

**MANUAL
FOR THE
SUPERINTENDENCE AND MANAGEMENT
OF JAILS
IN THE STATE OF
JAMMU AND KASHMIR**

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PART - A
GUIDING PRINCIPLES & DEFINITIONS

CHAPTER I
GUIDING PRINCIPLES

Objectives of Punishment

1.1) Retribution as an objective of punishment has almost been discarded. Deterrence and legal incapacitation have limited application for some types of offenders. Social re-construction and rehabilitation of offenders have come to assume place of great importance among the diverse objectives of punishment in a Welfare State. The paramount aim of punishment has to be the protection of society through the rehabilitation of offenders.

1.2) Purpose and justification of a sentence of imprisonment being protection of society against crime, the punishment inherent in imprisonment primarily consists in deprivation of liberty involving compulsory confinement and consequent segregation from normal society. In carrying out that punishment, the Prison Administration should aim at ensuring the return of an offender to society capable of leading a well-adjusted and self-supporting life.

1.3) Imprisonment and other measures which result in cutting off of an offender from the outside world are afflictive by the very fact of taking away from him the freedom of determining his own actions. Therefore, the prison system should not, except as incidental to justifiable segregation or maintenance of discipline, aggravate the suffering inherent in such a situation.

1.4) Prevention, control and treatment of delinquency and crime are components of a unified programme of social defence. There has to be a fundamental continuity and unity in all these operations.

1.5) There shall be no discrimination among offenders on grounds of race, colour, sex language, religion, politics or ideology, nationality or social origin, property, birth or other status, caste or other social handicaps. Correctional Administration shall uphold the dignity and self-respect of all human beings.

1.6) The primary aim of institutional treatment shall be the social re-education of the offender for the purpose of realigning and re-organizing his life for smooth re-settlement in society. For the reformation of the offender it is necessary to re-cast his habits and re-direct his approaches and value system in order that he becomes adjusted in society as a useful social unit. To achieve this, correctional institutions shall have : (1) proper and requisite personnel ; (2) a system of efficient and disciplined

administration ; and (3) diversified resources and facilities for training and treatment programmes.

Institutions

1.7) The institution should be a centre of correctional treatment, where major emphasis shall be given on the re-education and reformation of the offender. The institutional environment and treatment shall aim at producing such constructive changes in the offender as would have profound and lasting effects on his habits, attitudes, approaches and on his total value schemes of life.

1.8) The treatment of offenders shall, so far as the length of the sentence permits, aim at instilling in them the will to lead law-abiding and self-supporting lives after their release and helping them do so. The treatment should foster their self-respect, self-discipline and sense of responsibility. For this purpose, appropriate means shall be used in accordance with the needs of each offender. These are : diversified education, vocational training, correctional social work, guidance, counselling, strengthening of moral character etc. In planning a programme of treatment, the offender's social and criminal history, his physical and mental capacities and aptitudes, his overall personality, length of his sentence, and his prospects after release should be taken into account.

1.9) The institution shall utilise all remedial, educational and moral forces which are appropriate and available, both inside the institution and outside, and shall seek to apply them according to the special needs of each offender. The treatment of the offenders shall emphasize not their exclusion from society, but their continuing part in it. The normal agencies of the community shall therefore be enlisted, wherever possible, to assist the institutional personnel in the task of social rehabilitation of the offenders.

1.10) Through a system of categorisation of institutions, inmates shall be grouped on the basis of sex, age, criminal record, the legal reason for their detention, length of sentence, recidivism, physical and mental health, requirements of security, training and treatment etc., By means of such categorisation suitable training facilities and resources can be made available to carefully selected homogeneous groups of inmates. So also the dangerous prisoners can be kept under proper security and discipline.

1.11) The size of a correctional institution should be such as would facilitate homogeneous grouping of offenders for the purpose of intensive correctional treatment. The number of prisoners should not be so large as to hinder individualized treatment.

On the other hand, it should not be so small that appropriate and adequate common facilities for treatment becomes too expensive.

Aftercare

1.12) Institutional care and treatment of offenders is not, however, enough. A humane, efficient and well-organized system of aftercare is essential for the success of correctional institutions. It must be recognised that the responsibility of the correctional system does not cease with the liberation of an offender, but continues until he is re-established as a self-supporting, self-respecting and socially useful citizen. Aftercare is, therefore, an integral part of the correctional work.

Correctional Personnel

1.13) Personnel assume paramount importance in an effective system of correctional administration. Service conditions in Correctional Services shall be such as would secure and retain the best suited and qualified persons. Correctional personnel shall be properly selected and adequately trained in various aspects of institutional management, as well as in theories of correctional work. Correctional Services shall ensure that the welfare of personnel is also being properly attended to.

1.14) An efficient Correctional Service shall mean the redress of legitimate grievances in a proper manner and, in due time, welfare administration must be felt as such by the people in a Welfare State. The acid-test of an efficient and effective welfare administration shall lie in the satisfaction expressed by the people concerned.

1.15) Correctional Services must ever remain above corruption, political affiliation and caste, communal, religious or regional bias. It must be constantly alert, vigilant, firm and just. Rules and regulations must have provisions to promote such environment.

1.16) It is only through individual and group discipline and the dedicated service of the correctional personnel that a healthy and proper atmosphere can be created in an institution. The personal example and moral influence of the correctional personnel will greatly help the offender in the process of his re-education and ultimate rehabilitation in society.

Basic features of Correctional Services

1.17) The following are the basic features of Correctional Services :—

- a system of good custody and positive, constructive and firm discipline ;
- care and welfare of inmates ;

-basic segregation ;

- attending to immediate and urgent problems of inmates ;
- orientation to institutional life ;
- study of the offender (history taking and case recording, tests and observation) ;
- classification ;
- attending to long term needs of inmates ;
- use of agencies and resources judiciously ;
- reprocessing of the inmate from admission till release ; social implantation of habits, attitudes and approaches ; psychotherapy ; preparation for social living ;
- guidance, counselling and support ;
- release planning ;
- aftercare ; and
- follow-up study.

Provisions of the Manual have been so crafted as to facilitate the smoothest possible implementation of these features.

* * * * *

CHAPTER II

DEFINITIONS

2.1) "Act" means the J&K Prisons Act, 1977 (1920 A.D.) & J&K Prisoner's Act, 1920 A. D.

2.2) "Adolescent Offender" means any person:-

- (i) who has been convicted of any offence punishable with imprisonment, or who having been ordered to give security under section 118 of Criminal Procedure Code, has failed to do so and who at the time of such conviction for failure to give security, is not less than 16 years in case of boys and 18 years in case of girls and not more than 21 years of age ; or
- (ii) who has been committed to prison custody during the pendency of his trial and who at the time of commitment is not less than 16 years in case of boys and 18 years in case of girls and not more than 21 years of age.

2.3) "Casual Prisoner" means any convicted criminal prisoner who is not a habitual as hereinafter defined.

2.4) "Central Jail" means any prison in which criminal convicted prisoners are received, for the purpose of undergoing their sentences, by transfer from any other jail and in which such prisoners are not, when committed to prison, in the first instance ordinarily received.

2.5) "Civil Prisoners" means any prisoner who is not a criminal prisoner.

[See Section 3(4) of J&K Prisons Act, 1920 A.D]

2.6) "Compartment" means any room, workshop, go-down or other covered in, enclosed and protected place, in a jail , other than a cell or ward.

2.7) "Convicted Criminal Prisoner" means any criminal prisoner under sentence of a Court or Court-martial, and includes a person detained in a prison under the

provisions of Chapter VII of the Code of Criminal Procedure or under the Prisoners Act, 1920 A.D.

[See Section 3(3) of J&K Prisons Act, 1920 A.D]

2.8) “Correctional Services” means the system to administer correctional services and includes adult correction, juvenile correction, probation and after-care.

2.9) “Correctional Personnel” means personnel engaged to administer correctional services.

2.10) “Criminal Prisoner” means any prisoner duly committed to custody under the writ, warrant or order of any Court or authority exercising criminal jurisdiction, or by order of a Court-martial.

[See Section 3(2) of J&K Prisons Act, 1920 A.D]

2.11) “Court” includes any officer lawfully exercising civil, criminal or revenue jurisdiction.

[Section 2(1) of the J&K Prisoner’s Act, 1920 A.D]

2.12) “Death” means the death of a human being unless the contrary appears from the context.

[See Section 46 of R.P.C, 1932 A. D.]

2.13) “Detenu” means any person ordered to be detained and committed to a place of detention in the State by any authority acting in exercise of the powers conferred by section 8 of the J&K Public Safety Act, 1978.

[See Section 2(a) of J&K Detenu General Order, 1968]

2.14) “District Jail” means any prison to which prisoners from one or more districts are, in the first instance, ordinarily committed, and includes every jail other than a central jail or a special jail.

2.15) “Government” means the Government of Jammu and Kashmir State.
[See Section 17 of R.P.C, 1932 A.D.]

2.16) “Habitual Offender” means a person:-

(I) who during any continuous period of five years, whether before or after the commencement of the Act, has been convicted and sentenced to imprisonment more than twice on account of the following offences:-

- i) offences mentioned in Chapter XII of the Ranbir Penal Code, (Act, XII of 1989) ;
- ii) offences punishable under the following sections of the Ranbir Penal Code (Act, XII of 1989) :-

302,	303,	304,	307,	326,	328,	329		
363,	364,	365,	366,	366-A,	366-B	367,	368,	369,
376,	377,	379,	380,	381,	382,	384,	385,	386,
387,	392,	393,	394,	395,	396,	397,	398,	399,
400,	402,	409,	411,	412,	413,	414,	420,	449,
450,	454,	455,	456,	457,	458,	459,	and	460.

- iii) an offence under section 3 of the Public Gambling Act, 1920 A.D. (XVIII of 1920 A.D.);
- iv) an offence under Essential Supplies (Temporary powers) Ordinance (No. 1 of 2003) and orders issued thereunder committed on different occasions and not constituting parts of same transaction; and

II) who has , as a result of such convictions, suffered imprisonment at least for a total period of twelve months.

[See J&K Habitual Offenders Control and Reform Act, 1956.]

2.17) “History Ticket” means the ticket exhibiting such information as is required in respect of each prisoner by the Act or the rules made there under.

[See Section 3(6) of J&K Prisons Act, 1920 A.D.]

2.18) “Imprisonment” may be of two descriptions:-

- (i) “Rigorous” that is, with hard labour ; and
- (ii) “Simple”, without hard labour.

[See section 53 (1) (2) of R.P.C 1932, A.D.]

2.19) “Inmate” means any person kept in an institution.

2.20) “Inspector General” means the officer for the time being appointed by Government as Inspector General of Prisons and Correctional Services.

[See Section 3(7) of J&K Prisons Act, 1920 A.D]

2.21) “Institution” means a place where offenders are kept.

2.22) “Jail Manual” means the Manual for the Superintendence and Management of Jails in the State of Jammu and Kashmir.

2.23) “Judge” the word judge denotes not only every person who is officially designated as judge, but also every person who is empowered by law to give, in any legal proceeding, civil or criminal, a definitive judgement, or a judgement which, if not appealed against, would be definitive, or a judgement which, if confirmed by some other authority would be definitive, or who is one of the body of persons, which body of persons is empowered by law to give such a judgement.

[See Section 19 of R.P.C 1932 A. D.]

2.24) “Juvenile” means a child who has not attained the age of sixteen years in case of boy and eighteen years in case of girl .

[See J&K Juvenile Justice Act, 1997]

2.25) “Life” means the life of a human being unless the contrary appears from the context.

[See Section 45 of R.P.C, 1932 A.D.]

2.26) “Magistrate” shall include every person exercising all or any of the powers of a magistrate under the Code of Criminal Procedure.

2.27) “Medical Officer” is a doctor designated as such and appointed under section 6 of the J&K Prisons Act, 1920 A. D.

2.28) “Medical Subordinate” means the Assistant Surgeon, Apothecary or qualified Hospital Assistant.

[See Section 3(8) of J&K Prisons Act, 1920 A.D]

2.29) “Military Prisoner” means a prisoner convicted by Court-martial.

2.30) “Offence” means any act of commission or omission made punishable by any law for the time being in force.

2.31) “Offender” any person who has committed an offence.

2.32) “Place of detention” means a jail or other place in the State in which a detainee is ordered to be detained.

2.33) “Prison” means any jail or place used permanently or temporarily under the general or special orders of Government for detention of prisoners and includes all lands and buildings appurtenant thereto, but does not include :—

- (i) any place for the confinement of prisoners who are exclusively in the custody of Police ;
- (ii) any place specially declared by the Government under Section 541 of the Code of Criminal Procedure, 1933 A.D ;
- (iii) any place which has been declared by the Government, by general or special order, to be a Subsidiary Jail.

[See Section 3(1)(a)(b)(c) of J&K Prisons Act, 1920 A.D]

2.34) “Prohibited Article” means an article the introduction or removal of which into or out of a prison is prohibited by any rule under the Act.

[See Section 3(9) of J&K Prisons Act, 1920 A.D]

2.35) “Remission System” means the rules for the time being in force regulating the award of remission to and the consequent shortening of sentences of prisoners in jail.

[See Section 3(5) of J&K Prisons Act, 1920 A.D]

2.36) “Rule” means a rule framed under the Act.

2.37) “Special Jail” means any prison provided for the confinement of a particular class or particular classes of prisoners and classified as a Special Jail by the Government.

2.38) “Sub-Jail” means any place so declared by the State Government by general or special orders, and used permanently or temporarily under that authority for the detention of prisoners. It includes all lands and buildings appurtenant thereto. The word ‘Jail’ or ‘Prison’ used in any section or sub-section of the Prison Act , 1920 A.D, or in any rule or portion of a rule made thereunder, introduced into this Manual, includes a Sub-Jail.

2.39) “Undertrial Prisoner” means a person who has been committed to prison custody pending investigation or trial by a competent authority.

2.40) “Unit” means a part of an institution or a particular institution.

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PART B
PHYSICAL INFRASTRUCTURE

CHAPTER III

ARCHITECTURE AND BUILDINGS OF CENTRAL,
DISTRICT AND OTHER JAILS

3.1) *“The Government shall provide, for the prisoners in the State, accommodation in prisons constructed and regulated in such manner as to comply with the requisitions of this Act in respect of the separation of the prisoners”.*

[Section 4(3) J&K Prisons Act 1920 A. D.]

3.2) Prison buildings including the quarters for the staff within Jail premises should be in the charge of the Public Works Department and no additions and alterations in, or dismantling of any building, whether or not sanctioned by the Prisons authorities, would be carried out without the approval of that Department.

Location and site

3.3) The location of new institutions should be decided on the basis of : (i) the functions which the institution has to discharge, and (ii) programme content of the institution.

3.4) New institutions should not be constructed (i) near earth quake belts, flood prone areas and strategically important points, frontiers and international borders, sub-marginal land areas, airports, railway yards, congested urban localities, and places of religious worship, (ii) on islands, (iii) in remote mountain spots, and (iv) on a highway or a main road.

3.5) The site for new institutions should be selected after taking into consideration factors like transport facilities, water supply, electricity supply connections with high power transmission lines, drainage and sewage, communication facilities such as posts, telegraph, telephone etc. climatic conditions, market facilities for purchase of institutional supplies, etc.

3.6) As far as possible the sites should be selected in the close vicinity of civil hospitals, psychiatric hospitals, courts etc.

Area

3.7) The area of an institution should be fixed in accordance with needs of the institutional programme and likely future expansion.

Note:- In order to ensure security and discipline, a reasonably large radius of land around a prison should be procured.

3.8) There should be enough open space inside the perimeter wall to allow proper ventilation and sunlight. The area enclosed within the four walls of a prison should not be less than 75 square yards or 63 square meters per head of total capacity. Where land is easily available, the minimum should be 100 square yards or 84 square meters per head of total capacity.

Architecture

3.9) The architecture of jails and correctional institutions should be governed by two principles viz, (i) adequate protection to society through the establishment of security conditions; and (ii) adequate resources which would be necessary for the successful implementation of various correctional programmes.

3.10) The plan of an institution should be based upon a careful analysis of factors like type of inmate population, age group, type of custody (maximum, medium and minimum) and the place of the institution in the system of diversified institutions set up in the State.

3.11) Correctional institution may broadly be classified as maximum security type, medium security type and minimum security type. The architecture of the correctional institution should be such as would facilitate gradation in custody according to the needs of each inmate group.

3.12) Maximum security institutions should have sufficient cellular accommodation. The internal and external security measures should also be such as would facilitate the required degree of supervision and type of restrictions essential for maximum security. These institutions should be compactly designed and provided with secured detention and supervision in each of its separate elements.

3.13) Medium security institution should have cellular and dormitory type of accommodation. Areas of work and programme activities should be so located that the required degree of supervision and type of restrictions can be set up in accordance with the requirements of medium security custody gradation.

3.14) Minimum security institution should have cottage type of architecture. The out of bounds area beyond which inmates should not go, and within which outsiders should not come, should be specifically demarcated.

3.15) The Segregation of inmate groups within an institution in accordance with sound principles of classification should be provided for each plan. The requirements of administration and supervision should also be taken into consideration while planning of the jail buildings.

3.16) Adequate ventilation of barracks, wards etc. should be ensured by the provision of large barred doors and windows fixed on opposite walls.

Main Gate

3.17) Arrangements for the following facilities must be made in the main gate:- wicket gate 7'x4', adequate space in between gates to facilitate gate operations ; office rooms ; search room ; room for temporary segregation of prisoners suffering from contagious diseases ; rest room for staff members, etc. Structure of the gate must have the provision for easy entrance of fire fighting and other heavy vehicles.

