assistant Deputy Superintendent.

(2) Warder shall affix their signatures or thumb impressions against their names just before they go on duty.

(3) Names of temporary Warders shall also be shown in this register with the duty assigned to them.

(4) Names of Warders on leave or on the sick list etc., shall be shown at the bottom.

**Register No. 44.**

**Daily diet requisition book.**

Requirements of articles if the Assistant Superintendent and the Medical Officer daily shall indent for diet or prisoner and patients in hospital

**Register No. 45.**

**Clothing and bedding register of prisoners.**

This register is primarily intended to show the balance of clothing etc. in the godown on any particular day. Two pages are allotted to a month. On the left hand side all clothing received from any source such as manufacturing prisons, released prisoners, etc., is to be entered in the proper columns under new and old. Similarly on the right hand side clothing issued to newly admitted prisoners etc., shall be shown daily according to its condition whether new or old. The names of each kind of articles shall be entered on top of the page in separate column. Balance shall be struck off at the end of the month, which represents the Contents of the godown on the last day of the month. With a view to compare the contents of the godown with quantities of clothing in the indent, the number clothing with prisoners shall be entered at close of the month at the bottom of the register and the total of the balance and the number with prisoners shall agree with, the indent minus the clothing condemned. A separate register shall be, maintained by the Assistant Medical Officer for hospital clothing.

**Register No. 46.**

**Factory Cash Book.**

(1) All moneys relating to the factory and factory establishment shall be entered in this register on the left if received, and on the right if disbursed. Instructions operating to register No. 13 apply to this register also.

(2) For information, on as to whether the amount received is drawn on an abstract bill or is the sale proceeds of articles sold; or recoveries made to meet the retrenchment from the factory bill shall be given in column of particulars, on receipt side amount received in advance shall be entered in red ink or underlined with red ink and distinctly marked as advance for an article.

(3) Number of the receipt issued for the money received from any person shall be entered in case money drawn on abstract bill, the number and date of Deputy Superintendents report in his report book applying for the sanction of the Superintendent to draw the money from the treasury shall be noted. A receipt shall be issued for each and every amount received by the prison on the sale of an article or on the recovery on any account no matter whether remitter wants it or not.

(4) In the column of particulars on expenditure side shall be stated whether the payments made are for purchases of material, toots, etc., or sale-proceeds paid into the treasury.

(5) Monthly number of the payee’s receipts obtained for the items paid or number of the vouchers under which the money is credited into the treasury shall be entered in the appropriate column.

(6) The balances in this register shall be worked out daily and details in red ink given at the close of each day’s transaction thus

Payable into treasury Rs. \_\_\_\_\_\_\_\_\_\_\_\_\_

Available for expenditure Rs. \_\_\_\_\_\_\_\_\_\_

(7) Sale proceeds of goods shall be deposited into the treasury as frequently as possible and shall not be utilized for any other purpose.

(8) The balance of cash in hand shall be compared with the balance shown in the cash book and if found correct the Deputy Superintendent shall initial the latter and present it to the Superintendent who shall initial it in token of his having done so

**Register No. 47.**

**Factory Contingent register.**---(1) Instructions prescribed for keeping register No. 14 fully and wholly apply to this register also

(2) On closing the cash account for a month, a memo shall be prepared to show the progressive total of expenditure up-to-date.

(3) From this total all supplies made to the maintenance of on and other prisons shall be deducted and those received from Departments of Government other than prisons be added.

(4) At the same time another memo shall be prepared to show the detail of expenditure under different heath of manufacture earned out in the prison, and the progressive’ total of cash profits.

**Register No. 48.**

**Factory Order Book.**---(1) Orders shall be entered in this register at the time of their receipt.

(2) The Superintendent shall examine it at intervals to satisfy himself that no delay occurs in the execution of orders, and that such orders are carried out as far as possible according to priority of receipt.

(3) All orders including those which are complied with and settled immediately, must be entered in this register.

**Register No. 49.**

**Register of raw materials.**---(1) All articles of every description for the factory, whether paid or not shall, as soon as received, be entered on the receipt side of this register.

(2) All articles issued shall be entered at the time that issue is made

(3) The entries on the issue side shall also include the loss of stock by accident or theft.