Reception Unit

3.18) The reception unit should have necessary facilities for proper implementation of the Admission -- Quarantine -- Orientation -- Classification programme. Physical facilities should be set up in accordance with the number and type of inmates to be received and the programme to be followed for proper segregation of various types of inmates. This unit should comprise a dormitory and single room type accommodation. There should be also provision for facilities like; office rooms, interview room, class room, workshop and exercise and recreational areas. These buildings should as far as possible be located in close proximity of the hospital and administrative offices.

Housing

3.19) An institution should have a prescribed combination of the following housing facilities : (i) dormitories; (ii) barracks; (iii) cells ; and (iv) cottages. The minimum accommodation capacity of dormitories, barracks, cells, cottages, etc. should ordinarily be according to the following scale per prisoner :

Sleeping Barracks			Cell			Hospital		
Sq.Mt. of ground area	Cubic Mt. of air space	Sq. Mt. of lateral ventilation.	Sq. Mt. of ground area	Cubic Mt. of air space	Sq. Mt. of lateral ventilation	Sq. Mt. of ground area	Cubic Mt. of air space	Sq.Mt. of lateral
5	14	1.2	10	27	2.4	6.5	20	1.7

3.20) Ordinarily not more than 20 prisoners should be accommodated in a dormitory.

3.21) The cells meant for confining prisoners by way of punishment and for confining prisoners sentenced to death should have w.c., bath and exercise areas attached. As far as possible, these cells should be self-contained units.

3.22) A plate indicating the authorised accommodation should be attached to each housing unit. Ordinarily, the number of prisoners confined in a housing unit should not exceed its authorised accommodation. However, during emergencies such as sudden influx of prisoners, overcrowding, etc. the Superintendent may temporarily relax the minimum standards of accommodation.

Note1:- As far as possible, over-crowding should be avoided. But if over-crowding continues for a long period, the rules regarding accommodation shall be relaxed with the sanction of the Inspector General.

Note2:- In calculating the cubic space, no account should be taken of any air space above 13 feet or 4.0 meters and in no case should the height exceed 15 feet or 4.6 meters.

Note3:- No building should be nearer than 16 feet or 4.9 meters to an enclosure wall.

Note4:- Lateral ventilation opening in barracks and hospital wards should be placed between the berths and should extend right down to the floor level. Openings should be fitted only with firmly secured iron gratings. Shutters are not required.

Note5:- Berths 6' x 2' or 1.83 mt. x 0.61 mt. should be provided in all barracks and in ground floor cells, but must not be provided in condemned cells. These should be built level and will be 18" or 46 cms. high on the ground floor, but in upper floors the height may be reduced to 6" or 15 cms made of hollow construction.

Note 6:- Arrangements for two locks are required on condemned cells, but single lock is all that is required for other cells. Combined locking arrangements for cells are unnecessary.

Ventilation of wards and cells

3.23) For direct circulation of air, every ward, cell and other compartment, should ordinarily be secured by large grated openings on both sides and at each end.

Certificate of fitness for occupation

3.24) No newly constructed ward, cell or other compartment, should be occupied by any prisoner until the Medical Officer has certified that such ward, cell or other compartment is, in all respects, fit to be so occupied.

Capacity of wards to be inscribed over the door

3.25) Over the door of every ward and other compartment, ordinarily used as sleeping accommodation for prisoners, must be inscribed the capacity and category of prisoners to be housed.

Sleeping berths in wards

3.26) Every ward or other compartment intended for the accommodation of prisoners by night should be provided with masonry sleeping berths, equal in number to the capacity of the ward according to the prescribed scale. Each berth should be six and a half feet or two meters long, two and a quarter feet or 0.69 meters broad and eight inches or twenty centimetres high and should be constructed with a slight slope down from the head. The head of each berth should be on the opposite side to the heads of the berths (if any) on either side of it. The space between every two berths should, ordinarily, be not less than two feet or 0.6 meters.

Requirements of cell; daily visit to occupant

3.27) No cell should be used for solitary confinement unless it is furnished with the means of enabling the prisoner to communicate at any time with an Officer of the prison, and every prisoner so confined in a cell for more than twenty-four hours should be visited at least once a day by the Medical Officer or Medical Subordinate.

Height of walls of cell yard

3.28) For the purpose of admitting sunshine and air, the enclosure walls of cell yards should in no case exceed eight feet or 2½ meters in height.

Accommodation of wards to be shown

3.29) The accommodation available in each ward must be shown in the lock-up register to enable the Medical Officer to see whether any particular ward is overcrowded or not.

Temporary accommodation for prisoners

3.30) Whenever it appears to the Inspector General that the number of prisoners in any prison is greater than can conveniently or safely be kept therein, and it is not convenient to transfer the excess number to some other prison, or whenever from the outbreak of epidemic disease within any prison, or for any other reason, it is desirable to provide for the temporary shelter and safe custody of any prisoners, provision should be made, by such officer and in such manner as the Government may direct, for the shelter and safe custody in temporary prisons of so many of the prisoners as cannot be conveniently or safely kept in the prison.

Provisions for custody of prisoners in excess of accommodation

3.31) The following steps can be taken for temporary accommodation:—

- (i) All prisoners in a jail in excess of the accommodation should be provided with temporary shelter in huts or tents pitched outside or inside the main enclosure walls.
- (ii) The safe custody of prisoners accommodated outside the jail should be entrusted to the Police.
- (iii) The Superintendent should apply to the Inspector General for sanction to the entertainment of such temporary establishment as may be necessary.
- (iv) In cases of emergency and before arrangements can be made to have tents or huts erected, the workshops may be utilized to afford the necessary shelter, provided that all articles likely to facilitate escape or to be used as dangerous weapons are first removed.

Precautions against over-crowding

3.32) When the population of a jail is approaching the maximum number for which there is accommodation, the Inspector General and the concerned police authorities should be informed with a view to having some of the convicts transferred or arrangements made for their temporary shelter outside, as the case may be.

Barracks

3.33) If a barrack is flat-roofed, there should be ceiling ventilation i.e., opening at intervals close to the junctions of wall and ceiling (size 12"x 5" or 30 cms x 13 cms). If the barrack is gable-roofed, there should be a ridge ventilator. The minimum height of roofs or ceiling should not be less than 10 feet or 3 meters from the floor. The window area should be 10% of the floor area. The floors of the barracks should be made of impervious material, such as cement concrete. Barracks should have two rows of berths only. A berth may be provided for each prisoner.

The measurement of each berth in groundfloor should normally be 6½' x 2½' or 2 mts. x 0.76 mts. and 1½' or 4.6 cm high. In upper stories the berths need be only 6 inches or 15 cms. high. The number of berths should not be greater than the sanctioned capacity of the barrack and should be arranged in two parallel rows.

Cells

3.34) There should be thorough ventilation of every cell. At the back of the cell there may be a clear window. The floor of the cell should be made of impervious material. Each cell should have a yard attached to it where the prisoner can have the benefit of sufficient air and light. It should be provided with a sanitary latrine. In the absence of the same, two vessels with close fitted covers should be provided one for the collection of faeces and the other for urine. Sufficient water should be made available in each cell by providing a tap. In the alternative, a covered receptacle for drinking water may be provided.

Latrines

3.35) Each dormitory or barrack or cottage used for sleeping should have sufficient number of attached W.C's., urinals and wash places. The ratio of such W.C's should be one unit per 10 prisoners. The ratio, of other W.C's. which can be used during day time should be one unit per 6 prisoners.

3.36) Latrines should be of the sanitary type with arrangements for flushing. Until such latrines are provided, service latrines may be used. The latrines should always be placed on impermeable bases which should be higher than the surrounding ground and should be so built that the sun's rays can easily enter the latrine apartment and rain is kept out. The partitions separating the latrines should be high enough to provide a reasonable degree of privacy. Latrines should be so designed that all excreta and wash materials get into the receptacles without fouling the sites. Dwarf doors should be provided in front of each latrine. Every

seat should be provided with foot rest with impermeable surface which should be in the right position and not too far apart.

Bathing places

3.37) Adequate bathing and shower installations should be provided so that every prisoner is enabled to have a bath or shower at a temperature suitable to the climate, as frequently as necessary, for general hygiene, according to season and geographical region. Bathing arrangements should be such that prisoners can take their bath in a covered place so that the water used by them is not contaminated by dust, filth, bird droppings etc. The bathing sheds should be provided with sufficient privacy. A norm of one bath room for every ten prisoners may be adopted.

Kitchen

3.38) The general kitchen should ordinarily be located at a central place inside the prison so that the distribution of food among the prisoners can be finished quickly. The kitchen should not be built close to the sleeping barracks. It should be well ventilated and well lighted. The window space should be at least 20% of the floor area. It must always be kept clean and tidy. The oven should be of the type in which heat does not escape outside and the smoke is let out by a suitable chimney whatever type of fuel is used. The kitchen should be protected by wire mesh all round. Artificial ventilation may be provided, if necessary. It must be provided with fly-proof automatically closing doors. It should have floors made of impervious materials. Each kitchen shed should be provided with adequate supply of pure water which will be used not only for cooking but also for washing. The water should be collected from taps inside the kitchen. It is desirable that no single kitchen should cook and cater for more than 300 prisoners.

3.39) There should be provision for covered feeding sheds in prisons so that prisoners can take their meals under a roof and on a platform.

Hospital

3.40) *“In every prison a hospital or a proper place for the reception of sick prisoners shall be provided”.*

[Section 39 of the J&K Prisons Act, 1920 A. D.]

3.41) The location of the hospital should be as far away from the barracks as possible. Every hospital ward should be so constructed as to allow sufficient light and air. The floors and walls should be made of impervious material. Latrines and baths should be provided close to the wards so that the sick prisoners do not have to walk far to reach there. There should be arrangement for continuous supply of water in the hospitals.

Work Sheds

3.42) Areas where inmates work should have a minimum of 350 cubic feet or 10 cubic mtrs. per prisoner in already existing buildings and 500 cubic feet/ 14 cubic mtrs. per prisoner in structures that will be newly constructed as work-shops or factory buildings. The work places should have the following facilities :—

- (i) There must be sufficient light and ventilation in every work-shed to enable the workers to see clearly and without any difficulty. The work area should not be less than 20 per cent of the floor area.
 - (ii) Windows should be placed at about 2' -6" or 76 cms. above the floor level for better lighting and ventilation.
 - (iii) In work-sheds where convicts work with their legs in a pit, care must be taken that such pits are damp-proof.
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CHAPTER IV

SUB - JAILS

Accommodation

4.1) The general principles and guidelines in respect of architecture and living facilities of chapter III shall apply to sub-jails also. Some specific provisions as regards this category of jails are given in the subsequent paragraphs of this chapter.

4.2) Accommodation at Sub-Jails should be provided as per provisions of Chapter III. Adequate facilities for the segregation of various categories of prisoners such as adults, adolescents, women, etc. should be provided in the Sub-Jails.

4.3) Cells should be provided in the ratio of one cell to ten prisoners. These cells should be used for prisoners who need to be segregated. Separate enclosures should be provided for adolescent and woman offenders.

Types of prisoners to be lodged in Sub-Jail

4.4) The following categories of prisoners may be confined in Sub-Jail:

- (i) undertrial prisoners remanded to custody ;
- (ii) convicted adult prisoners sentenced upto three months ;
- (iii) adolescent convicted prisoners sentenced upto one week ;
- (iv) woman convicted prisoners sentenced upto one week ;
- (v) prisoners summoned to answer charge or to give evidence ; and
- (vi) convicted prisoners pending transfer or in transit, but not for more than a week, except under medical advice or with the sanction of Inspector General .

4.5) The Inspector General may, for sufficient reason and for such period as he may consider necessary, authorise the detention in any Sub-Jail of :-

- (i) any convict whose unexpired sentence does not exceed three months ; and
- (ii) any convict who, on account of illness, is, in the opinion of the Medical Officer, unfit to be transferred or who the Superintendent considers it undesirable to transfer for other reasons.

Staff

4.6) A Prison Officer of the rank of Deputy Superintendent/Superintendent grade II shall function as Superintendent of a Sub-Jail. Staff shall be provided for the Sub-Jail as per Appendix "A" to this chapter. The strength of guards should be decided in accordance with actual needs of each Sub-Jail. The outer perimeter security should be provided by para military force of B.S.F/ C.R.P.F or J&K Armed Police.

In Sub-Jails where full time Medical Officer is not posted, the Medical Officer of the local hospital should be engaged as part-time Medical officer. One Pharmacist and other Para-Medical staff should also be posted on permanent basis for guarding of woman prisoners as per the requirement, one female Head Warder and sufficient female Warders should be posted in each Sub-Jail. Additionally, female Warders should be posted for frisking /search /escort. Even where there is only one woman prisoner, there should be two female Warders, so that the key of the female ward is always in the custody of a female Head Warder/Warder.

Diet

4.7) The prisoners should be provided diet as per the diet scale fixed and extra diet for individuals as recommended by the Medical Officer. The infants accompanying female prisoners should also be provided diet on the recommendation of Medical Officer.

Work and employment

4.8) Convicted prisoners should be employed in such cottage industries and handicrafts as can be conveniently organized at the Sub-Jail.

Discipline

4.9) The provisions of chapter XLIX and J&K Prisons Act 1920 A. D. shall apply. The Superintendent may transfer to the parent prison, such prisoners as are indisciplined cases or are suspected to be instigators. In such cases, post-facto sanction of the Inspector General shall be obtained.

Facilities

4.10) Facilities as per provisions of Part F should be extended in the normal course. Special attention should, however, be devoted also to the concessions mentioned below :-

- (i) literacy and social education projects,
- (ii) library,

- (iii) newspapers,
- (iv) visual education,
- (v) radio,
- (vi) games, and
- (vii) canteen facilities.

Panel of Visitors

4.11) For each Sub-Jail, there shall be Visitors consisting of such officials as may be appointed by the Government. The Provisions of Chapter LIII should apply to the panel of Visitors.

Emergencies

4.12) The Provisions of Chapter LVI should apply in the event of an emergency at a Sub-Jail. In case of overcrowding, the following action according to the requirements of the situation shall be taken :-

- (i) providing other available suitable accommodation, and
- (ii) transfer to other Sub-Jails or prisons.

4.13) In the event of overcrowding, the Superintendent shall obtain necessary orders from the Inspector General or the District Magistrate regarding relieving of overcrowding.

Serious illness of a prisoner

4.14) Whenever an undertrial prisoner is seriously ill, the Superintendent shall report the circumstances to the concerned Magistrate and Inspector General or if the prisoner is awaiting trial before the Sessions Court to the Sessions Judge in order that, if the law permits and the court thinks proper, the prisoner is released on bail .

4.15) In case the prisoner is not released on bail, necessary arrangements for his medical treatment or, if necessary, transfer to the nearest hospital, shall be made in consultation with the Medical Officer.

4.16) If a convicted prisoner gets seriously ill, arrangements for his transfer to the nearest hospital should be made in consultation with the Medical Officer.

Death

4.17) In the event of death of a prisoner, the provisions of Chapter LVII and J&K Prisons Act, 1920 A. D. shall apply at Sub-Jails which are not situated at Head-

quarters of the District. The concurrence of an Executive Magistrate shall be necessary if post-mortem examination is to be dispensed with.

Inspection

4.18) Sub-Jail should be inspected as shown below :-

- (i) by Inspector General / Deputy Inspector General. at least once in a year
- (ii) by Superintendent of the Central Jail at least once in a year
- (iii) by a member of the Panel of Visitors at least once in a week as per roster of visits
- (iv) by District Magistrate at least once in a quarter

General Provisions

4.19) Relevant provisions of this Manual should be applied to suit local conditions at each Sub-Jail. The Government may issue detailed instructions in this respect.

Appendix "A"

Staff pattern of a Sub-Jail

- Superintendent Grade-II
- Dy. Superintendent
- Sr. Assistant Superintendent
- Assistant Superintendent
- Sr. Head Warder
- Head Warder
- Warder
- Accountant
- Pharmacists and para medical staff
- Other supporting staff

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CHAPTER V

SPECIAL PRISON

5.1) The general principles and guidelines in respect of architecture and living facilities of chapter III shall apply to Special Prisons also. Some specific provisions as regards this category of jails are given in the subsequent paragraphs of this chapter.

5.2) A prison having adequate cellular accommodation and segregation facilities should be earmarked as a Special Prison. Security arrangements should be at least medium. Inmate population of this institution should not exceed 200. The Special Prison should be adequately staffed so that the problems presented by difficult inmates can be properly handled.

5.3) Adult convicted prisoners of the following types may be kept in the Special Prison:-

- (i) inmates who have committed serious violations of prison discipline ;
- (ii) inmates showing tendencies towards violence and aggression ;
- (iii) difficult discipline cases of habitual offenders ;
- (iv) difficult discipline cases from the group of professional and organized criminals; and
- (v) any other prisoner in whose case the Inspector General has issued orders.

5.4) On admission, the prisoner should be allotted cellular accommodation. He should be given work in front of his cell. For one month he should not be allowed to associate with other inmates. He should be under observation during this period.

5.5) During such time a prisoner resides in a type of Special Prison, he shall not be granted the concessions of :-

- (i) remission,
- (ii) release on leave, and
- (iii) review of his sentence.

5.6) The following facilities should be extended to prisoners kept in a Special Prison:-

- (i) exercise for one hour in the morning and one hour in the evening,
- (ii) work and wages,

- (iii) letters and interviews,
- (iv) newspapers, religious books, library facilities,
- (v) canteen facilities like tea and cigarettes at prisoner's cost, and
- (vi) radio music.

5.7) The daily routine and programme should be so organized that a rigorous standard of discipline can always be maintained.

5.8) The case of every prisoner should be reviewed by the Classification Committee once every three months. On the basis of the response shown by the prisoner, the Superintendent is authorised to grant concessions like accommodation in a dormitory so that he is in association with other prisoners and exercise and work in association with other inmates. These concessions should be given only if the prisoner shows progress in his behaviour and discipline.

5.9) Emphasis should be given on work, individual guidance and counselling. Where possible, arrangements for psychological and psychotherapeutic examination and treatment should be made.

5.10) The Superintendent shall forward to the Inspector General a quarterly report about the inmates' progress. After completion of one year, the case of every inmate shall be reviewed by the Inspector General. If the prisoner has shown sufficient progress and improvement in his behaviour and discipline, he may be transferred to a Central Prison. If the improvement in a prisoner's behaviour and discipline is very good, the Inspector General may issue orders transferring the inmate even before completion of one year. When it is decided that a prisoner need not be kept any more at the Special Prison, he should not be sent back to the same institution from where he was originally transferred. Instead, he should be transferred to a different Central Prison.

5.11) Cases of prisoners who continue to remain at the Special Prison for more than a year should be reviewed every six months there-after for being transferred to a Central Prison.

5.12) On re transfer to a Central prison, the prisoner should be kept under proper observation for some time. His case should be reviewed once every three months to examine his behaviour, discipline and general progress.

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CHAPTER VI

BORSTAL INSTITUTION

Guiding principles

6.1) A Borstal institution is a confinement place where training is provided to adolescent offenders with a view to reforming their mental, moral and physical qualities, coupled with industrial training to equip them for the post confinement life. The aim is to give young offenders, whose minds are still plastic, a new outlook and a new bent by the personal influence and example of the staff to create a corporate spirit and a standard of social behaviour which may persist after their release. The task is not to break or knead them into shape but to stimulate their power within to regulate their conduct. Borstal training requires that each inmate be dealt with as an individual needing individualized treatment. Borstal institutions are polytechnics which give necessary training to the inmates to earn an honest living after release.

Special emphasis

6.2) Special emphasis should be given on the following factors while training and treating Borstal inmates :-

- (i) individualized study ;
- (ii) careful planning of training and treatment programme to suit the needs of each individual inmate ;
- (iii) education ;
- (iv) work and vocational training ;
- (v) recreational and cultural activities ;
- (vi) discipline ;
- (vii) case-work approach ;
- (viii) group-work activities ;
- (ix) group guidance and counselling ;
- (x) character training ;
- (xi) personal influence of staff members ;
- (xii) periodical review ;
- (xiii) release planning ;

- (xiv) pre-release preparation ;
- (xv) aftercare on a comprehensive basis ; and
- (xvi) follow-up study.

Administration

6.3) The Inspector General shall have the general powers of superintendence and control over the Borstal institutions. He shall be generally responsible for the governance of Borstal institutions.

6.4) Subject to the orders and general supervision of the Inspector General, the Superintendent of a Borstal institution shall be responsible for the control and management of the institution.

Classification of Borstal Institutions

6.5) The classification of Borstal institutions, that is Close Borstal, Open Borstal, etc., should be made in accordance with the number of Borstal institutions in the State and the requirements of Borstal training.

Scope

6.6) When any person not less than 16 years and not more than 21 years of age is convicted of an offence by a competent Court 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 or association with persons of bad character, it is expedient in the opinion of the Court that he / she should be detained in the Borstal institution, such Court may, in lieu of passing a sentence of rigorous imprisonment for life or rigorous imprisonment for a term, pass an order of detention for a term which shall not be less than 2 years and exceed 7 years.

6.7) The Court may obtain and consider the report of a Probation Officer or any Social Welfare Officer available. The Court committing an adolescent offender to a Borstal institution may send along with the detention order a copy of the report of the Probation Officer.

Period of detention

6.8) An adolescent offender when committed to Borstal institution should not be less than 16 years of age and not more than 21 years of age and should not be ordered to remain there beyond 23 years of age.

6.9) A Court may ordinarily sentence a first offender to Borstal training. Before sentencing an adolescent offender to Borstal training, the Court should be satisfied that having regard to his character and previous conduct and to the circumstance of the case, such sentence is expedient for his reformation and the prevention of crime.

Personnel

6.10) The Borstal staff may comprise the following :-

- (i) Superintendent
- (ii) Deputy Superintendent
- (iii) House Master
- (iv) Medical Officer
- (v) Teachers and Technical Instructors
- (vi) Supervisory staff
- (vii) Supporting staff

Note :- The Borstal personnel is one of the most important factors in the success or failure of the Borstal system, since it is on integrity, ability, character and personal suitability for the work that the proper administration of the institution depends. Great care should, therefore, be taken in its selection, retention, promotion and removal.

Admission

6.11) Provisions of Chapter XLII should apply. The Superintendent should without delay report to the Inspector General the case of any inmate who, in the opinion of the Medical Officer and/or in his own opinion, is unfit for Borstal training. The Inspector General may thereupon decide whether he should be transferred to a prison.

Medical care

6.12) At every institution, either a separate hospital building or a suitable part of the institution shall be equipped and furnished in a proper manner for the medical care and treatment of sick inmates.

6.13) The Medical Officer should have the care of the mental and physical health of the inmates and should every day visit every sick inmate, every inmate who complains of illness and other inmates to whom his attention needs to be specially directed.

6.14) The Medical Officer should advise the Superintendent regarding the fitness of an inmate for games, exercise and training.

6.15) All food , raw and cooked , shall be approved by the Medical Officer. In individual case, the Medical Officer may alter the scale of diet on medical grounds.

House system

6.16) Each institution should be divided into houses. Care should be taken to ensure that neither the best nor the difficult inmates are concentrated in one house. Each house should have a House Master who should be selected by the Superintendent from the Teachers and Instructors of the institution. The House Master shall be responsible to the Superintendent for :—

- (i) the general behaviour of the house,
- (ii) the training of each inmate therein,
- (iii) the cleanliness of the wards, rooms, clothing and bedding and their being kept in good order and repair,
- (iv) proper distribution of food.

6.17) Each group should be under a Monitor, who should be selected by the House Master from the ranks of each group. The Monitor should wear distinguishing mark.

6.18) The Superintendent should select from the Monitors a Head Monitor for each house who should also wear a special distinguishing mark.

Note :- *The House Master should be required to live within the premises wherever possible.*

Clothing and bedding

6.19) The clothing should be different from that of ordinary convicts. Each inmate should be provided with four shirts yearly for ordinary wear and two suits for drill and parade consisting of a shirt and a pair of shorts yearly. The cap should be coloured according to the House colour.

6.20) In addition to these, the inmates should be allowed to receive from their relatives or friends one vest and one pair of shorts to be used for recreational purposes.

6.21) The inmates trained as Boy Scouts should use the complete Scouts uniform and equipment.

6.22) Every inmate on release should receive an outfit of suitable clothing provided he has no suitable clothing of his own.

Grade system

6.23) The inmates should be divided into grades to encourage progress according to their industry and efforts. The following are the three grades into which they should ordinarily be divided :-

- (i) Grade I
- (ii) Grade II
- (iii) Grade III

All inmates on reception should be placed in grade III. An inmate should remain in grade III for at least three months. Promotion to grades II and I should be regulated by close personal observation of the inmates, specially in respect of their general behaviour, amenability to discipline and the attention paid by them to instructions, both literary and industrial.

Note :- Detailed rules for facilities in each grade should be framed by the Inspector General.

Facilities

6.24) All facilities as mentioned in Part F should be extended to Borstal Inmates.

Education

6.25) Literary instructions should be given in the inmate's language and limited ordinarily to the elements of reading, writing and arithmetic. An inmate shall attend school from the date of his admission for two hours daily. Provided that in special cases, when an inmate studies for a public examination in general education, he may be permitted to attend school upto a maximum of 5 hours a day. Every inmate shall be examined by the teacher at the end of every six months and the marks obtained and position in class recorded in the Borstal individual record.

6.26) Intelligent inmates who have satisfactorily completed the Borstal standard of education or have studied in the middle or high school classes before admission may

be given facilities to improve their education with the assistance of the staff available. For illiterate inmates, special classes should be held.

6.27) The educational classes shall be inspected annually by an officer of the Education Department.

6.28) Every school should be provided with a library of books and periodicals approved by the Inspector General for the use of inmates.

6.29) Minimum standards for educational programmes should be laid down by the Inspector General.

Moral instruction

6.30) Moral lectures to inmates shall be allowed on condition that no proselytising is carried on under the cloak of religious and moral instruction and that the lecturers speak on the universal common principles of religion. In addition to moral instruction given by the members of the staff, the Inspector General may appoint honorary lecturers for this purpose.

Cultural and recreational activities

6.31) Provisions of Chapter XXXIX, should apply.

Annual sports

6.32) The Superintendent should arrange the holding of annual sports and distribution of prizes.

Discipline

6.33) The Superintendent should exercise a close and constant personal supervision over the whole Borstal institution. He should daily visit and inspect all parts of the Borstal institution where inmates work or live and should give special attention to every inmate who is a hospital patient.

6.34) At least once a fortnight, the Superintendent should visit the school during the night and satisfy himself that every thing is in order.

6.35) In dealing with an inmate, no officer should use force unnecessarily. When force has to be applied, no more force shall be used than is necessary. No officer should act in a manner calculated to provoke or annoy an inmate.

6.36) If the Superintendent is satisfied that the behaviour of an inmate is such that in the interest of his own training or for the good of the other inmates he should be temporarily removed from the normal community life, he may order the removal of the inmate from his house for a limited period and the inmate may be accommodated in a separate room under such restrictions regarding association and privileges as the Superintendent may impose.

Penalty for escape

6.37) If any inmate escapes from a Borstal institution before the expiry of the period for which he was ordered to be detained or if any inmate absent on license from a Borstal institution escapes from the supervision or authority of any Government Officer or other person under whose care he was placed or fails on the suspension or revocation of his license to return to the Borstal institution, he may, on conviction by a Magistrate, be given punishment which may extend to two years or fined or both and his license shall be deemed to be cancelled with effect from the date of his escape or failure to return, as the case may be.

Note:- An offence under the above rule shall be deemed to be a cognizable offence as defined in the Code of Criminal Procedure.

6.38) Every offence against discipline shall be reported forthwith to the Superintendent who shall investigate into the same as early as possible. If the offence is proved, the Superintendent may award one or more of the following punishments :-

- (i) formal warning,
- (ii) extra drill,
- (iii) deprivation of any of the privileges of the grade,
- (iv) reduction in grade,
- (v) change of labour,
- (vi) separate confinement,
- (vii) transfer to a prison for a period of three months, and
- (viii) change of sentence to imprisonment.

6.39) No punishment shall be awarded to any inmate by any official of the institution except by the Superintendent or in his absence by the official exercising his functions.

Difficult inmates

6.40) If the Superintendent is of opinion that an inmate is difficult to correct or is exercising a baneful influence on the other inmates of the institution, or has been convicted of escape or has committed any of the major offences specified in the rule, he shall report the case to the Inspector General.

Social relations

6.41) Special attention should be paid to the maintenance of such relations between an inmate and his family as are desirable in the best interests of both. An inmate should be encouraged and assisted to maintain or establish such relations with persons or agencies outside the Borstal institution as may promote the best interests of his family or his social rehabilitation. In this respect the Superintendent would be assisted by the Welfare Officer of the institution.

6.42) The Superintendent or the Welfare Officer may at any time communicate with an inmate or his family or friends on any matter of importance to such inmate.

Visiting Committee

6.43) Every Borstal institution shall have a Visiting Committee appointed by the Government consisting of the District Magistrate, the District and Sessions Judge, the District Education Officer and four non-official members. The non-official members shall hold office for a period of two years and shall be eligible for reappointment on the expiry of this period.

6.44) It shall be the duty of the Visiting Committee and its members :-

- (i) to visit the institution either individually or collectively on such occasions as may be fixed by rules in that behalf for the purposes of ensuring that the provisions of the Borstal Act are duly given effect to,
- (ii) to make such suggestions for the improvement of the training therein as are considered necessary and to report to the Inspector General from time to time any matter which in their opinion should receive attention,
- (iii) to consider cases of release on license placed before them by the Superintendent,
- (iv) to consider such action as may be necessary in regard to an inmate whose term of detention is about to expire,

- (v) to consider cases recommended by the Superintendent for release being satisfied that there is a reasonable probability that the objects of training have been achieved, and
- (vi) to consider cases of inmates who owing to mental deficiency or other suitable causes are unfit for Borstal training.

6.45) Subject to such rules as may be made in that behalf by the Government, every member of the Committee shall be entitled to call for information from the Superintendent to examine the records of the school and to other advice.

6.46) A member of the Visiting Committee or any of his dependents shall not have any interest in any contract made in respect of that Borstal institution.

6.47) The Visiting Committee should meet once a month. The Superintendent should send notice of the meeting to all the members at least seven days before the day fixed with a statement of any special matters which under these rules require the consideration by the Committee and are to be laid before them at the meeting.

License

6.48) No inmate of the Borstal institution shall be released on license or parole before he has completed a period of at least six months unless otherwise ordered by the State Government. The Superintendent shall obtain the District Probation Officer's opinion regarding the suitability for discharge on license or parole of an inmate and place it before the Visiting Committee. Cases of release recommended by the Visiting Committee shall be submitted for orders to the Inspector General.

6.49) If at any time during the period of license, a Probation Officer under whose care an inmate is placed is of the opinion that the inmate has not made any effort to show progress in his work or finds that his conduct is not satisfactory, he shall immediately report the matter to the Superintendent who in turn shall immediately report to the Inspector General for his orders.

Power to release on license

6.50) Subject to any general or special directions of the State Government, the Visiting Committee, with the sanction of the Inspector General, may at any time after the expiration of one-third of the period of detention, or two years which ever is shorter, if satisfied that the inmate is likely to abstain from crime and lead a useful and industrial life, permit him to be discharged from the Borstal institution on license on

the condition that he be placed under the supervision of a Government officer as appointed. The Supervisor of licensee who may be willing to take charge during the leave granted under this section shall be in force until the term granted under this section for which the inmate was ordered to be detained has expired, unless sooner suspended, revoked or forfeited.

6.51) The time during which an inmate is absent under license from a Borstal institution shall be reckoned as part of the period of detention.

Form of license

6.52) Every license granted under rules shall be in such form and shall contain such conditions as the State Government may by general or special order direct.

Suspension and revocation of licenses

6.53) Subject to any general or special directions of the State Government, a license granted under rules may be suspended for a period not exceeding three months by the Superintendent of a Borstal institution or revoked at any time by the Inspector General on the recommendation of the Superintendent of the Borstal institution. Where the license of any inmate has been suspended or revoked, he shall return to the Borstal institution and if he fails to do so, he may be arrested without warrant and taken to the institution.

Conditions of grant of license and suspension - Revocation and cancellation thereof

6.54) A license shall contain the conditions as given below :-

- (i) that the licensee shall proceed forthwith to the place mentioned in his license and report himself to the Probation Officer,
- (ii) that he shall remain under the supervision of the said Probation Officer or any other Probation Officer to whose supervision he may be transferred by the Inspector General during the period of the license and that he shall obey all the instructions of the probation officer issued to him either verbally or in writing regarding his residence, employment and conduct,
- (iii) that he shall not proceed beyond the limits of the places within which he may be restricted from time to time by the Probation Officer without the

permission in writing of the said officer and that he shall proceed to any place indicated by the Probation Officer and by the route prescribed by him,

- (iv) that he shall report himself at such time and at such places and to such persons as the Probation Officer may from time to time direct,
- (v) that he shall apply himself with due industry and to the satisfaction of the Probation Officer to the work upon which the said officer may permit him to be employed,
- (vi) that he shall not commit any criminal offence and shall not associate with men of known bad character, and
- (vii) that he shall receive such remuneration for his work as the said Probation Officer may direct.

6.55) No inmates should be sent out from an institution without his consent and no inmate should be licensed unless the conditions of the license are personally explained to him by the Superintendent and are accepted by him. The fact that the conditions are explained to the inmate and are accepted by him shall be certified on the license by the Superintendent.

6.56) If the licensee is found to have committed a wilful breach of any of the conditions numbered (i) to (vii) in para 6.54 above, the license may be suspended or revoked. In accordance with the provisions of the relevant Act, the licensee may be directed to return to the Borstal institution.

6.57) On the suspension or revocation of the license, the licensee shall return to the Borstal institution named in the order of suspension or revocation on or before the date specified in the said order.

6.58) If an inmate to whom a license has been granted becomes unfit or incapacitated to leave the institution whether due to disease or otherwise, his license shall be cancelled by the Inspector General unless in the opinion of the Committee, his unfitness or incapacity is of a temporary nature in which case the license shall be kept pending with the Superintendent.

6.59) The Superintendent in such cases, should obtain the District Probation Officer's opinion regarding the suitability for discharge on license or parole, as well as of his surety and place it before the Inspector General.

6.60) The cases of release recommended by the Visiting Committee shall be submitted for orders to the Inspector General.

6.61) If at any time during the period of license, a Probation Officer under whose care an inmate is placed is of the opinion that the inmate has not made any efforts to show progress in his work or finds that his conduct is not satisfactory, he shall immediately report the matter to the Superintendent who in turn shall immediately report to the Inspector General for his orders.

6.62) Unless specially recommended by the Superintendent and the Visiting Committee, no inmate who escaped or attempted to escape from a Borstal institution or from an employer will be licensed.

6.63) Every Borstal inmate shall, for a period of two years from the date of his discharge from the institution, excluding the period under license, be under the supervision of such society or person, ordinarily the Probation Officer, as may be specified by the Government by any specific or general order, and while under supervision, he shall be under an obligation to comply with such requirements as may be specified. Such society or person (ordinarily a Probation Officer) shall send a half yearly report on the conduct and work of the ex-inmate to the Superintendent of the Borstal institution.

Maintenance of register of license

6.64) A register of license shall be maintained by the Superintendent and shall be placed before the Committee at least once in every two months.

Release on parole

6.65) An inmate may be released temporarily from a Borstal institution by the Inspector General for such period or periods and subject to such conditions as may be determined by him either :-

i) for the purpose of enabling the inmate to take up an employment or to receive instructions or training ; or

ii) in such other circumstances as may be approved by him.