(4) The accounts for each month shall be closed with a double red ink line drawn across the page under the last entry for the month

(5) Articles supplied for the prison maintenance section or to other prison maintenance or factory departments shall be entered in red ink.

(6) Each article shall be given a folio page. The entries shall be taken from Register No. 37 and arranged under their appropriate heads. Column of value on the receipt side shall be filled in from Register No. 37 and when available.

(7) Incidental charges, such as Railway freight, coolie hire, cartage, etc., shall be entered under the article to which they appertain.

(8) All charges shall, as far as possible, be classified and entered under the article to, which they appertain. Charges for which classification is impossible shall entered under head “Miscellaneous”

(9) Value of articles issued from stock may be entered once a month for the total quantity issued under each head if found convenient and possible.

**Register No. 50.**

**Factory Process Register.**---(1) A separate register for each industry shall be kept in the industries is on a large scale. If the industries are not on large scale, a few pages for each industry shall be set apart. An index shall be given in the beginning of the register.

(2) All raw materials as soon as received from god-owns shall be entered in the column provided

(3) When goods are manufactured and sent to store, they shall be noted in the appropriate column with articles of raw material consumed and the loss. The actual loss and not the average shall be entered, and in no case shall the former exceed that sanctioned for each manufactured article, in articles made up from cotton yard on which stench is used, an allowance for the latter is to be given and noted separately.

(4) Any correction shall be attested by the Superintendent himself.

(5) At the close of each month the total of raw materials received and the raw materials with losses actually consumed if the process of manufacture shall be given and the balances struck.

(6) At the end of each month the Accountant, the Factory Officer and the Deputy Superintendent shall certify that articles finished and stored correspond with register No. 41 and the balances shown in this register agree with the actual balances in the process of manufactured.

(7) This register shall be maintained independently by the Factory Officer and not by the storekeeper in charge at the god-owns of raw materials and manufactured goods.

(8) The Superintendent shall, at least once a month, personally satisfy himself that this register is correctly kept up, that the balances shown correspond with the actual stock in process of manufacture, that the loss is actual and not according to the scale, and that it is not in access of the scale laid down, by these rules.

(9) All articles issued from stores shall be entered in this register, no matter whether they remain in process of manufacture till next day or not.

(10) All miscellaneous articles which are consumed in manufactures shall also be entered in this register under their appropriate heads

(11) This register is very important and shall be filled in and kept up very carefully. The Deputy Superintendent shall check it frequently.

**Register No. 51.**

**Register of manufactured articles.**---(1) A few pages should be allotted to each article of manufactured according to requirements. All receipts shall be entered on the left hand and all sales whether cash or credit, as well as articles supplied to the maintenance or factory sections of any prison, or consumed in the process of manufacture, on the right hand side.

(2) In the event of articles being lost, or destroyed, a note of the circumstances should be made in this register under the initial of the Superintendent.

**Register No. 52.**

**Daily Sales Register.**---This register will record cash sales and also sales on credit which will be compiled from bills, the persons or departments to whom the goods were sold being noted in column 3. The total of the bill in column 9 and the analysis will agree with the total in column 6. Sales should be analyzed under, different heads in each prison according to what is made or manufacture there, e.g., furniture, textile products, iron mongery, oil soap products, etc. This register shall be totaled monthly

**Register No. 53.**

**Labor Distribution Register.**---(1) Prisoners shall be shown as exempt from labour on the days they are admitted and released respectively.

(2) When making tip averages, Sundays and other days, on which prisoners are exempt from labor, shall be excluded and these days left blank.

(3) Non labouring convicted prisoners who work voluntarily shall be included with prisoners sentenced to labour in the details of distribution of work, and a note of the number so included with the nature of the work done, made at the bottom of the page, to explain the difference between the total of the distribution List and the number of prisoners sentenced to labour.

(4) Members of the convalescent party employed on light labor should be shown as employed under columns allotted to the particular work on which they are engaged, and not included in the column “unemployed”, sub-column “infirm party”, which is intended for convalescents who are not required to work.

**Register No. 54.**

**Medical Officer’s Report Book.**

This register shall be maintained as a record of daily events pertaining to health and welfare of prisoners by the Senior Medical Officer or Medical Officer, as the case may be.

**Register No. 55.**

**Hospital Admission Register.**---To be kept by the Medical Officer, under his direction. The various entries shall be made as soon as the information required is available.

Column 7 The nomenclature of disease shall be adhered to in filling in this column.

**Register No. 56.**

**Medicines Stock Register.**

This register shall be maintained and kept in the custody of Junior Medical Officer. The Senior Medical Officer shall check the seal of medicines at least once a month.

**Register No. 57.**

**Prison Hospital Outdoor Register.**

The name of every prisoner or prison official attending the hospital or who in attended to by the Assistant Medical Officer in the cells, barracks, factory, etc., shall be recorded in this register.

**Register No. 58.**

**Medico Legal Register.**---(1) Reports of all injuries received by a prisoner in prison either as a result of accident or fight, shall be entered in this register.

(2) Unexplained injuries on the person of a prisoner at the time of admission shall also be recorded in this register.

**Register No. 59.**

**Tree Register.**---This Register shall contained full particulars, S. No. and total number of trees in prison.

**Register No. 60.**

**Search and Recovery Register.**

This register shall contain the names of prisoners from whom a prohibited articles has been recovered alongwith the date and time, barrack and the name of official who recovered such article.

**Register No. 61.**

**Contractor Payment Record Register.**

This register shall contain the name of contractor cheque No. and the amount paid to him alongwith the date and signature of the contractor and the paying officer alongwith signature of witnesses.

**Register No. 62.**

**Purchase of Uniform and Prisoners Articles Register.**

This register shall be maintained at Central Prison Peshawar or any other prison which shall purchase the uniform articles and prisoners clothing / bedding in bulk for the Jails of the Province. This register shall contain the detail of articles supplied and to be dispatched to other Jails of the Province.

**PART---II**

**Returns, Bills, Forms,**

**Statements Etc.**

**1243. List of returns etc., to be furnished.**---The bills, returns, reports and statements etc., to be furnished by the Superintendent, are as follows:

**(A) Periodical:**

**Monthly**

|  |  |  |  |
| --- | --- | --- | --- |
| **Number of Form.** | **Description of bill,**  **return etc.** | **To whom to be submitted.** | **Date on which due.** |
| 1 | Monthly population statement. | Inspector General. | 5th of every month. |
| 2 | List of un convicted prisoners (other than sessions) detained for more than two months. | District and Sessions Judge. | 1st of every month. |
| 64 | List of payee’s receipt. | Inspector General. | 8th of succeeding month. |
| 68 | Statement of detail expenditure. | Ditto. | Ditto. |
| 98 | Factory detailed contingent bill. | Ditto. | Ditto. |
| 99 | General bill of prison supplies. | Ditto. | Ditto. |
| 100 | General bill of articles supplies to other Government Offices. | Accountant General. | 3rd of each month. |

**Quarterly**

|  |  |  |  |
| --- | --- | --- | --- |
| **Number of Form.** | **Description of bill,**  **return etc.** | **To whom to be submitted.** | **Date on which due.** |
| 102 | Outstanding list due to the prison factory | Ditto. | 8th of month succeeding the quarter. |

**Yearly**

|  |  |  |  |
| --- | --- | --- | --- |
| **Number of Form.** | **Description of bill,**  **return etc.** | **To whom to be submitted.** | **Date on which due.** |
| 13 | Statement No X- Escape and recapture. | Ditto. | Ditto. |
| OF 88-90 | Performance Evaluation Reports of upper subordinates. | Superintendent Head warder Prison Peshawar. | 10th January. |
| 95 | Indent for prison clothing. | Ditto. | 1st October. |
| 70 | Annual indent for Registers and forms. | Stationery Department. | 1st August. |
| 72 | Statement of amount credited into treasury. | Ditto. | 20th January. |
| 103 | Factory financial statement. | Inspector General. | 20th January. |
| 73 | Financial statement of prison expenditure. | Ditto. | Ditto. |
| 96 | Tent statement. | Ditto. | 15th April. |
| P.A.F.Z. 2096 | Receipt and delivery vouchers for arms and ammunitions. | Inspector General of Prisons. | --------- |
| P.A.F.Z.2091 | Requisition for Arms and Ammunitions. | Inspector General. | 15th March. |
| C.A.C 3 and 4 | List of establishment standing on the 1st of April. | Audit office. | 1st May. |
| B.M.I | Budget Estimate (Income). | Inspector General. | 1st October. |
| W.F.35 | Annual Indent for Universal forms. | Ditto. | 1st March. |
| Stereo A and T 328 | Indent for Account and Treasury Forms. | Stationery Department. | 1st September. |
| I | Indent for stationery. | Stationery Department. | 1st September. |
| MSD 134, 135 | Indent for medicines in quadruplicate. | Inspector General. | 20th January. |