6.66) If the Inspector General is satisfied that an inmate has violated any of the conditions on which he was released, he may by order recall him to the Borstal institution notwithstanding that the time for which he was released has not expired.

Pre-release

6.67) Provisions of Chapter LV shall be followed.

Death

6.68) The Medical Officer of the Borstal institution shall keep a record of death of an inmate which shall include the following particulars, namely, the time the deceased was taken ill, when the disease was first noticed by him, the nature of illness, the time of death and an account of the appearance after death, together with any special remarks that appear to him to be necessary. A report on the death shall be sent to the Inspector General immediately. Upon the death or serious illness or certification of an inmate as insane or mentally defective or the sustaining by an inmate of a serious accident, the Superintendent shall at once inform the parents or relations and shall in any event inform any other person whom the inmate wants to be informed.

Aftercare

6.69) From the beginning of the training of every inmate and in consultation with the Chief Probation Officer and / or the Discharged Prisoner's Aid Society or Borstal Association for the aftercare of inmates discharged from Borstal institutions, consideration shall be given to the future of the inmate and the assistance to be given him after release.

Imprisonment

6.70) If the Government or the Inspector General is satisfied that a person serving a life sentence or a sentence of imprisonment is under 21 years of age and might with advantage to himself be detained in a Borstal institution, such person may be transferred to a Borstal institution to serve the whole or any part of the unexpired residue of his sentence. The provision of the relevant Act shall apply to such offenders as if he had on the date of transfer been committed to Borstal training.

Temporary detention of inmates pending admission in a Borstal institution

6.71) If accommodation for an adolescent offender, who has been directed by a Court or Magistrate duly empowered in that behalf to be detained in a Borstal institution in the State, he may be sent for detention to an institution / annexe for adolescent offenders.

Detention in a Borstal institution not a disqualification for Government service

6.72) Detention in a Borstal institution will not disqualify an inmate for employment under Government and for other purposes.

Maintenance of records and preparation and submission of reports

6.73) The Superintendent shall be responsible for the maintenance of records and registers and for the preparation and submission of reports and returns required under the Borstal Act and rules made thereunder or as may be ordered from time to time by the State Government.

Statistics

6.74) Statistics shall be maintained both at the institution and head-quarters office in a suitable form of all those inmates who are released from the institution and of those who after release are settled down and those who are reconvicted with a view to evaluating the policies and programme of treatment followed at the institutions and to revise and recast them in the light of such evaluation.

Holidays

6.75) The institution shall observe as general holidays all Sundays and in addition about fifteen other holidays in the year duly notified by the Inspector General. A special cultural and recreational programme should be organised on holidays.

Petty shop

6.76) The Borstal institution should have a petty shop managed under the general supervision of the Superintendent.

Daily routine and programme

6.77) Programme and daily routine may consist of the following:-

(i) Early morning

- Toilet
- Meditation / prayers

- Preparation for opening
- Unlocking according to conditions of visibility
- Counting
- Search
- Leaving the barrack or cell.

(ii) Morning

- Toilet
- Prayers in groups
- P. T., drill, individual and group exercises, light yogasanas, etc.
- Light meal
- Educational classes (two periods)
- Vocational training (two periods)
- Bath
- Meal and rest.

(iii) Afternoon

- Work
- Toilet
- Outdoor games
- Gymnastics

(iv) Early evening

- Wash
- Evening meal
- Social education (one period)

(v) Evening

- Newspapers, books, radio
- Spinning, handicrafts, group music, dramatics, educational films and other cultural activities according to weekly programme for each group
- Group prayers
- Preparation for lock-up
- Searching and counting
- Lock-up
- Meditation / prayers
 - To bed

Note:- Agricultural work should preferably be done in the morning. Inmates working in agriculture should attend the educational and vocational training classes in the afternoon. Details of work and educational schedules should be fixed by each institution in accordance with the available facilities.

Programme on Sundays and prison holidays

6.78) The programme for Sundays & holidays may consist of the following :—

(i) Early morning

- Toilet
- Meditation / prayers
- Preparation for opening
- Unlocking according to conditions of visibility
- Counting
- Search
- Leaving the barrack or cell.

(ii) Morning

- Toilet
- Prayers in group
- Light meal
- General cleaning of houses, open spaces, etc.
- Cleaning of equipment
- Washing of clothes

(iii) Afternoon

- Educational films, group
- Music, folk dances, dramatics, etc.
- Newspapers, books, radio
- Toilet
- Games

(iv) Early evening

- Wash
- Evening meal

- Preparation for lock-up
- Counting
- Search
- Lock-up at dusk.

(v) Evening

Newspapers, books, radio, etc.
Group prayers
Meditation / prayers
To bed.

6.79) The Superintendent is authorised to make necessary changes in daily routine or programme to suit the needs of the institution.

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CHAPTER VII

OPEN INSTITUTION

General

7.1) An open institution is a place so used permanently under any order of the State Govt. for the detention of prisoners whose behaviour in the prison has been consistently good and who is fit for a regime based on trust, responsibility and self-discipline.

7.2) The following general provisions shall apply to Open Work Camps, Semi-open Training Institutions, Open Training Institutions and Open Colonies :-

(1) The Classification Committee shall thoroughly screen the case of each individual inmate on the following points before recommending inmates for being transferred to Open Work Camps / Semi-open training Institutions / Open Training Institutions / Open Colonies :

- (i) health (physical and mental) fitness for requirements of living in semi-open or open conditions,
- (ii) behaviour and conduct in the institution,
- (iii) progress in work, vocational training, education, etc.,
- (iv) group adjustability,
- (v) character and self-discipline,
- (vi) extent of institutional impacts (whether the inmate has reached peak points of impacts of training and treatment),
- (vii) whether the inmate can be further helped in the institution and whether he will be benefited by training and treatment in semi-open institutions,
- (viii) whether the inmate is getting institutionalized,
- (ix) sense of responsibility, and
- (x) fitness for being trusted under semi-open or open conditions.

Note:- *The minimum period which an inmate shall spend in a Central or District Prison prior to his transfer to a Semi-open Training Institution and in a Semi-open Institution prior to his transfer to an Open Training Institution has not been laid down. The Classification Committee would decide these matters on the basis of the merits of each individual case. Only through such an approach, treatment in the open can be individualized. General directions in this respect may be laid down by the State Government for the guidance of staff.*

(2) Only such prisoner whose behaviour and progress in the institution have been good and who are fit for a regime based on trust, responsibility and self-discipline, should be considered for being transferred to Semi-open or Open Institutions. Prisoners who are dangerous to society, professional and organized criminals, habitual offenders, prisoners suffering from mental unsoundness or physical diseases and prisoners who are escape or discipline risks, should not be transferred to Semi-open or Open Institutions.

(3) Inmates should initially be tried in Semi-open Institutions and then in Open Institutions. Transfer to Open Colony should be made only after ensuring that the inmate has satisfactorily responded to impacts in the Semi-open and Open Institutions. Initial transfer to a Semi-open Institution and subsequent transfer to an Open Institution or to an Open Colony should be done on a highly selective basis. Care should be taken to see that selection for treatment in the open does not become a routinised and mechanical procedure.

(4) Before being transferred to an Open Work Camp / Semi-open or Open Institution / Open Colony, the inmate should be informed about the requirements and responsibilities of living in the new institution. On admission at the Semi-open/Open Training Institutions/Open Colony, the inmate should be kept in the reception yard of the institution under observation. During this period he should be further oriented to institutional standards of behaviour and other requirements of institutional life.

(5) The conditions which an inmate shall have to observe at Open Work Camps / Semi-open Training Institutions / Open Training Institutions / Open colonies should be laid down. Before being transferred to these institutions the inmate will be required to sign such bond as may be prescribed by the Inspector General.

(6) Minimum standards as prescribed for the closed institutions regarding accommodation, equipment, sanitation, hygiene, medical service, diet and welfare services, etc., shall be maintained at each Open Work Camp, Semi-open Training Institution, Open Training Institution and Open Colony. These institutions should have good communication and transport facilities. Emergency equipment should be provided in accordance with the requirements of each institution.

(7) Security arrangements in an Open Work Camp, Semi-open Training Institution, Open Training Institution and Open Colonies should be so established that the possibility of escape gets minimised and a sense of security prevails in the neighbouring community.

(8) The programmes at these institutions should be very carefully crafted so that the inmates remain occupied in useful activities. Special attention should be devoted to :

- (a) care and welfare of inmates,
- (b) individual attention to inmate's problems,
- (c) education, work, vocational training and cultural activities,
- (d) self-discipline and character training, and
- (e) release planning, pre-release preparation and aftercare ;

(9) Wages should be paid as prescribed by the State.

Note:- Wages at the Semi Open and Open Training Institutions should be higher than at closed institutions.

(10) Concessions like remission, leave, review, etc., should be granted as per provisions of Chapters LI, LII, LIV, etc.

(11) Every Open Work Camp, Semi-open / Open Training Institution and Open Colony shall have a properly demarcated area beyond which inmates are not allowed to go. Standards of behaviour and discipline in these institutions should be maintained at a high level. Emphasis should be laid on the development of a sense of responsibility and self-discipline.

(12) Inmates should be encouraged to maintain their family contacts. The Superintendent may use his discretion in granting the facilities of additional letters and interviews according to the merits of each case.

(13) While an inmate is living in a Semi-open or Open Training Institution, he should be allowed to stay with his family members for one week once every six months. Arrangements for such stay should be made in family hutments which should be erected in a suitable place outside the Semi-open or Open Training Institution. These huts should be so located that the inmate and his family members get the required privacy and at the same time, the requirements of discipline and security are also fulfilled. The period of stay in the family hutments should be treated as leave period and should count towards the sentence.

Note:- Such periodical stay with his family will be helpful in keeping the inmates close to his family group. This concession should, however, be granted

on a selective basis and after a thorough study of each inmate's case. Initially this concession should be tried on an experimental basis. In due course and after having gained enough experience, this system may be further developed to suit local conditions. The State Government should issue detailed instructions in this respect.

(14) The classification Committee should examine the case of every inmate atleast once in three months.

Personnel

7.3) Only personnel who have the capacity for handling inmates under semi-open or open conditions and have the requisite calibre and leadership for imparting training and treatment in semi-open or open conditions should be posted at these institutions.

7.4) Unless they volunteer to do so, personnel should not be required to remain at these institutions for more than one year at a time. Staff members posted at these institutions should be given all necessary facilities for the education of their children and welfare of their families. Medical and transport facilities should be granted according to requirements. The staff posted at these institutions should be given an additional allowance to be fixed by the Government.

Open Work Camps

7.5) Open Work Camps should be started in places where nation building activities, like digging canals, water channels, construction of bunds, dams, roads, Government buildings, prison buildings, etc., projects of land reclamation, land development, and bringing uncultivated land under cultivation, soil conservation and afforestation, etc. can be organized.

7.6) Non-habitual adult offenders who have been sentenced upto one year and are not dangerous to society may be considered for being transferred to Open Work Camps. Before transfer, each case should be thoroughly screened.

7.7) The population of these camps should not normally exceed 200. Temporary hutments should be provided. Security arrangements should be adequate.

7.8) In addition to nation building work, the programme should consist of literacy projects, social education, recreational and cultural activities, etc.

7.9) Prisoners working in these camps should be given such wages as may be prescribed by the State Government.

7.10) Prisoners who do not properly respond to the standard of discipline in these camps should be transferred to closed institutions.

Semi-open Training Institutions

7.11) Non-habitual adult offenders sentenced to imprisonment exceeding one year and who are not dangerous to society should be considered as eligible for being transferred to Semi-open Training Institutions.

7.12) The Classification Committee will carefully examine the case of each prisoner before his transfer to a Semi-open Training Institution.

7.13) The population at the Semi-open Training Institution should not exceed 200. Pukka buildings should be provided and adequate security arrangements made.

7.14) The programme should consist of work (industrial or agricultural), vocational training, diversified education, recreational and cultural activities, etc.

Note :- Daily programme, education, vocational training projects, cultural and recreational activities, discipline etc., should be organized, as indicated in the relevant Chapters.

Open Training Institutions

7.15) Non-habitual adult offenders sentenced to imprisonment exceeding one year who are not dangerous to society and have been recommended by the Classification Committee of a Semi-open Training Institution should be considered as eligible for being transferred to an Open Training Institution. The main criteria for selecting prisoners for Open Training Institutions may be :-

- (a) how the inmate has responded to the programme in a Semi-open Training Institution, and
- (b) whether he is fit for a regime based on trust, confidence, responsibility and self-discipline.

7.16) The population of an Open Training Institution should not exceed 200. Pukka building should be provided. Security arrangements should be adequate.

7.17) Prisoners should mainly be employed in agricultural and allied work. Suitable cottage industries may also be started at these institutions. Emphasis should be laid on programmes like literacy projects, social education, cultural and recreational activities, etc.

Note :- Daily programme, education vocational training projects, cultural and creational activities, discipline etc., should be organized as indicated in the relevant chapters.

Open Colonies

7.18) Non-habitual adult offenders sentenced to three years and above who have still to undergo one year's imprisonment and who have been recommended by the Classification Committees of the Open Training Institutions may be considered as eligible for being transferred to Open Colonies.

7.19) An Open Colony should consist of huts built on a family unit basis. It should have adequate land and other facilities for agricultural and allied activities. Pukka buildings should be provided. Security arrangements should be adequate.

7.20) Inmates should be allowed to bring their family members to the Open Colony. Inmates and their family members should be given opportunities for work in agriculture or allied fields or in such cottage industries as can be conveniently organized on a co-operative basis. Inmates and their family members who will be working in the colony should be paid such wages as may be prescribed by the State. These wages should be on par with outside wages. The inmates should maintain themselves and their families with the wages earned by them in the colony.

7.21) Main emphasis should be given on work, literacy project, social education training in agricultural and allied and cultural activities.

Note 1 :- The State Government should frame detailed rules regarding the administration of Open Work Camps, Semi-open Training Institution, Open Training Institution and Open Colonies.

Note 2 :- Contents of this chapter are of general nature. Details about the administration of open institution should be fixed by the State in accordance with the local conditions.

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PART C
ORGANISATION POWERS AND FUNCTIONS

CHAPTER VIII

HEAD-QUARTERS ORGANIZATION

Establishment

8.1) The head-quarters establishment of the Prisons Department may comprise the following :-

- (i) ¹Inspector General of Prisons and Correctional Services ;
- (ii) ²Deputy Inspector General of Prisons (HQ's)
- (iii) Deputy Inspector General of Prisons, Kashmir / Jammu*
- (iv) Director, Correctional Services*
- (v) Superintendent of Industries*
- (vi) Chief Accounts Officer
- (vii) Statistics and Research Officer*
- (viii) Law Officer*
- (ix) Other supporting staff.

Inspector General

8.2.) *The Inspector General of Prisons and Correctional Services shall be appointed by the Government. He shall, subject to the orders of the Government, exercise all powers, general control and superintendence over all the prisons.*

[See section 3(7) of the J&K Prisons Act 1920 A.D]

8.3) The Inspector General being the head of the department shall be responsible for the internal management and the economy of the Prisons Department. In the discharge of his duties and in the execution of orders of the Government, he is bound

to act in conformity with the system and regulations regarding the functions, discipline and administration of the department as contained in the J&K Prisons Act, 1920 A. D. The Inspector General has to define the functions and fix lines of authority and channels of command of the Prisons Department.

Inspection of prisons by the Inspector General

8.4) It shall be the duty of the Inspector General, as far as may be, personally to visit and inspect every jail at least once each year, and to satisfy himself that provisions of the J&K Prisons Act, 1920 A.D and all rules, regulations directions and orders made or issued thereunder applicable to such jail, are duly obeyed and enforced and that the management of such jail is in all respects efficient and satisfactory. A note recording the result of each visit and inspection shall be made in the register to be maintained by the Superintendent for the purpose.

8.5) In accordance with provisions of the law and rules, the Inspector General shall, at his inspection of each jail, ordinarily—

- (i) see all yards, wards, cells, worksheds, store rooms, kitchen and latrines noting their state of repair, sanitary condition and efficiency, the extent to which the structural arrangements permit the separation of different classes of prisoners as required by the J&K Prisons Act, 1920 A.D and the rules made thereunder, and whether these arrangements are availed of to the fullest extent;
- (ii) examine the jail garden and note its conditions as to its capabilities to supply vegetables and antiscorbutics in sufficient quantities to all the prisoners and whether it has been successfully cultivated or otherwise;
- (iii) note any defects in the water supply and conservancy arrangements, see that the sick are carefully attended to and that the food is of proper quality and quantity;
- (iv) see every prisoner in confinement in jail, noting any circumstances of importance requiring attention such as the adaptation of tasks to physique and capabilities, the condition and sufficiency of the clothing, the employment of prisoners, the working of the remission system, the award of punishment and afford every prisoner a reasonable opportunity of making any application or complaint and investigate and dispose of the same properly ;
- (v) inspect the Warder establishment as to its proficiency, inspect the arms and accoutrements, and test the ability of the upper subordinates to drill the guard ;

- (vi) satisfy himself that the arrangements for guards both by day and by night are satisfactory, to plan, organise, direct, co-ordinate and control various correctional services;
- (vii) satisfy himself that economy is practised in the matter of all purchases;
- (viii) satisfy himself that all accounts and registers are maintained according to the rules in force; that proper arrangements are made for the safe custody of all records, and that due regard is paid to all requirements of the law and rules made thereunder; and
- (ix) record his opinion of the manner in which the jail is administered, the extent to which officers appear familiar with their duties, together with any suggestions he may wish to make and any orders he may desire to issue to the Superintendent.

8.6) A copy of any part of the minutes required by the preceding para graph which deals with matters which should, in the opinion of the Inspector General, be brought to notice of Government, shall be forwarded by the Inspector General to the Government.

Control of expenditure

8.7) Subject to the rules and orders issued by the Government in the Finance Department from time to time and with reference to the requirements of the Accountant General, the expenditure of the Prisons Department shall be controlled by the Inspector General. The Inspector General shall annually submit to Government in the Finance Department and the Administrative Department, the prescribed budget of charges and the receipts on or before the due dates as may be prescribed by the Government from time to time.

Inspector General's financial powers

8.8) The Inspector General shall have and exercise all the financial powers conferred on him by the relevant provisions of the J&K Book of Financial Powers, Vol. I and II and other powers conferred by the Government from time to time.

Deputy Inspector General

8.9) The Deputy Inspector General (Headquarters) shall, within the entire State or any specified part thereof as may be notified by the Government in this behalf,

exercise such powers and perform such duties as may be delegated to him by the Inspector General Prisons with prior approval of the Government.

[SRO 129 issued vide Home Deptt. dtd. 10-4-1982].

Chief Accounts Officer

8.10) The Chief Accounts Officer and other accounts staff at the headquarters shall perform the following functions:-

- (i) drawing and disbursing in the Direction Office ;
- (ii) monitoring the distribution of budget allotments and the expenditure thereon under both plan as well as non-plan grants, both of the direction office as well as the subordinate offices ;
- (iii) conducting inspection of jails at least once in a year and conducting periodical check-up of accounts maintained in the jails ;
- (iv) checking the central stores of Prisons Department periodically at random ;
- (v) ensuring that the monthly returns of expenditure statements, stocks, bedding, uniform etc are received from the sub-ordinate offices in time ; and
- (vi) monitoring the audit notes, draft paras, outstanding audit paras, and reconciliation of accounts with the Accountant General's office.

Law Officer

8.11) He will function as legal advisor to the Inspector General and will deal with legal matters of the department especially the court cases.

Statistics and Research Officer

8.12) The Statistics and Research Officer may be hired on deputation from the Directorate of Economics and Statistics. The responsibility will include the maintenance of statistics and records pertaining to prison inmates, personnel, institutional administration, industries and fiscal matters. Statistical Branch at the head-quarters will also therefore develop information concerning operations of the correctional system from the institutional data, maintain a central index card file of such offenders as may be specified by the Inspector General and prepare reports of the operations of the department including information on the programme and activities and tabulations of other significant data and information.

Director, Correctional Services

8.13) Director, Correctional Services will look after the correctional aspect of the prison management with overall focus on convict category; will do prognostic treatment and rehabilitation of prisoners and will co-ordinate with correctional officers of the field preferably at Central Jail level. He will also liaise with academic bodies and other agencies interested in problems of prevention and treatment of crime and delinquency.

Superintendent of Industries

8.14) The Superintendent of Industries shall, subject to the overall control of the Inspector General, be responsible for the formulation, implementation, monitoring and evaluation of the training and works programme of the Prisons Department. He will formulate the programmes in consultation with the Directors of Industries and Social Welfare concerned in whose jurisdiction the prisons or industries lie.

Other Staff

8.15) The duties and functions of the subordinate officers and other personnel shall be decided by the Inspector General and Deputy Inspector General (Head-quarters.)

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CHAPTER IX

INSTITUTIONAL : STRUCTURE AND STAFF

9.1) Institution means a place for the custody, care, protection, treatment, development and rehabilitation of delinquent persons and includes all categories of jails and homes / centres declared as such under the provisions of the relevant Acts.

Personnel

9.2) Each institution will have personnel to meet the requirements of security, discipline and programme. The personnel strength at each institution will be determined according to the duty posts, taking hours of duty per day as the basis for each category of staff. The organisational set-up will be fixed in accordance with the size of the institution, the inmate population, work load and distribution of functions.

9.3) Institutional personnel will include the following :—

- (i) Sr. Superintendent Jail
- (ii) Superintendent Jail Grade-I
- (iii) Superintendent Jail Grade-II.
- (iv) Deputy Superintendent (Jailor)
- (v) Sr. Assistant Superintendent *
- (vi) Assistant Superintendent.
- (vii) Head Warder
- (viii) Warder / Female Warder
- (ix) Physician Specialist / Surgeon Specialist *
- (x) Medical Officer/Dental Surgeon/Optomologist * and Paramedical staff
- (xi) Chief Accounts Officer and Accounts Subordinates.
- (xii) Correctional Officer at Central Jails *
- (xiii) Welfare and After-care Officer
- (xiv) Statistical Assistant *
- (xv) Psychologist / Psychiatrist *
- (xvi) Factory Manager *
- (xvii) Educational Personnel (Teacher)
- (xviii) Technical Instructor at Central Jails

Superintendent

9.4) *All appointments to and changes in the office of Superintendent Jail shall be made by the Government.*

[See Home Deptt. SRO129 dated 10-04-1982]

9.5) *"Subject to the orders of the Inspector General Prisons, the Superintendent shall manage the prison in all matters relating to discipline, labour, expenditure, punishment and control."*

[Section 11(1) of J&K Prisons Act, 1920 A.D.]

9.6) *"Subject to such general or special directions as may be given by the Government, the Superintendent of a prison other than a Central Prison shall obey all orders not inconsistent with this Act or any rule thereunder which may be given respecting the prison by the District Magistrate and shall report to the Minister-in-charge all such orders and the action taken thereon."*

[Section 11(2) of J&K Prisons Act, 1920 A.D.]

9.7) All officers of a prison shall obey the directions of the Superintendent and all officers subordinate to the Jailor (Deputy Superintendent) shall perform such duties as may be imposed on them by the Jailor with the approval of the Superintendent or be prescribed by the rules under section 60 of the Act.

9.8) All or any of the powers and duties conferred and imposed on a Superintendent shall be in his absence exercised and performed by any such officer as the Government may appoint in this behalf either by name or by official designation.

9.9) *"The Superintendent shall keep or cause to be kept the following records:-*

- (i) a register of prisoners, admitted ;*
- (ii) a book showing when each prisoner is to be released ;*
- (iii) a punishment-book for the entry of the punishments inflicted on prisoners for prison-offences ;*
- (iv) a Visitor's book for the entry of any observations made by the Visitors touching any matters connected with the administration of the prison;*

- (v) *a record of the money and other articles taken from prisoners ;*
- (vi) *and all such other records as may be prescribed by rules under section 59 or section 60”.*

[Section 12 of J&K Prisons Act, 1920 A.D.]

9.10) It shall be the duty of Superintendent of a jail to :—

- (i) provide for the support, care and custody of and control over all prisoners at any time confined in the jail ;
- (ii) maintain order and discipline amongst the prisoners confined and the subordinate officers employed in the jail ;
- (iii) control all expenditure relating to the jail ;
- (iv) inquire into and adjudicate upon all alleged prison-offences and breaches of discipline and to punish all those who are found guilty of having committed any such prison-offence or breach of discipline, in due course of law ; and
- (v) generally to take all such measures as may be necessary or expedient for the proper protection and management of the jail and of all prisoners at any time confined therein and for the purpose of giving effect to and enforcing the provisions of the J&K Prisons Act, 1920 A.D. and all rules, regulations, orders and directions made or issued thereunder, as may be applicable thereto or to any prisoner confined therein or any officer thereof.

9.11) The Superintendent shall discharge his duties subject to the control of and all orders passed by him shall be subject to revision by the Inspector General.

9.12) The Superintendent shall visit the jail at least once every working day, and on Sundays and holidays also whenever special circumstances render it desirable that he should do so. If from any cause, the Superintendent is prevented from or unable to visit the jail on any day on which he is by this rule, required to do so, shall record the fact and cause of his absence in his journal.

9.13) The first duty of the Superintendent, on the occasion of his daily visit to the jail, shall be to release time-expired convicts, in accordance with the provisions of the law and the rules in that behalf. He shall in discharging this duty, in particular, observe the rules regulating the return of their private property and grant of proper subsistence allowance to such convicts.

9.14) The Superintendent of a District Jail shall as far as practicable, see every prisoner in his charge daily and the Superintendent of Central Jail shall likewise see every prisoner in his charge once in two days.

9.15) The Superintendent of a jail shall check the food prepared for prisoner's meals at least three times in each week.

9.16) The Superintendent shall visit the jail after lock-up and between the hours of sunset and sunrise at least once a fortnight and satisfy himself at each such visit that the jail is properly secured and guarded and that all rules and orders in any way relating to or connected with the nightly disposition of prisoners, Warders and Officers of the jail and the duties to be performed by Warders and Officers at night are duly observed and carried out.

9.17) The Superintendent shall frequently visit and inspect every barrack, yard, cell, workshop and latrine, as well as the armoury, Warders lines and every other part of the jail and its precincts and all premises belonging or attached thereto, or connected there with and satisfy himself that all buildings, structures, enclosing walls and the like are secure and are maintained in the best possible state of repair and that every part of the said jail precincts and premises is kept clean and in an efficient sanitary condition. Attention should be also paid to :

- (i) exterior appearance of the institutions,
- (ii) turn out of the subordinate staff,
- (iii) electricity and lighting, and
- (iv) beautification as a whole.

9.18) The Superintendent shall visit the jail hospital frequently and shall carry into effect, or cause to be carried into effect, all written advice given by the Medical Officer in regard to the proper segregation of prisoners suffering or believed or suspected to be or likely to suffer from any infectious or contagious disease. He shall, whenever necessary and without delay, take all reasonable measures for cleansing and disinfecting every place at any time occupied by any such prisoner and for washing, disinfecting by fumigation or otherwise, or destroying as may be most expedient, all wearing apparel, bedding or other articles which are infected or foul or may be believed or suspected to be infected or foul.

9.19) The Superintendent shall visit the jail garden at least once a week and satisfy himself that all necessary measures are being taken therein for the purpose of cultivating and producing an ample and continues supply of vegetables, condiments and anti-scorbutics,

or consumption by the prisoners that the land included in the garden is kept in proper order and free from weeds; that the trenching of filth and refuse from the jail is effectively and duly conducted; that stable litter and other manure is suitably disposed of and that the premises generally are maintained in good sanitary condition.

9.20) The Superintendent shall see that sufficient quantity of dietary articles for consumption by the prisoners are stored and proper arrangements are made for their preservation. The Superintendent shall ensure that articles procured are of good quality and are stored only after proper survey by a Board of Officers nominated by the Inspector General which shall invariably include Medical Officer of the jail.

9.21) The Superintendent shall on or as soon as possible after the first day of January, April, July and October of each year, satisfy himself that he has on the premises stock and plants equivalent to the balances of the same shown in the accounts on those dates. After each examination, he shall submit to the Inspector General a certificate showing the result thereof.

9.22) The Superintendent shall hold a weekly parade of all prisoners for the time being confined in the jail for purposes of muster and inspection. The parade shall ordinarily be held on Monday of each week.

9.23) At each parade held under the proceeding paragraph, the Superintendent shall satisfy himself—

- (i) that every prisoner is properly classified as provided in the rules in that behalf ;
- (ii) that every prisoner is provided with proper clothing and bedding as provided in the rules in that behalf ;
- (iii) that every prisoner is clean both in person and clothing ;
- (iv) that the provision of the remission-rules are understood by the prisoners and that each prisoner knows the extent of remission (if any) there under which he has earned ; and
- (v) that the rules and orders applicable to prisoners are being duly carried out.

9.24) The Superintendent shall at every such parade, hear every request or complaint (if any) which any prisoner may desire to make and shall in due course, inquire into and pass orders thereupon.

9.25) The Superintendent shall cause the prisoner to be checked and counted at least twice each day, namely, at the hour of opening the wards in the morning and of locking up of the prisoners in the evening.

9.26) The Superintendent shall ordinarily transact all business relating to the jail on the premises thereof, and shall not, otherwise than in cases of necessity or emergency, require the attendance of the Deputy Superintendent or Assistant Superintendent at any place without and beyond such premises.

9.27) The Superintendent shall record, or cause to be recorded in writing, an order showing the distribution of duties amongst sub-ordinate officers and the nature and extent of the duties allotted to each such officer. Provided that nothing contained in any order recorded as such shall be deemed in any way to relieve the Deputy Superintendent of his general responsibility, under the Superintendent, for the entire management of the jail, or to relieve the Deputy Superintendent or any other subordinate officer of his liability to discharge any duty on him imposed by any law or rules for the time being in force.

9.28) *The Superintendent shall hold an inquiry touching every offence committed or alleged to have been committed by prisoners and punish such offender in the manner in that behalf provided in the law and rules relating to punishment. He shall record, with his own hand, all orders for punishment so ordered and see that such orders are duly carried into effect in accordance with law, Provided that if from any cause the Superintendent is at any time physically incapacitated from making such record, he shall cause the same to be made in his presence and under his directions.*

[See Section 46 of J&K Prisons Act, 1920 A.D.]

9.29) When the Deputy Superintendent reports any unusual occurrence requiring immediate action, the Superintendent shall forthwith proceed to the jail to investigate the case and take such measures as may under the circumstances be necessary. He shall make a report of the matter in his journal.

9.30) The Superintendent shall exercise such powers, in regard to the appointment and punishment of subordinate officers as are specified in the rules relating to such officers.

9.31) The Superintendent may, at any time, inquire into and record his opinion on the conduct of any subordinate officer. In conducting all such inquiries he shall be guided by the provisions of the rule in that behalf.

9.32) The Superintendent shall report at once by signal to be followed by a detailed report to the Inspector General :

- (i) all serious breaches of jail discipline ;
- (ii) every case in which any prisoner escapes or attempts to escape or is re-captured or commits suicide or dies from or receives a serious injury ;

- (iii) all outbreaks of epidemic disease or disease which may be likely to assume an epidemic form, amongst the prisoners or officers of the jail, and the measures taken to prevent the spread thereof ; and
- (iv) all serious cases of overcrowding and all such other matters as the Inspector General may, from time to time in his discretion, by general or special order in that behalf, require to be so reported to him by the Superintendent.

9.33) The Superintendent shall accompany the Inspector General whenever that officer visits the jail for the purpose of inspecting the same or any part thereof and shall take all necessary measures to facilitate the inspection and secure the safety of the inspecting officer.

9.34) The Superintendent shall, if so desired, similarly accompany any official Visitor during his visit to the jail.

9.35) The Superintendent shall at all times exercise a vigilant supervision and control over all moneys and property of whatever kind received by him or by any subordinate officer, or at any time in his charge or in the charge of any subordinate officer, for or on account of the Government, the jail or any prisoner at any time confined therein, and over all expenditure of every kind incurred by him or under his authority or orders or under the authority of any rules in that behalf for the time being in force, on the up-keep and management of the jail and the maintenance of the prisoners for the time being confined or in any way relating thereto or connected therewith, and 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 and of the rules and orders regulating the management of the public accounts for the time being in force in that behalf.

9.36) The Superintendent shall be personally liable for all defalcations, loss or damage in any way due or attributable to any negligence, disobedience or misconduct on his part.

9.37) The Superintendent shall satisfy that all supplies are paid for at the time they are purchased, or as soon afterwards as possible.

9.38) The Superintendent shall carry into effect all requisitions in writing of the Medical Officer, as to the provisions of extra bedding or clothing or 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.

9.39) The Superintendent shall enter in a journal to be maintained for the purpose, every order given by him related to the management and discipline of the jail, and shall satisfy himself that every such order is duly carried into effect.

9.40) When any officer is about to take over charge of the office of Superintendent of any jail, he shall, before doing so, 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 make a note, in writing, of the defects, deficiencies or irregularities (if any) detected either at the time of making over charge or within one month thereafter and shall inform the Inspector General thereof.

9.41) The Superintendent shall, from time to time, regularly and punctually submit to the Inspector General all such special or periodical—

- (i) returns of statistical information ;
- (ii) statements of accounts in respect of receipts ; expenditure and property;
- (iii) bills, vouchers and other original documents ;
- (iv) reports and other information as that officer may at any time, by general or special order in that behalf, prescribe, or as may be required by any of the provisions of these rules or of the orders of the Government.

9.42) As soon as conveniently may be after the close of, but not later than the thirty-first day of January in each year, the Superintendent shall furnish the Inspector General with a report on the administration of the jail during the preceding year. Every such report shall be in such form and accompanied by such statistical and other statements and returns as the Inspector General may, from time to time, prescribe in that behalf.

9.43) The Superintendent shall satisfy that proper precautions are taken to guard against fire. With this object, he shall draw up a set of rules for the guidance of officers in such cases and cause a copy of them to be pasted between the jail gates or other equally conspicuous places.

Deputy Superintendent (Jailor as per J&K Prisons Act)

9.44) The Deputy Superintendent shall be the Chief Executive Officer of the jail and shall discharge his duties under the immediate direction and order of the Superintendent.

9.45) It shall be the duty of the Deputy Superintendent strictly to enforce, or cause to be so enforced, all laws, rules, regulations direction and orders, respectively, relating to

the management of the jails and prisoners and applicable to the jails or to any prisoner confined therein, for the time being in force, under the overall supervision and control of the Superintendent.

Residence and other employment of Deputy Superintendent

9.46) *“The Deputy Superintendent shall reside in the prison, unless the Superintendent permits him in writing to reside elsewhere”.*

[Section 16(1) of J&K Prisons Act, 1920 A.D.]

9.47) *“The Deputy Superintendent shall not, without the Inspector General's sanction in writing, be concerned in any other employment”.*

[Section 16 (2) of J&K Prisons Act, 1920 A.D.]

9.48) *“The Deputy Superintendent shall not be absent from the prison for a night without permission in writing from the Superintendent; but if absent without leave for a night from unavoidable necessity, he shall immediately report the fact and the cause of it to the Superintendent”.*

[Section 19 of J&K Prisons Act, 1920 A.D.]