**(B) Detail Description Of Forms:**

|  |  |
| --- | --- |
| **No. Of Form.** | **Description of Forms.** |
| 18. | Lock up report to Superintendent. |
| 20. | Acknowledgement of prisoner. |
| 21. | Receipt form. |
| 22. | Challan form. |
| 23. | Transfer roll of prisoners. |
| 24. | Indent on suppliers. |
| 25. | Indent form. |
| 26. | Requisition for police escort. |
| 27. | Intimation regarding transfer of prisoners. |
| 30. | Roll of prisoners punished, requiring confirmation by the Inspector General. |
| 31. | Death case slip. |
| 32. | Death case envelope. |
| 33. | Docket forwarding petition for mercy from condemned prisoners. |
| 34. | Acknowledgement of Government’s orders on the petition of mercy of condemned prisoners. |
| 35. | Docket to Deputy Commissioner regarding last interviews. |
| 36. | Docket to District Sessions Judge for a first class Magistrate. |
| 37. | Docket to District Sessions Judge not to detail the Magistrate. |
| 38. | Execution Certificate. |
| 39. | Under trial ticket. |
| 40. | Convicted prisoner history ticket 1st leaf Convicted prisoner history ticket 2nd leaf. |
| 41. | Convict history ticket cover. |
| 42. | Civil prisoner’s ticket. |
| 43. | Cell ticket. |
| 44. | Condemned prisoner’s cell ticket. |
| 45. | Gate pass. |
| 46. | Return to Stores. |
| 47. | Medical history sheet of criminal lunatics. |
| 48. | Fitness certificate for transfer to mental hospital. |
| 49. | Remission card. |
| 50. | Escape report. |
| 51. | Recapture report. |
| 52. | Docket to Deputy Commissioner remitting fine. |
| 53. | Objection on warrants. |
| 54. | Form for grounds of appeal. |
| 55. | Reminder for copy of judgment / result of appeal. |
| 56. | Docket intimating to Court regarding transfer of prisoners prior to decision of appeal. |
| 57. | Release certificate. |
| 58. | Statement of prisoners to be conditionally released. |
| 59. | Statement of prisoners to be released on medical grounds. |
| 60. | List of prisoners notifying their intended place of residence after release. |
| 61. | Commutation roll /Fourteen years roll. |
| 62. | Label for prisoner’s private clothing. |
| 63. | Warrant cover and list prisoner’s private property. |
| 64. | List of payees, receipt. |
| 65. | Statement of railway warrants. |
| 68. | Statement of detailed expenditure. |
| 69. | Abstract bill for contingent charges. |
| 70. | Annual indent for registers and forms. |
| 71. | Form for copy of remarks of visitors. |
| 72. | Statement of amount credited in treasury. |
| 73. | Financial statement of prison expenditure. |
| 74. | Charge report. |
| 75. | Stock Note form (goods manufactured and sent to Stores). |
| 76. | Note book. |
| 77. | Supplier’s invoice. |
| 78. | Invoice form. |
| 81. | Record of enquiry against upper subordinates. |
| 82. | Record of enquiry against warders. |
| 83. | Warders service sheet. |
| 85. | Casual leave account. |
| 86. | Kit sheet of warders. |
| 87. | 1. Verification roll of warder medical examination.  2. Verification from Police. |
| 88. | Acknowledgement of warders having read the section 54 of Prisons Act IX of 1894. |
| 89. | Docket to Inspector General for extra warders. |
| 90. | Leave application for upper subordinates. |
| 91. | Descriptive roll of warders dismissed. |
| 92. | Indent for prison clothing. |
| 93. | Tent statement. |
| 94. | Factory detailed contingent bill. Miscellaneous detailed contingent bill. |
| 95. | General bill, of prison supplies. Detailed contingent bill. |
| 96. | General bill of articles supplied to other Government Departments. |
| 97. | Abstract bill for factory. |
| 98. | Outstanding list due to the prison factory. |
| 99. | Factory financial statement. |
| 100. | Daily task sheet. |
| 101. | Factory order form. |
| 102. | Acknowledgement of factory orders. |
| 103. | Reminder for outstanding bills. |
| 104. | Intimation regarding supply of articles. |
| 105. | Sale bill. |
| 106. | Sale Indent. |
| 107. | Tool list. |
| 108. | Temperature chart. |
| 109. | Bed head ticket. |
| 110. | Temperature chart and case sheet. |
| 111. | Prison hospital outpatient ticket. |
| 112. | Daily cholera report. |
| Stereo A & T 306. | Abstract bill for contract contingent charges. |
| Stereo A & T 309. | Abstract bill audited contingencies. |
| Stereo A & T 314. | Bill for Service postage. |
| Stereo A & T 289. | Last pay certificate. |
| P.A.F.Z 2098. | Application for repair of arms. |
| I (a) | Emergent indent for Stationery. |
| Stereo A & T 301. | Health certificate. |
|  | **Note.**---In this paragraph all forms, which bear number, only are prisons forms. The other are adopted from various sources, the abbreviations being as follows |
|  | U.F = Universal Forms.  A & T = Account and Treasury.  MSD = Medical Store Department.  B.M = Budget Manual  C.A.C = Civil Account Code |

**PART-III**

**1244. Classification of Expenditure.**---The following classification of Prison expenditure has been prescribed by Government:

**SCHEDULE SHOWING ITEMS OF PRISON EXPENDITURE CLASSIFIED ACCORDING TO THE CLASSIFICATION ADOPTED IN THE REVISED FINANCIAL STATEMENT No. 73**

|  |  |  |
| --- | --- | --- |
|  | | |
| **Main heads adopted by the Finance Department Establishment Dietary purposes Charges.** | **Sub-heads required for administrative.** | **Classification of items**  **Cells for no remark. This sub-head should include cost of provisions and fuel.** |
|  | Dietary Charges. | This sub-head should include all the dietary charges of prisoners and ordinary recurring expenditure on such items as earthen pots and plates leaves for plates, jars for pickle, sacks for grain baskets, tinning cooking utensils, repairing grind stones or any culinary utensils or receptacles for provisions, diet of children in prison with their mothers, fish fry for stocking prison tanks, articles for fishing or expenses in getting fish from prison tanks, cargage of provisions to the prison; also the cost of metal pots and plates and wooden platters, and paddy mills and dhenkis if these articles are not likely last for three years, but if they are, the cost should included in column 13 B (Dietary dead stock). |
| C. Garden or  Agricultural expenses. | This sub-head should include ordinary expenses recurring expenditure on such items as seeds, manure, country plough, mots and ropes for irrigation, garden baskets, or bamboos or cane for making them tokas or sun hats, nets for fruit tees, kudalis or phaoras (shoes), and dots or knives not likely to last three years. Purchase tractor with allied accessories and ploughing charges and spray charges. |
| D. Proportion of daily Expenses. | The working expenses of the dairy should be divided between this head and “hospital charges” in the proportion in which the produce of the dairy is used for the general dieting of the prisoners, or for sick and the infirm. Such items as fodder straw medicines, fuel, rope, bamboos attendants (if not on the regular establishment) should be included here, but not expenditure for livestock, plant or appliances likely to last for three years or upwards. |
| Hospital charges. | A. Sick diet and extras  for patients. | This sub head is for food and fuels only. This shall be drawn from dietary head. |
| B. Cost of extras or special diet, etc for prisoners who are in weak health but who are not in hospital. | This includes extra special diet for patients. For example milk. This shall be drawn dietary head. |
|  | C. Medicines and  Hospital equipment. | This sub-head will show the cost of medicines, X-ray films, ECG machine, ECG roll, material for Laboratories, Dental Chair, tools and any other item required for hospital or patient admitted therein whether purchase locally or supplied by the firms or suppliers also of run procured for the sick. Prison Hospital or ward, as the case may be, equipment will include such articles as hospital pillows, bedding and clothing splints, hospital bedpans and urinals (if not coming under the definition of extra ordinary expenditure, expenses for repairing such articles, cloth for bandages sajji Matt or soap and hospital beds for hospital use, etc. |
| D. Hospital dead stock. | To include cost of iron beds, covered iron pans, iron urinals or metal bed pans, exercta desicoators, weight machine and similar lasting appliance. |
| Clothing and Bedding of prisoners. |  | Not only the cost of new clothing and bedding but all charges for repair needles, thread, cloth etc. should be included under this head. The cost of new bed sheets wood or iron should be included under “extra ordinary expenditure” Miscellaneous, column 13 (j). |