9.49) *The Deputy Superintendent shall be responsible for the safe custody of the records to be kept under section 12, for the commitment warrants and all other documents confided to his care, and for the moneys and other articles taken from prisoners.*

[See section 18 of J&K Prisoners Act, 1920 A.D.]

9.50) *Where an Assistant Superintendent or Senior Assistant Superintendent is appointed to a prison, he shall subject to the orders of the Superintendent be competent to perform any of the duties, and be subject to all the responsibilities, of Deputy Superintendent under this Act or any rule thereunder.*

[See Section 20 of J&K Prisons Act, 1920 A.D.]

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

9.52) The Deputy Superintendent shall at least once in every twenty four hours :-

- (i) himself see every prisoner for the time being confined in the jail ; and
- (ii) visit every barrack, ward, cell, compartment and every other part of the jail and the premises thereof, including the hospital, and shall, save as provided in the rules, regulations, directions and orders for the time being in force in that behalf, always remain present within the jail or the premises thereof.

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

9.54) If the Deputy Superintendent, is at any time prevented, by unavoidable cause, from performing any duty imposed upon him as such Deputy Superintendent, he shall take immediate measure to have such duty performed by the next senior officer in rank present and to report the fact to the Superintendent. The Deputy Superintendent shall not, without the previous permission of the Superintendent at any time delegate any duty to any other officers.

9.55) It shall be the duty of the Deputy Superintendent to :

- (i) be present every evening when the prisoners are locked up for the night and every morning when the prisoners are taken out of the sleeping wards, cells or other compartment ;
- (ii) satisfy himself, both night and morning, that all the prisoners are present and in safe custody ;
- (iii) 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 to proper labour and performs his allotted task and , for this purpose, to check the tasks allotted and visit the workshops frequently while the prisoners are engaged at work ;
- (iv) be present at and supervise the daily weighing and serving out of rations and satisfy himself that the food-stuffs are all of good quality, up to weight, and properly cleaned and cooked ;
- (v) supervise the distribution of food and satisfy himself that each prisoner receives his proper quantity at the prescribed time ; and

(vi) forthwith report every unusual occurrence of a serious nature, to the Superintendent.

9.56) Upon the admission of every prisoner, the Deputy Superintendent shall examine the warrant or order under which such prisoner is committed to the jail and satisfy himself that it is in all respects complete, in order and valid ; remove or cause to be removed, from such prisoner all money or other articles found on him, including (if such prisoner is not, by law, entitled to retain it) his wearing apparel and (in such case) shall provide him with a complete jail out-fit ; take measure to preserve and protect all property taken from, or belonging to, the prisoner which may come into his hands ; and shall satisfy himself that the provision of chapter IV of the J&K Prisons Act, 1920 A.D, and rules made there under as to the admission of prisoner, are duly complied with.

9.57) All money or other articles in respect whereof no order of a competent Court has been made, shall be placed in the custody of the Deputy Superintendent.

9.58) It shall be the duty of the Deputy Superintendent :

- (i) to cause all lawful warrants and orders of commitment to be duly obeyed and carried in to effect ;
- (ii) on the admission of every prisoner, to cause his name to be duly entered in the register of release under the date on which such prisoner is, in due course of law, entitled to be released ;
- (iii) to give effect to all remission of sentence lawfully earned or granted and from time to time, to revise and enter the correct date of release in the register of release ;
- (iv) to take all measures that may be necessary or expedient in order that no prisoner shall be released before he is legally entitled to be so released or detained in confinement after the date on which he is so entitled to be released ; and
- (v) to give effect to the sentence of solitary confinement awarded to prisoners in due course of law.

9.59) In the event of any prisoner being at any time guilty of a breach of discipline or of any rule or regulation or of any other misconduct, the Deputy Superintendent shall cause the offender to be brought before the Superintendent for orders, and shall enter the charge in the prisoner's History-Ticket.

9.60) The Deputy Superintendent shall, at uncertain times, at least once a week cause each prisoner and all clothing and bedding and all wards, cells and other compartments, workshops, latrines and other places frequented by prisoners, to be thoroughly searched for prohibited articles.

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

9.62) The Deputy Superintendent shall, whenever required to do, accompany the Superintendent, Medical Officer and Magistrate and every inspecting officer and Visitor, on their visits to the jail.

9.63) It shall be the duty of the Deputy Superintendent to exercise proper control over all officers of the jail subordinate to him and to satisfy himself that every such officer is at all times efficient and that he discharges his duties regularly and in a subordinate manner.

9.64) The Deputy Superintendent shall at all times maintain strict discipline amongst subordinate officers and shall be responsible to see that :—

- (i) such officers as are subject to discipline in the nature of military discipline are acquainted with drill and the use of their arms ;
- (ii) all officers in respect of whom uniform are prescribed, wear such uniform in the prescribed manner at all times when such uniform is required to be worn;
- (iii) the prescribed roster of attendance and duties is carried into effect ;
- (iv) when on duty, all officers are neat and clean in appearance, properly dressed and accounted ; and
- (v) every instance in which any subordinate officer is guilty of any dereliction of duty, breach of discipline or other misconduct, which comes to his knowledge, is entered in his journal and brought to the notice of the Superintendent.

9.65) Subject to the rules relating to the granting of leave and the record to be maintained of all leave granted, the Deputy Superintendent may grant leave of absence for a period not exceeding four hours at any one time to any subordinate officer.

9.66) Provided that in every case in which any such leave is granted, the Deputy Superintendent shall make all necessary arrangements for the due performance of the duties of the officers to whom such leave is granted, during his absence or such leave.

9.67) Every Sunday morning the Deputy Superintendent shall hold a parade of all the prisoners for the time being confined in the jail and shall, with the Medical Subordinate ;

- (i) carefully inspect every prisoner ; and
- (ii) examine the clothing and bedding of every prisoner.

9.68) The Deputy Superintendent shall, without delay, call the attention of the Medical Subordinate to any prisoner desiring to see him or who is ill, or whose state of mind or body appears to require attention and shall carry into effect all written directions given by the Medical Officer or Medical Subordinate respecting alterations of the discipline or treatment of any such prisoner.

9.69) *All directions given by the Medical Officer or Medical Subordinate in relation to any prisoner, with the exception of orders for the supply of medicines or directions relating to such matters as are carried into effect by the Medical Officer himself or under his Superintendence, shall be entered day by day in the Prisoner's History- Ticket or in such other record as the Government may by rule direct and the Deputy Superintendent shall make an entry in its proper place stating in respect of each direction the fact of its having been or not having been complied with, accompanied by such observations, if any, as the Deputy Superintendent thinks it to make, and the date of entry.*

[See Section 38 of J&K Prisons Act, 1920 A.D.]

9.70) *"Upon the death of a prisoner, the Deputy Superintendent shall give immediate notice thereof to the Superintendent and the Medical subordinate."*

[Section 17 of J&K Prisons Act, 1920 A.D.]

9.71) *"No prisoner shall be put in iron or under mechanical restraint by the Deputy Superintendent of his own authority except in case of urgent necessity, in which case notice thereof shall be forthwith given to the Superintendent."*

[Section 58 of J&K Prisons Act, 1920 A.D.]

9.72) The Deputy Superintendent shall enter daily in his journal:-

- (i) the time the wards were opened ;
- (ii) the members of the staff (if any) who were absent ;

- (iii) the time prisoners began work ;
- (iv) the time work was stopped in the forenoon and
- (v) the time work was stopped for the day ; and
- (vi) the time the lock-up was completed.

9.73) The Deputy Superintendent shall enter in his journal all instances in which he may have found it necessary to use restraint on any prisoner; any violent outbreak of serious offence, accident, death or other occurrence out of the ordinary routine; applications for the Superintendent's sanction for the employment of prisoners in any special manner or any un-usual expenditure and whenever it is proposed to draw money from the Treasury for manufacturing or jail purposes and a note showing the necessity for the same.

9.74) The Deputy Superintendent's journal shall be placed daily (or oftener if necessary), before the Superintendent, who shall endorse his orders against each entry, or if no orders or comments are necessary, append his initials.

9.75) The Deputy Superintendent shall use all means in his powers to make the labour of the prisoners profitable. He shall prevent wastes in the manufactory, be responsible for the checking of the applications stores for the raw-material, see that the quantities of material charged for have been received, that rates paid for all supplies are fair, and that the prices at which manufactured goods are sold are properly remunerative and promptly paid for. He shall also be responsible to see that all moneys are sent to the local Treasury. Where there is a Factory Manager, these duties, in so far as relates to his Department, devolve on that Officer.

Note : - The above duties shall be suitably distributed amongst Deputy Superintendents in accordance with the work load at each institution. At a Central Prison and District Prisons, there shall be three and one Deputy Superintendents, respectively.

Senior Assistant Superintendent

9.76) Where a Senior Assistant Superintendent or Assistant Superintendent is appointed to a prison, he shall, subject to the orders of the Superintendent, be competent to perform any of the duties, and be subject to all the responsibilities, of a Deputy Superintendent under the Prisons Act or any rule thereunder.

9.77) A definite share of the duties of the Deputy Superintendent shall be assigned to the Senior Assistant Superintendent under the written orders of the Superintendent. These duties should be changed from time to time so as to afford him every opportunity of becoming acquainted with all the details of the jail management.

Assistant Superintendent

9.78) Assistant Superintendents shall be responsible for :-

- (i) security, custody and discipline ;
- (ii) supervision over sanitation and hygiene of the area under his charge;
- (iii) discipline at the gate, and in barracks, cells, workshops, etc. in the area under his charge ;
- (iv) supervision over searches, counting of inmates, opening and closing of prison ;
- (v) supervision over distribution and maintenance of inmate's clothing, bedding and other equipment ;
- (vi) attending to appeals, interviews, letters, applications, health needs, leave, emergency release, canteen, work, wages, requests, complaints, personal problems of inmates etc ;
- (vii) supervision over kitchen and distribution of food ; canteen and distribution of canteen articles ;
- (viii) admission-quarantine programme ;
- (ix) collection of social history of the offender and preparing case-histories;
- (x) participation in Classification Committee's work ;
- (xi) implementation of various instructions issued by the Classification Committee pertaining to the programme chalked out for the inmates ;
- (xii) observing and recording inmate's response to institutional regime and treatment programme ; maintenance of progress reports ;
- (xiii) supervision over work of inmates ;
- (xiv) organizing and conducting educational, training, cultural and recreational activities ;
- (xv) arranging pre-release programme ;
- (xvi) officer's work pertaining to his work section or yard ;
- (xvii) inmate mail censoring, distribution, clearance etc ;
- (xviii) preliminary inquiries pertaining to violation of discipline and reporting the same to the appropriate authority, attending orderly room, in charge of

punishment yards and cells, implementing punishments awarded to inmates for institutional violations ;

- (xix) inspection of Guards and Sentries on duty ;
- (xx) daily inspection rounds and weekly night inspection rounds as per schedule ;
- (xxi) P. T., drill, parades, emergency practice etc ;
- (xxii) supervision over the work of all the staff members working under him, discipline and welfare of staff , charge of guarding personnel units ; and
- (xxiii) assisting the Superintendent in all matters pertaining to institutional management.

Note :- These duties can be divided among the correctional staff like Welfare Officer and security related assignment can be given to the Assistant Superintendent. In case of absence of the correctional staff, all are to be performed by Assistant Superintendent only.

Guarding Personnel

9.79) The duties of Guarding Personnel include the following :—

- (i) security, custody, discipline ;
- (ii) counting of prisoners ;
- (iii) opening and lock-up of the prison ;
- (iv) reporting defects and short-comings in prison building walls, locks, lighting arrangement, bars etc., taking immediate action in removing these defects and short-comings ; custody of locks and keys, handcuffs and other equipment ;
- (v) care and welfare of prisoners ;
- (vi) maintenance of discipline in institutional premises, quarantine, barracks, dormitories, cells, work-sheds, punishment yards, segregation yards, hospital, kitchen, farm etc., and in every section of the institution ;
- (vii) sanitation and hygiene in areas under his charge ;
- (viii) guarding and sentry duties ;
 - (ix) supervision after care and custody of tools, property, equipment, deadstock, livestock etc.;

- (x) supervision over distribution of food, canteen articles, inmate equipment etc.,
- (xi) helping the technical personnel in work-sheds management and discipline and helping agricultural personnel in all related matters ;
- (xii) discipline in areas where educational, culture and recreational activities are conducted ;
- (xiii) reporting violations of discipline to appropriate officers and taking immediate action as per rules;
- (xiv) observing habits and behaviour patterns of inmates and reporting the same to the authorities concerned ;
- (xv) helping inmates to improve their habits and attitudes ;
- (xvi) taking preventive and control measures for all emergency situations;
- (xvii) discipline in staff quarters ; and
- (xviii) P. T. drill, parades, emergency practice etc.

Head Warder

9.80) It shall be the duty of every Head Warder to :—

- (i) superintend the Warders subordinate to him in the discharge of their duties ;
- (ii) assist in every possible way in the management of the jail, the prevention of escapes and maintenance of order and discipline generally amongst subordinate officials and prisoners ;
- (iii) comply with the requirements of all laws , rules, regulations, directions and orders for the time being in force as to the duties which he is to perform and the manner in which he is to perform these ;
- (iv) obey the orders of all officers superior to him in rank ;
- (v) assist the Dy. Superintendent in all routine duties ;
- (vi) open, in the presence of the Deputy Superintendent, the sleeping wards, cells and other compartments each morning and count the prisoners ;
- (vii) distribute the prisoners, who are liable to labour each morning to their respective work-groups ;

- (viii) cause the name and prison-number of every prisoner placed in charge of any warder to be entered in the proper gang-book ;
- (ix) issue all necessary tools, implements, raw-materials and other articles required for the day's work and to make a record of all articles so issued ;
- (x) collect all such articles, together with the produce, if any, of the prisoners' labour, after the period prescribed for work is over each evening ;
- (xi) satisfy himself that all articles issued have been duly returned to him or accounted for ;
- (xii) measure or check the task (if any) performed by each prisoner and note the same in the labour register ;
- (xiii) superintend the use of the latrines and all bathing and feeding parades ;
- (xiv) check the prisoners at each change of guard ;
- (xv) cause all gratings, doors, and the like to be secured and satisfy himself from time to time that they are secure ;
- (xvi) cause all bamboos, scantlings, poles, ladders, ropes, well-gear and other articles likely to be used for, or to facilitate the escape of any prisoner to be removed and placed beyond the reach of the prisoners in the places prescribed for storing or keeping the same ;
- (xvii) keep constantly moving about while on day duty, amongst the prisoners, supervising the work and discipline of and keeping the Warders and Convict Functionaries on the alert ;
- (xviii) in the presence of Deputy Superintendent, to count, search and lock the prisoners up in their respective wards, cells and other compartments, at the prescribed time, each evening ; and
- (xix) give the Warders half an hour's drill daily.

9.81) Every Head Warder shall, at least ten minutes before the hour fixed for relieving the guard on duty, collect the Warders of the relieving guard at the main gate of the jail. At the proper time he shall march the relieving guard of Warders to their respective posts, and remove the guard to be relieved.

9.82) When relieving the Warders of groups working inside & outside the walls, the Head Warders of the relieving guard shall, before removing the Warders then in

charge and about to be relieved, muster the prisoners and satisfy himself that the group is complete and is made up in the manner recorded in the gang-book.

9.83) Warders, whether going on or off duty, shall be marched in double file. Each Warder shall be posted in the presence of both the relieving and relieved Head Warder, the relieving Warder being taken from the front, and the relieved Warder falling in at the rear of the squad. When the relief is complete, the relieved Head Warder shall march the relieved Warders to the main gate and then disperse them.

9.84) The Head Warder for the time being on day duty shall be responsible that the Gate-keepers are relieved and changed as often as may be prescribed by the Superintendent in that behalf.

9.85) Every Head Warder shall ordinarily be on duty for six hours daily, exclusive of the period spent on night duty and drill, and at the opening of wards, cells and other compartments in the morning and the locking up of prisoners at night.

9.86) Every Head Warder shall attend such drills and parades, for instructions in drilling, manoeuvring, practice in the use of arms and other matters in the nature of military training, as the Superintendent may from time to time prescribe in that behalf.

9.87) The period of duty shall be so arranged that a Head Warder shall be present at every relief of Warders from duty of any kind throughout the day and night.

9.88) Every Head Warder shall attend drill parades daily until he becomes himself qualified to drill the Warders, when he shall not, except as a punishment be required to attend more than twice a week.

9.89) In the case of Jails, wards and other compartments, set apart for female prisoners, at each change of warders, the relieved and relieving Head Warders shall, without entering the wards, cells, compartments or enclosures occupied by female prisoners, ascertain from the female Warder or female Convict Functionary-in-charge, as the case may be, that all the female prisoners who should be confined therein are present.

9.90) The keys of the jail shall, when not in use or in the personal custody of any officer of the jail, be kept in a locked receptacle to be kept for the purpose at the main gate ; and the key of such receptacle shall, by day, be retained by the Head Warder, and by night, by the patrolling officer for the time being on duty.

9.91) Any keys which any officer may have to carry about his person, while on duty, shall be attached to his person by means of a stout chain.

9.92) The duties of the Head Warder responsible for drill are to :—

- (i) give each Warder (except those who are exempt) half an hour's drill daily, and report every such Warder who absents himself ;
- (ii) give effect to any punishment drill ordered by the Superintendent ;
- (iii) inspect daily all arms and accoutrements and see that they are kept clean and fit for immediate use ;
- (iv) take charge of the armoury, ammunition and spare accoutrements, keep the key of the armoury in his possession, see that the ammunition is kept dry and in good order, and that rounds of buckshot ammunition for each rifle are always kept ready for use ;
- (v) satisfy himself that each Sentry knows and understands the orders for his post ; and

9.93) The Head Warder shall, on the arrival of the Superintendent daily, report to that officer :—

- (i) whether the arms and ammunition are ready for use in case of emergency ; and
- (ii) any other matter of importance that has come to his knowledge.