| Sanitation charges. | A. Conservancy  washing and purifying. | Under this sub-head should be include all Municipal charges for special conservancy work done, expenditure for brooms, tar or pitch privy and dry earth, baskets and bamboos, for making such baskets; rope for mehtars or jute for making it, kundal is or hoes for conservancy, soap or washing soda (for washing prisoners clothes, shall lime for white washing (If not treated as a public work charges); earthen pots and vessels for conservancy; repairing conservancy utensils, carts, etc, Cargage of river mud for mud washing; disinfectants, sulphur for umigations and other conservancy items not coming under the definition of extraordinary expenditure. |
| B. Charges for water supply. | Water tax or rate paid to a municipality supply will be an exception to the rule that municipal charges shall be included under the head of “contingencies”. It should be included here (unless no service is rendered for it). Likewise such charges as ropes for drawing water for service of the prison: maskhas, mats and other appliances for the purpose, glasses for examination of water and expenses in connection with water analysis repair of umps, pipes, reservoirs or tanks, water receptacles. Cards or other appliances for distributing water, and renewal of parts, coal or firewood for boiling drinking water: “extraordinary expenditure” being excluded. |
| C. Extraordinary  Charges. | The Sub-head should contain the cost of cholera camps and other measures taken in emergencies to preserve health. Cholera camp charges will include cost of temporary shelter, bamboos, strings mats, straw for bedding, carriage of water, material for sick prisoners, and other charges strictly due to camping out the prisoners. The cost of extra guard will be included under this head, but not those deputed from the ordinary establishment. |
| Transportation  charges. | Transportation  charges. | Only charges connected with the dispatch of convicts from their provinces for deportations to destination, should be included in this column not charges for maintenance clothing etc., whilst detained in the provinces awaiting deportation, or transfer charges, for removal to the collecting Central Prison of the Province. Such items as railway fare and carriage, subsistence on the journey, cost of clothing, blankets, bedding, fetter, handcuffs and hand rings sent away with the prisoners were come under this heading. |
| Other contingencies. | A. Lighting. | This head should include such items as gas is used and (this rate will also be an exception to the rule that Municipal rate shall be charged to  contingencies. If the gas works are under a municipality), kerosene and other lamp oil, wicks, renewal of lamp glasses, repairing gas pipes, lamps “Extraordinary charges” are to be excluded. |
| B. Disciplinary  Charges. | This head should include such items as materials for repairing neck rings, anklen rings, wrist ring or iron for rivets; smithy coal, neck tickets, leather or canvass for gaiters; canes for flogging, bhels not for marking cloths, etc., combs for females; shaving or hair cutting charges, repairing locks and keys, “Extra ordinary charges” excluded. |
| C. Uniform and  equipment of warders. | This head should include such items as uniform, shoes, great coats, umbrellas for warders, ammunition (when paid for) repairs to arms, accoutrements or uniforms; oil for arms “Extraordinary charges” for new arms, accoutrements, arm racks, etc., are to be excluded. |
| D. Money payments as  rewards for recapture  and services. | This head should include such items as rewards for recapturing prisoners and service gratuities to prisoners for good conduct or extra work; allowances to monitors; allowances to recovered lunatics; rewards for meritorious service. |
| E. Execution. Charges. | This head should include such items (if paid by the Prison Dept. as the cost of temporary gibbets, execution ropes, cap, pay of executions and doms, cremation or burial. Expenditure for permanent plant should be included under “Extraordinary Charges”, Miscellaneous, column 13(j). |