Gate - keeper

9.94) A Warder shall be constantly on duty, as Gate-keeper, at the main gate of every jail, between the hours of opening the jail in the morning and closing it at night.

9.95) At every relief of Gate-keeper, a note of the hour of such relief shall be recorded and signed by both the relieved and relieving officer.

9.96) The officer acting as Gate-keeper, or any other officer of the prison, may examine any thing carried in or out of the prison, and may stop and search or cause to be searched any person suspected of bringing any prohibited article into or out of the prison, or of carrying out any property belonging to the prison, and, if any such article or property be found, shall give immediate notice thereof to the Deputy Superintendent / Assistant Superintendent.

[See Section 21 of J&K Prisons Act 1920 A.D.]

9.97) *In addition to the duty prescribed for gate-keepers in section 21 of the Prisons Act, 1920 A. D., the Gate-keeper shall maintain such registers and enter*

therein such particulars as the Inspector General may from time to time prescribe in that behalf.

[See Section 21 of the J&K Prisons Act, 1920 A. D.]

9.98) *The Gate-keeper shall comply with all rules, regulations, directions and orders, respectively, for the time being in force, regulating the persons who may be permitted ingress to and egress from, and the articles which may be taken into and brought out of the jail and, generally, the duties which he is to perform and the manner in which he is to perform these.*

[See Section 21 of J&K Prisons Act , 1920 A.D.]

9.99) The Gate-keeper shall keep a record, in the prescribed register, of the names of all persons who at any time pass into or out of the jail, with the hour and minute, of the entrance and exit of every such person, and, as far as may be, the names and a sufficient description of every article of whatever kind passed into or out of the jail.

9.100) The record of all persons who pass in or out of the jail shall be kept in two separate books, namely :—

- (i) a register of all prisoners with the names of the officers in charge of them, and
- (ii) a register of all other persons.

9.101) Sufficient description of every article means the name, number or weight, as the case may be, and such other particulars as may be necessary, of all goods, tools, stores or other articles passed into or out of the jail.

9.102) At the opening of the jail, the Gate-keeper of the first watch shall come on duty and remain between the gates until duly relieved. For these officers, the day may be divided into two or four watches as may be deemed expedient.

9.103) In Central Jails and large District Jails, a convict, able to read and write, may, with the sanction of the Inspector General, be employed to assist the Gate-keeper. When applying for sanction, full particulars of the prisoners shall be stated (the inner one being locked first) and admit the group to the passage between the gates. He shall then lock the outer wicket and call out the names of each prisoner, Convict Officer and Warder as recorded in the register. The group having been found correct, he shall open the inner wicket and count the prisoners as they pass into the jail, to verify the total number.

9.104) The Gate-keeper shall not allow any prisoner to be taken out of the jail, who is not wearing the prescribed ring on his left ankle, or who is not in charge of a guard of the proper strength duly authorized to take him outside.

9.105) The Gate-keeper shall be responsible for the cleanliness of the jail front, the main gates and the passage between them and all articles placed there under his charge. He shall also be responsible that the torches etc., required in case of a night alarm are present and in serviceable condition.

9.106) The Gate-keeper shall be furnished with a list of all officials and Visitors who are entitled to enter the jail, and shall admit such persons on their presenting themselves for admission. He shall not admit any one else except the officers of the jail who are authorized to enter, unless under a written order from, or when accompanied by, the Superintendent, the Inspector General, or the Magistrate of the District.

9.107) All official and non-official Visitors, casual visitors admitted by order of the Superintendent, Inspector General or District Magistrate as well as higher officials of the jail, shall ordinarily be exempted from being searched.

9.108) Should the Gate-keeper have reason to suspect that any officer ordinarily exempted from search, is introducing or removing prohibited articles, he may detain the person between the gates and send notice to the Deputy Superintendent, who shall himself search the person. A copy of the order authorising him to do so shall be hung up in the passage between the main gates for general information.

9.109) Pending the making of a report to the Deputy Superintendent and Superintendent, the Gate-keeper may detain, or cause to be detained, in custody, any person who may, in his presence, sight or hearing commit any criminal or prison offence at or in the vicinity of the jail gate.

9.110) The gate and the wicket of the gate of every jail shall, except when it is necessary to open the same for the purpose of lawfully passing any person or thing into or out of the jail, be kept shut and locked, and the Gate-keeper for the time being on duty shall retain the keys of the locks of such gate and wicket in his personal possession until the prisoners are locked up for the night.

9.111) When the prisoners are locked up for the night, a second padlock shall be locked on the wicket of the inner gate, and the Gate-keeper shall then deliver the keys of the inner and outer gates to the Deputy Superintendent for custody in the receptacle provided for the purpose in whose presence he shall make over the key

of one of the locks of the inner wicket to the patrolling officer on duty inside the jail and the key of the other lock of the inner wicket, together with key of the outer wicket, to the gate Sentry.

9.112) A duplicate of the key kept by the patrolling officer under the preceding paragraph shall be kept by the officer in charge of the gate picket or by the Sentry where there is not picket at night to allow of a visit being paid to the jail at night without the knowledge of the officers on duty within.

9.113) The Gate-keeper shall keep the keys of the main gates and wickets attached to his waist belt by a chain, and in a bunch with a few others, so that it may be difficult for any prisoner obtaining possession of the bunch, to ascertain what key belonged to any particular lock.

9.114) The Gate-keeper should ensure that there is sufficient lighting arrangements at the main gate.

Articles to be kept between the gates

9.115) In the passage between the main gate shall ordinarily be kept :—

- a clock ;
- a weighing machine ;
- a measuring staff ;
- a desk with the lock and key for the gate-keeper's books and writing materials ;
- a wall-almirah or box for keys ;
- the Deputy Superintendent's cash chest ;
- a box for torches etc. apparatus for extinguishing fires, and notice boards.

9.116) A specially designated Warder should be detailed on duty at the outer gate. He is the first person to come in contact with the visitors and thus he is the person who has to behave properly with good turn out and ensure proper identity of the visitors whether official or non-official. He may be assisted by the armed personnel of the para-military forces or State force responsible for outer security of the institution and also by a female Warder for frisking the female visitors at this entry point.

9.117) This responsible personnel has to maintain proper entries in the register meant for the purpose.

Warder, Sentry

9.118) Each Warder shall have a particular duty assigned to him by the Superintendent or Deputy Superintendent, such as charge of a ward, or set of wards, a work-shop or set of workshops, or a group of prisoners either inside or outside the jail. The posts and duties of Warders shall be frequently changed so as to prevent them forming relations with any of the prisoners.

9.119) It shall be the general duty of every Warder at all times to :—

- (i) render all assistance in his power in the management of the jail, maintain order and discipline amongst prisoners and guard and defend the jail and all persons against the use of criminal force by any person ;
- (ii) obey the orders of all officers superior to him in rank ;
- (iii) comply with the requirements of all laws, rules, regulations, directions and orders for the time being in force regulating the duties which he is to perform ;
- (iv) take proper care of all property of whatever kind at any time entrusted to him and duly account for the same whenever called upon so to do ; and
- (v) to be at all times in a state of readiness to turn out fully accounted and armed immediately, whenever called on to do so or an alarm is given, and to do all lawful acts and things necessary or expedient for the purpose of maintaining order, quelling any disturbance, preventing any combined attempt to escape or to break out of jail, defending the jail and all property therein from attacks from within or without the jail.

9.120) It shall also be the duty of every Warder :—

- (i) not to take off any portion of his uniform, or lie or sit down whilst on duty ;
- (ii) to know the number of prisoners in his charge ; to count them frequently during his turn of duty and to satisfy himself that he has in his custody, not only the correct number, but also the particulars of prisoners for whom he is responsible ;
- (iii) to search all prisoners he received in his charge or made over to the charge of any other officer, at the time of receiving and making over charge respectively ;

- (iv) to report every prisoner in his charge who has been idle or who has not completed his task or who has committed any other jail offence;
- (v) to see that any prisoner who has to go to the latrine at unauthorised times, is made over to the charge of responsible officer whilst away from the group ;
- (vi) to bring to the notice of the Deputy Superintendent any prisoner appearing to be ill or complaining of sickness ;
- (vii) to report any plots for the purpose of escaping or of assault or outbreak or of obtaining forbidden articles,
- (viii) to prepare prisoners for muster and parade and see that each prisoner comes to his proper place in proper order and behaves well;
- (ix) to follow the procedure laid down for his guidance when any prisoner is missing, and
- (x) to keep his arms and accountrements clean, in good order and fit for immediate use.

9.121) No Warder shall, while on duty, at any time, under any circumstance, 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 beat to prevent an escape or to assist in subduing a disturbance taking place within his sight when he is on main wall duty or, when he is in charge of prisoners, if he can do so without serious risk to the safe custody of those prisoners. It rests upon the Warder concerned to show that the circumstances were so exceptional as to justify his doing so.

9.122) No relief shall, whether by day or night, be effected otherwise than in the presence of both the relieved and relieving officer and also of a third officer, who shall ordinarily be the Head Warder whose duty it is to carry out such relief.

9.123) A Warder on being relieved shall explain to his successor what the duties of the charge are, and shall bring to notice any long termed or dangerous prisoners. The relieving officer shall, before taking charge, satisfy himself that the property and the number of prisoners made over to him is correct.

9.124) The Warder guard shall furnish one Sentry at the main gate day and night and shall assist in watching at night to the extent prescribed by the Superintendent.

9.125) The day Sentry at the main gate shall be posted immediately outside the outer gate and shall carry his rifle with bayonet fixed. The rifle shall not be loaded,

but 12 rounds (a packet of 10 and 2 loose cartridges) of buckshot shall be kept in the pouch which shall be brought round to the front of the belt the flap being left unbuttoned.

9.126) The night Sentry at the main gate shall be posted between the gates and shall also be in possession of prescribed ammunition.

9.127) In Central Jails, sufficient number of Sentries shall be deployed for the central watch tower or other commanding position. These Sentries shall perform duty round the clock and shall remain armed with weapons depending upon the requirement in each jail.

9.128) Three junior Warders and one senior Warden shall form the main gate picket of every jail from 6 a. m. to 6 p. m. In case of high security institutions and Central Jails the gates shall be manned by para-military force.

9.129) Every Warden or Sentry shall be in uniform when on duty and attending drill parade.

9.130) The duties of a Sentry shall be :—

- (i) to mount guard with fixed bayonet, move briskly on his post with his rifle at “the slope,” and not to order arms nor “stand at easy” for more than fifteen minutes in every two hours ;
- (ii) not to enter into conversation with any one except when questioned by a superior officer ;
- (iii) not to interfere unnecessarily with any prisoner or jail officer;
- (iv) not to leave his post without regular relief upon any pretence whatever ;
- (v) not to allow any person to approach near his post after dark, without challenging ;
- (vi) to challenge 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 ;
- (vii) to challenge on dark night on hearing voices or the approach of footsteps, if he receives no answer, or an unsatisfactory answer, to call the officer in charge of the picket or, if necessary give the alarm ;

- (viii) when on duty at night, to satisfy himself that the main gates and wickets are securely locked ;
- (ix) not to allow persons to crowd around him ;
- (x) if he sees a prisoner attempting to escape, to call on him to stand and if he refuses to do so and there is no superior officer present, to fire on the prisoner, provided he cannot otherwise prevent the escape ;
- (xi) if he is beyond call and has to alarm the guard, to fire a shot in air as the signal of alarm ;
- (xii) if he sees any articles in or near the jail likely to facilitate escape, or if any unusual incident comes under his observation, to at once report the matter to the officer incharge of the picket ;
- (xiii) when on duty at the main gate at night, not to allow any person to enter or leave the jail who is not on official duty authorised 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 ;
- (xiv) when on duty at night, not to challenge so loudly as to be heard by the patrolling officer or Warders on duty inside the jail, and not give notice to these officers of the approach of any visitor ;
- (xv) to retain in his possession at night the key of the lock of the outer wicket gate and the key of one of the locks of the inner gate ; and
- (xvi) to enforce his orders firmly and without distinction of persons.

9.131) The members of the Warder guard mustered for morning drill shall be inspected on parade daily by the Superintendent and on his arrival at the jail, shall "present arms." If an official or non-official Visitor 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."

9.132) The escorts for an official, non-official or private visitors to the Jail shall consist of adequate number of Warders who shall be taken from the reserve guard.

Female Warder

9.133) In every Jail in which accommodation is provided for female prisoners, or in which such prisoners are ordinarily detained or are liable to be detained, there shall

be a female Warder/ Asstt. Superintendent and adequate strength of female Head Warders / Warders, who shall, subject to the control of the Superintendent and Deputy Superintendent have complete charge of all female prisoners at any time committed to, or detained in, the jail.

9.134) The Duties of the female Head Warders / Warders, shall, as regards female prisoners, be similar to those performed, as regards male prisoners, by male Head Warders & male Warders, respectively, and all rules, regulations, orders and directions for the time being applicable to such Head Warder and Warders shall, as far as may be, be applicable to female Head Warders /Warders respectively.

9.135) No male person employed in any capacity in or connected with the jail shall, otherwise than in case of emergency & when called upon so to do by the Deputy Superintendent or a female Warder, and then only when accompanied by the Deputy Superintendent or a female Warder, at any time enter any ward, cell, compartment, or other portion of or place in the said jail occupied by any female prisoner.

9.136) The female Warder shall receive all female prisoners committed to the jail upon their admission and take every such prisoner before the Superintendent at the earliest.

9.137) Upon the admission of every female prisoner the female Head Warder shall :—

- (i) examine the warrant or order under which such prisoner is committed to the jail and satisfy herself that it is in all respects complete, in order and valid;
- (ii) remove, or cause to be removed from such prisoner all money or other articles found on her , including (if such prisoner is not, by law, entitled to retain it) her wearing apparel (in such case) shall provide her with a complete jail out-fit ;
- (iii) take measures to preserve and protect all property taken from, or belonging to the prisoner which may come into her hands ; and
- (iv) satisfy herself that the provisions of Chapter IV of the J&K Prisons Act, 1920 A. D. and rules, as to the admission of prisoners, are duly complied with.

9.138) When the female Warder is present on duty, the entrance door to the female ward shall be locked, by the Head Warder, on the outside, the Head Warder shall retain possession of the keys of the lock. The entrance door to the female ward shall also be locked, by the female Warder, on the inside.

9.139) The female Warder shall regulate labour assignment of female prisoners as in case of male prisoners.

9.140) It shall be the duty of every female Warder to call the attention of the Medical Subordinate to any female prisoner who complains of being, or appears to be, ill and to satisfy herself that every female prisoner who is sick receives the special diet (if any) at any time prescribed for her by the Medical Officer, and that all female prisoners at any time in any special or convalescent group, are duly supplied with any special or extra diet ordered for them, or any of them, by the Medical Officer.

9.141) The female Warder shall satisfy herself that every child, whether a prisoner or not, at any time in the jail, receives the diet prescribed for it.

Factory Manager

9.142) The Factory Manager shall, for all purposes, be deemed to be an officer of the Jail, and shall strictly comply with each and all of the provisions of the J&K Prisons Act, 1920 A. D., and the rules, regulations, orders and directions made and issued thereunder which may be applicable to the jail, and shall obey the orders of the Superintendent in all matters.

9.143) It shall also be the duty of the Factory Manager at all time to assist the Superintendent and all other Jail Officers in the maintenance of order and discipline and in the general management of the jail.

9.144) The Factory Manger shall be responsible in particular for the following :-

- (i) efficient management of the manufactory unit and conduct of all operations relating to the manufacture of articles in the jails to the greatest possible advantage of the Government ;
- (ii) all stores maintained in the manufactory unit of the jail, whether consisting of raw-material, material in process, manufacture or manufactured goods, machinery, plant, tools or other articles ;
- (iii) proper accounts of all stores purchased, received, in stock and ex-panded, respectively, and of all moneys of whatever kind at any time received or expended by him or under his authority or orders ;
- (iv) correct preparation of all registers and accounts prescribed relating to the manufactory unit, and keeping these upto date ; and obtaining and keeping

in safe custody of vouchers for all issues of stores and payments to be produced when called for by the Superintendent, and see that his accounts are duly audited under proper authority ;

- (v) examining all cash, stores, machinery, plant, tools, raw-materials, materials in process of manufacture and manufactured articles, and satisfy himself that the cash, stock, materials, manufactured articles, machinery, plant and tools are equivalent to the balance shown in the accounts ; and
- (vi) any defalcations, loss or damage in any way due or attributable to any negligence, disobedience or misconduct on his part.

9.145) The Factory Manager shall maintain a report-book in which he shall make entries of all matters requiring the orders of the Superintendent, such as requisition for prisoners, material, machinery, plant, tools and the like; the manufacture, sale, or despatch of goods, and recommendations of every kind relating to the manufactory unit. Orders relating to manufactures passed by the Superintendent shall be entered in the report-book.

9.146) The Factory Manager shall, subject to the approval, orders and control of the Superintendent, purchase raw materials required for use in all branches of manufactory, and for this purpose, it will be his duty to acquaint himself with the chief markets in the province, where and at what season articles can be best bought, so that purchases are always, as far as practicable, made in the cheapest market, and at the most favourable rates obtainable.

9.147) The Factory Manager shall, use every endeavour to improve the quality of the work turned out in the manufactory, and he shall be responsible that articles not according to specification or specially brought to the notice of the Superintendent. He shall satisfy, from time to time, that the work turned out in each branch of industry is commensurate with the labour employed and the raw-material consumed.

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

9.149) The Factory Manager shall enter the jail manufactory sufficiently early each morning to supervise the distribution of the labour groups, and he shall ordinarily remain inside the jail throughout the day.