| F. Other Miscellaneous  services and supplies. | This head should include such items as oil for  function for females aged and infirm, coolie hires, carriage and freight packing, books, Pamphlets and slates for education, brass wire netting (Unless required for the garden), dyes camphor; “rough on rates” packing charges paint and paint brushes, in seed oil, saws, enamel solder, “ gurgas “, burial charges, parddh for ward windows, mats for closing windows or for prisoners to sit upon bamboos for making these, chalk, glue fodder, straw or medicines for dragght cattle, showing of bullocks “Extraordinary charges” should be excluded. |
| Traveling Allowances. |  | This sub-head should include traveling allowances of non-gazetted officers. Not allowances paid to gazetted officers. |
| Contingencies. | A. Rent, rate and taxes. | Water rates and gas rate are to be excluded; the form or will be included in column 8 (B), and the latter in column 10(A) Water rates and lighting and conservancy taxes, may, however, be included under head, if no service is rendered, and the Payments are simply made as taxation, the water supply etc., being otherwise arranged for. |
| B. Service postages. | To include cost of postage stamps and unpaid  Covers and courier service. |
| C. Telephone and Internet charges. | To include cost of FAX, Internet and rent of telephones Lines. |
| D. Current Office  Expenses. | To include country stationary, book binding gharry hire of officers (if allowed), dusters, matches, oil for punkhs, wheels, cost of hanging and removing punkhs ropes, repairing and polishing furniture and similar charges. |
| E. Office Furniture. | To include cost of almirah, racks shelves tables, deck, chairs, tools, mats, floor mating, durees or carpets, purdas, iron safes, and pankha fringes, clocks, gongs, letter scales and weight, water goblets and glasses for offices, and be like. This is an exception to the rule that “Extraordinary Expenditure” is to be shown separately. |
| F. Register and  Stationary. | To include Station Department charges, computers and its all accessories and all Printing charges. |
| Extraordinary Charges for life  stock, tools  and Plants. | A. Conservancy and Water supply dead stock. | This Sub-head should include such items as Donaldson’s Ejectors, iron urine tube conservancy pans etc., iron blanket boilers water pumps, pipes or reservoirs, water carts, iron water tank or drum, iron or brass taps, iron and wooden buckets, hot water apparatus (if of a lasting kind and for boiling drinking Water). |
| B. Dietary dead stock. | To include cooking rang or “Donaldson’s Ghulas”, grain carts wheat mill, scale and weights for grain god-own or cooks, if of metal, iron or copper Cooking utensils, ovens, if iron or steel, cups or plates, weight machines, axes, microwave oven, kneading machine, all utensils and the like. |
| C. Garden and  Agriculture plant. | To include iron plough, fencing, pumps for irrigation wells, tractors (if not treated as a Public works charge) or other lasting plant. |
| D. Lighting dead stock. | Here should be shown the cost of laying down gas pipes, generators, lights, lamps or of new kerosene or other lamps of a substantial kind likely to last for three years or upwards iron oil tanks and such like lasting plant. |
| Extraordinary Charges for  livestock Tools and Plant. | A. Arms and  Accoutrements. | To include original cost arms (if charged for) belts, badges, pouncher bayonet scabbards, batons, arm- ranks, soap caps, alarm rattles etc. |
|  | B. Other Miscellaneous  dead stock not coming under the above heads. | To include iron cost or beds (expect when intended for hospital), permanent gibbets, ladders and other stock which cannot be classified under above heads. |
| PoL and repair charges of vehicles. | PoL and repair charges of vehicles. | - |
| Purchase of Padlock. | Purchase of Padlock. | - |

(2) Where these articles are supplied by the Public Works Department Workshops, Department should be debited and the Public Work Department credited with their value. (Expenditure on buildings, however, is recorded in the account of the Public Works Department and should be excluded from the account of the Department.

(3) The above classification is not exhaustive as it was not intended that it should be minute and collaborate beyond any useful measure; its object is to be reduce to a minimum the change such an inaccuracy as would have a serious effect in reviewing and comparing the financial administration of different prisons.

**PART-IV**

**PRESERVATION AND DESTRUCTION**

**OF RECORD**

**1245. Classification of records for purposes of preservation and Computerization.**---(1) All the prison registers, returns and records of every description, shall, for the purpose of preservation or destruction be classified under the following heads. All the record shall be a computerized.

(a) those to be preserved for 25 years;

(b) those to be kept for 12 years;

(c) those to be kept for 3 years; and

(d) those to be kept for 2 years.

(2) Each of the four classes shall be kept separate and on the back of each register or bundle, a piece of colored paper showing the period for which it is to be preserved or the approximate date on which it is to be destroyed, should be pasted.

**1246. Classification of letters and correspondence.**---The Superintendent shall exercise his discretion as to the classification of letters and correspondence for preservation except,-

(a) letters relating to standing orders;

(b) important public works and manufactures;

(c) the acquisition and renting of land

(d) any permanent charges upon Government; and

(e) escapes when the prisoner is not recaptured. Correspondence relating to persons granted gratuities shall be destroyed after ten years.

**1247. Records to be permanently preserved.**---The following records shall be preserved permanently:

(1) Registers Nos. 2, 3-B, 7, 9, 27, 28, 31, 32, 37, 59, Acquaintance Roll;

(2) Bills, Forms, etc Nos. 50, 78, 85, 86, 89, AG. 53; C.A.C. and 4. A.F.85.

**Note:** However, it will be preserved in soft shape before destruction of record in hard.

**1248. Records to kept for twelve (12) years.**---The following records shall be kept for 12 years and these destroyed-

(a) Registers Nos. 1, 3-A, 5, 8, 10, 11, 12, 14, 21, 28, 33, 40, 45, 47, 51, 52, 58 and 62;

(b) Bills Forms, etc Nos. 47, 48, 58, 74, 88, (1 & 2), 114 and l26.

**1248.A Records, etc. to be kept for two years.**---The following records shall be preserved for 3 years and then destroyed-

(i) Registers 4, 15, 19, 20, 24, 25, 41, 42, 43, 53,   
55; and

(ii) Bill, Forms. Etc Nos. 23, 64, 65, 68, 70, 72, 90, 94, 95, 97, 98, 99, 100, 102, l03, 115, 116, P.A.F.Z, 2091 and 2096 A & T 320, B.M.T.

**1249. Records, etc., to be kept for three years.**---The following records shall be preserved for 2 years and then destroyed-

(a) Registers Nos. 6, 13, 16, 17, 18, 22, 23, 27, 29, 30, 31, 32, 34, 35, 36, 38, 39, 41, 42, 44, 48, 49, 50, 52, 53, 54, 56, 57, 60, 61, 63 and 64;

(b) Bills, Forms etc All bills forms, etc., other than those detailed in sub-head (2) of rules 1120, 1121 and 1122.

(c) **Form No. 49.**---(Remission Card) shall be retained in the prison office for a period of one year after the release of a prisoner to whom it relates.

(d) Applications received from the friends and relatives of prisoners for interviews, etc. are to be preserved in the prison office for one year and then destroyed.

**1250. ---[Deleted]**

**SECRETARY TO**

**GOVERNMENT OF THE KHYBER PAKHTUNKHWA**

**HOME AND TRIBAL AFFAIRS DEPARTMENT.**

**Endst; of even No and date**

**Copy forwarded to: -**

1. Secretary to Govt; of Khyber Pakhtunkhwa Law & Parliamentary Affairs &Human Rights Department.
2. All Administrative Secretaries in the Khyber Pakhtunkhwa.
3. Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar.
4. Inspector General of Prisons, Khyber Pakhtunkhwa, Peshawar.
5. PSO to Chief Minister, Khyber Pakhtunkhwa, Peshawar.
6. PS to Advisor to Chief Minister, (for Prisons), Khyber Pakhtunkhwa.
7. PS to Chief Secretary, Khyber Pakhtunkhwa.
8. PS to Home Secretary, Khyber Pakhtunkhwa.
9. PS to Special Secretary Home, Khyber Pakhtunkhwa.
10. All Head of Attached Department, Khyber Pakhtunkhwa.
11. All Superintendents J ail/Lockup/Internment Centers, in Khyber Pakhtunkhwa.
12. The Manager Government Printing Press Khyber Pakhtunkhwa, Peshawar for publication in the next Government Gazette. He is further requested to furnish ten printed copies of the said Gazette Notification to this Department, as well as Law Department at the earliest, please.