Accounts Officer

9.150) Wherever an Accounts Officer has been posted in a particular institution, he will function as a Drawing and Disbursing Officer for that Jail apart from the following :—

- (i) He shall be subordinate to the concerned Superintendent and will function as Financial Advisor to the Superintendent.
- (ii) He shall be responsible for the budget and other financial returns and monthly stock taking of all stores.
- (iii) He shall monitor monthly audit notes, draft paras and reconciliation of expenditure with A.G's office.
- (iv) He shall observe all codal formalities before incurring expenditure.
- (v) He shall head the accounts cell of the institution.

Correctional Officers

9.151) There shall be a Welfare Officer and Psychologist in each Central Jail. These Officers shall form part of the reception unit in a prison to attend on the prisoners on their admission.

Welfare officer

9.152) Duties of a Welfare Officer shall include :-

- (i) contacting every prisoner in the prison and rendering such help as is consistent with the rules pertaining to the institution ;
- (ii) arranging for correspondence by every prisoner with his or her relatives outside ;
- (iii) keeping the ties of prisoner's relationship with their families strong by arranging interviews with relatives and friends;
- (iv) rendering help in the settlement of civil claims of every prisoner by persuasion or compromise.
- (v) helping and protecting the family of every prisoner during the period of his imprisonment or detention ;
- (vi) attending to correspondence work of illetrate prisoners or inmates to the extent provided for in the rules ;

- (vii) getting deserving prisoners or inmates admitted in the after care home for social or vocational rehabilitation ;
- (viii) arranging for recreational or other activities permissible under rules and imbuing the value of democratic living so that after discharge; the prisoner's may fit into society without any difficulty ;
- (ix) preparing, if requested, appeal or mercy petitions for newly admitted prisoners and condemned prisoners ;
- (x) contacting District Legal Aid and Advice Board and arranging for drafting of appeal and engagement of the counsel to defend the prisoner before the appellate Court ;
- (xi) maintaining history sheets of prisoners or inmates whose cases he or she has taken up for welfare work ;
- (xii) drawing pre-release programme in respect of prisoners sentenced to a period of one year ; and
- (xiii) doing such other work pertaining to the welfare of prisoners or inmates as the Superintendent or the Inspector General may assign to him from time to time.

Psychologist

9.153) It shall be the duty of the Psychologist to :

- (i) conduct intelligence quotient test and personality test to every prisoner sentenced to period of one year and above ;
- (ii) conduct vocational aptitude test, educational test, etc. and potentialities in selection for educational programmes and vocational placement ;
- (iii) perform and complete the above tests within a week of prisoner's admission, to prepare and submit a detailed psychological study report for each prisoner in duplicate to the Superintendent ;
- (iv) as member of the Classification Committee, to assist the Superintendent in classification and re-classification ;
- (v) conduct individual counselling for not less than two prisoners per day and send reports to the Superintendent ;
- (vi) hold not less than two sessions in a week of group counselling (each group to contain not exceeding ten selected prisoners) to be conducted after

assembling the prisoners after lock up and before they go to bed in presence of the Assistant Superintendent ;

- (vii) assist the Superintendent in the preparation of pre-release programmes for prisoners ;
- (viii) receive habitual and mischievous prisoners referred to him by the Superintendent, to study their psychological attitude and behaviour and to undertake the work of counselling and suggest remedial measures ; and
- (ix) to submit monthly assessment reports to Superintendent who shall forward with his remarks to Inspector General.

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CHAPTER X

STATISTICS AND RESEARCH UNIT

Statistics

10.1) The usefulness of statistics and research for the efficient and healthy management of prisons can not be over-emphasised. The Prisons Correctional Service Unit should maintain up-to-date a data base of statistics and put these to maximum use not only for the day to day management of the prisons / institutions but also to carry out research with a view to reforming the prison system on a continuous basis.

10.2) It shall be the responsibility of the Inspector General and the concerned Superintendent to maintain suitable and adequate statistics and records pertaining to :-

- (i) inmates ;
- (ii) institutional activities and programmes ;
- (iii) industrial and agricultural production;
- (iv) fiscal matters ; and
- (v) personnel.

10.3) The data bases shall be kept in such manner and in such forms as may be prescribed by the Inspector General. Uniform standard classification for the data recorded shall be followed in all aspects of statistical work.

10.4) All such persons as may be specified by the Inspector General shall compile such statistics and make such reports as are required by the Correctional Service unit or by other administrative branches of the State Government, concerned directly or indirectly with jail management.

Headquarters Statistical Branch

10.5) The Statistical Branch at the Head-quarters office shall develop facts concerning operation of the correctional system from the institutional data, maintain an index card file of such offenders as may be specified by the Inspector General, prepare reports on the operation of the Prisons Department including information on its programmes and activities and tabulations of other significant data, study the type of data collected, the forms prescribed and the registers maintained to simplify the manner of collecting, analysing and interpreting data and forward statistical information to the Correctional

Service Unit of the Prisons Department and the Central Bureau of Correctional Services.

Institutional Statistical Unit

10.6) The Statistical Unit at the institution level shall be responsible for the compilation and development of institutional statistics, summarization of acts about the institution's population and forwarding of periodical statistical returns to the Headquarters.

Research

10.7) The statistical system will provide the basic facts which are necessary for initiating research-programmes. The units employed and the methods of collection of data will be subjected to constant study so that data at the disposal of this section may strengthen knowledge of criminal behaviour and its management and control.

10.8) Projects of basic research would be undertaken along with research for administrative and planning purposes. Research should primarily aim at testing the effective methods of handling special groups of offenders who present problems in institutions. All specialists in the Department should be encouraged and assisted to participate in research.

10.9) Case files will be maintained of such offenders and in such forms as may be specified by the Inspector General. On release of offenders, the case files will be sent to the research and planning unit in order that the material is used for research purposes.

Note :- Case files should be treated as confidential record.

10.10) Correctional Service unit may collaborate with academic bodies and other agencies interested in problems of prevention and treatment of crimes and conducting research projects towards such objectives. These projects shall be subject to the scrutiny of the Inspector General. Conclusion of such research may be published with the prior sanction of Government.

10.11) The Correctional Service will plan its annual research projects, in collaboration with State Social Welfare Department and the Central Bureau of Correctional Services.

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PART D
PERSONNEL MANAGEMENT

CHAPTER XI

STAFF RECRUITMENT, SELECTION AND SERVICE CONDITIONS

11.1) The personnel of J&K Prisons and Correctional Services Department may broadly be comprised of the following:-

(a) DIRECTION OFFICE

- (i) Inspector General of Prisons and Correctional Services,
- (ii) Deputy Inspector General of Prisons (HQ's)
- (iii) Chief Accounts officer,
- (iv) Statistics and Research officer
- (v) Law Officer,
- (vi) Correctional Officer
- (vii) Superintendent of Industries, and
- (viii) Other supporting staff

(b) PROVINCIAL STAFF

- (i) Deputy Inspector General of Prisons, Kashmir/Jammu
- (ii) Accounts Officer
- (iii) Law officer
- (iv) Other supporting staff

(c) CENTRAL JAILS

- (i) Sr. Superintendent
- (ii) Superintendent Grade-II
- (iii) Deputy Superintendent
- (iv) Assistant Superintendents including female Assistant Superintendent.

(v) Factory Manager

(vi) Head Warders

(vii) Warders

(viii) Welfare Officer

(ix) Educational personnel

(xi) Sr. Medical Officer/Physician specialist/Dental Surgeon/ Opthomologist and para Medical staff.

(xii) Accounts officer

(xiii) Law officer

(xiv) Other supporting staff

(d) DISTRICT JAILS

(i) Superintendent Grade-I

(ii) Deputy Superintendent

Qualification and method of recruitment

11.5) Only such persons shall be eligible for appointment or promotion to any post, category, class in the prisons gazetted service as possess the requisite qualification laid in the recruitment rules of the Prisons Department. The appointments shall be made by direct recruitment (which will include appointment by transfer), by promotion, by deputation, and partly by direct recruitment and partly by promotion as provided for in the recruitment rules.

Gazetted service

11.6) There shall be a separate J&K prisons gazetted service. The Govt. may appoint to the service any person holding any post in its sanctioned scale of pay included in the cadre of the service. All the appointments and promotions to the gazetted posts in the Prisons Department shall be made through the Public Service Commission as per procedure and norms contained in the J&K Prisons Gazetted Services Recruitment Rules.

Subordinate Services

11.7) The selection for recruitment to the prisons subordinate service posts shall be made by the departmental Selection Boards to be constituted by the Inspector General of Prisons.

Promotions

11.8) Promotions to the subordinate services shall be made by the following committee constituted vide Govt. Order No Home-494 (Jails) of 98 dated 10-12-1998

- Addl. Director General Prisons (Inspector General) (Chairman)
- Deputy Inspector General Prisons (Member Secretary)
- Addl. Secretary, Home Department (Member)
- Superintendent Central Jail, Srinagar/Jammu -do-

Probation

11.9) Persons appointed to a service direct shall be on probation for two years in the first instance. The probation period may be extended by the Govt. upto maximum of four years. The candidates appointed to a post shall be allowed the minimum of the time scale during the first year.

Eligibility

11.10) The minimum and maximum age limits for direct recruitment shall be 18 and 35 years, respectively. In case of ex-servicemen the upper age limit shall be 48 years. Similarly, in respect of the members of Scheduled Tribes and Scheduled Castes, the upper age limit shall be 37 years. These limits may be changed by the Government from time to time.

Maintenance of seniority list

11.11) The seniority of the members of gazetted and subordinate services shall be maintained in accordance with the J&K Civil Services (Classification, Control and Appeal) Rules, 1956. The Administrative Department shall maintain the upto date seniority list of the gazetted service. In case of subordinate services, the same shall be maintained by the Inspector General.

Transfer

11.12) While effecting transfers, factors like needs of the Department and its institutions and suitability of the incumbents to posts to which they are being transferred shall be kept in mind. Reasonable needs of the Government servant such as educational facilities for his children and domestic difficulties of a special nature shall also be considered.

Leave

11.13) 10% of the total staff strength shall be maintained as sick and leave reserve. Each institution will prepare advance roster of long leaves to be granted during the ensuing year and forward the same to the Inspector General. The members of Subordinate Services shall be entitled to 2 1/2 day's leave in lieu of holidays and sundays.

Hours of work

11.14) There shall be a well planned and properly regulated time table of work hours for every category of personnel. Normally guarding personnel should not be required to work for more than eight hours a day. Other categories of staff members shall perform such hours of duty as may be fixed by the Government from time to time.

11.15) There shall be a shift system for institutional personnel. There shall also be a schedule of institutional duty, premises duty etc. Responsibilities pertaining to premises duties, duty on holidays etc should be clearly defined for the guidance of the staff members.

Additional staff duties during emergencies

11.16) During periods of emergency such as sudden influx of inmates, epidemics etc. additional staff may be appointed on temporary basis by the Superintendent with the approval of Inspector General.

Facilities while on duty

11.17) The personnel shall be extended adequate facilities like rest rooms, canteen, bathrooms, lavatories, lockers, first aid boxes, torches, rain coats and umbrellas.

Housing

11.18) Sufficient and suitable rent free quarters may be provided for staff members in the vicinity of each institution. In case of non-availability, they shall be granted house rent allowance as fixed by the Government from time to time.

Medical facilities

11.19) The following medical facilities shall be extended to the staff and their families :-

- (i) free medical attendance and treatment by the jail doctors,
- (ii) all emergency drugs available in the medical store of the institution,
- (iii) medical allowance as fixed by the Govt. from time to time, and
- (iv) ambulance facilities.

Rewards

11.20) For good work and special services such as capture of escaped prisoners, exhibition of high degree of courage, loyalty, devotion to duty, suitable rewards in cash and/or kind shall be given by the Inspector General.

Pension etc.

11.21) Pension, gratuity, leave salary and other benefits on superannuation shall be extended to all the employees as laid down in the pension rules.

Welfare of retired personnel

11.22) The Direction Office should devote special attention to matters relating to the welfare of the retired personnel. The Department may, with the approval of the Government, constitute a Welfare Board for retired employees in order to ensure that they get all welfare benefits in accordance with rules.

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CHAPTER XII

SERVICE RECORD

Service record

12.1) Service record of personnel will comprise (i) training report, (ii) report regarding work during probationary period, (iii) service book, (iv) promotions, (v) efficiency rating reports, (vi) personal file, (vii) G. P. Fund account, leave account etc. and (viii) kit book.

Service book

12.2) Three copies of a service book may be maintained ; one copy shall remain at the Head-quarters Office ; one copy may remain at the institution where the incumbent is posted and one with the incumbent himself.

Personal file

12.3) Personal file for each incumbent shall be maintained at the Head-quarters Office. The personal file will contain all relevant information about the incumbents service history, postings, transfers, confirmations, promotions, G. P. Fund, leave, house building and other advances, income tax deductions etc. Each incumbent should be facilitated maintain his own copy of relevant extracts of the personal file.

Note :- In the case of Guards, the personal files may be kept at the provincial head-quarters.

12.4) Extracts of confidential documents shall not be given to staff members.

Annual Confidential Reports

12.5) The Government shall clearly lay down the hierarchical set up for initiating, reviewing and accepting of the Annual Confidential Reports of officers / officials at different levels.

12.6) Performance reports should not be written in a routine manner. The reports should not be vague, meagre and non-committal. The officer writing confidential reports should attempt to draw a true picture about the incumbent's work, character, reputation, loyalty, attitude, initiative, leadership, judgement, tact etc. The reportingas the case may be, have recorded their remarks objectively and with clarity.

Communication of adverse remarks

12.8) Adverse comments from confidential reports should be communicated within the prescribed time frame to the incumbent concerned with a view to giving him an opportunity for showing improvement or for making representation against these if he so wishes. When a report is built up on the individual opinions as noted on by different departmental senior officers in gradation, it is only the opinion as accepted by the highest authorities which needs to be considered from the point of view of communication.

12.9) As a general principle, in no case should an officer be kept in total ignorance for any length of time of the fact that his superiors after sufficient experience of his work are dissatisfied with him. In cases where warning might eradicate or help to eradicate a particular fault, the advantages of prompt communication are obvious. Where criticism is to be withheld, the final authority to consider the report should record instructions, with reasons according to the nature of the defect discussed, as to the period for which the communication is to be kept back,

12.10) Only such defects need be pointed out as can be remedied since it would serve no useful purpose to communicate such criticism as lack of intelligence etc.

12.11) The officer making remarks should specially state whether the defects noted have already been brought in any other connection to the notice of the officer / official.

12.12) Adverse remarks regarding the public reputation of Government servants and about their relations with non-officials should also be invariably communicated to them.

12.13) Great attention should be paid to the manner and method of communication in order to ensure that the advice given and the warning or censure administered, whether orally or in writing, shall, having regard to the temperament of the officer concerned, be most beneficial to him.

12.14) An incumbent should be given an opportunity of submitting his representation if he thinks that the adverse comments are one opportunity of submitting a representation in writing. Any reference or cross-reference or continuous correspondence regarding adverse remarks shall not be allowed. Relevant portion from the incumbent's representation should be attached to his confidential report.

12.15) A note should be made in the confidential reports of instances in which adverse remarks have been communicated to the incumbent along with the instructions.

The adverse remarks should ordinarily be communicated in writing. The punishments awarded should be recorded in the confidential reports. The entries should not be made in the service book.

12.16) Any remarks regarding an incumbent which show that he has taken steps to remedy defects mentioned previously should be communicated to him so that he may know that his efforts to improve have not passed un-noticed.

Communication of appreciation

12.17) The appreciation of a Government servant's good work, initiative, leadership, devotion to duty or courage should also be communicated to him and an entry to that effect made in the Annual Confidential Report for that year.

Note :- A judicious and selective use of such appreciation should be useful in improving the personnel's morale.

12.18) Rewards, appreciations and citations from the Government or Inspector General should be recorded in the confidential reports. These entries should not be made in the service book.

Verification of record

12.19) The service record of each incumbent should be maintained in the concerned office and annually verified by the competent authority. Entries to this effect shall be made in relevant column of the service book.

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CHAPTER XIII

STAFF DISCIPLINE

13.1) There shall be a Code of Discipline which will contain instructions as regards on the following :-

- (a) National Flag ;
- (b) National Anthem ;
- (c) United Nations flag ;
- (d) flag of the Department of Prisons and Correctional Services ;
- (e) national celebrations ;
- (f) responsibility of the public servant in a Welfare State ;
- (g) uniform and dress regulations ;
- (h) behaviour while on duty and off duty ;
- (i) conduct in staff lines ;
- (j) behaviour towards inmates ;
- (k) restrictions on:
 - (i) private service by subordinates,
 - (ii) unauthorised use of Government property,
 - (iii) unauthorized pecuniary transactions, engagement in trade or business, transactions through business etc.,
 - (iv) acceptance of gifts etc.,
- (l) payment for camp supplies ;
- (m) reporting of acquisition of property ;
- (n) security of official information ;
- (o) abstaining from keeping relationship with political or communal bodies and from participating in political or communal activities ;
- (p) staff relationship ;
 - (q) visits of Governors, Ministers and other dignitaries ;

- (r) inspection visits by higher authorities ;
- (s) compliments by guard / staff on duty at the gate to non-official prison Visitors, personnel of Correctional Services and other Government Departments ;
- (t) courtesy calls ;
- (u) quarter guards ;
- (v) magazine, verification of ammunition ;
- (w) rules regarding arms ;
- (x) six-monthly musketry practice ;
- (y) P. T. and drill ; weekly ceremonial parade etc. ; and
- (z) monthly emergency practice (fire escape, assault, mob-dispersal, accidents, failure of electric power / lighting arrangements etc.)

Departmental enquiry procedure

13.2) There shall be a Code of Departmental Enquiries which will contain instructions on the following points:-

- (i) minor violation ;
- (ii) major violation ;
- (iii) violation for which criminal prosecution is necessary as per provision of the Prisons Act and other laws ;
- (iv) action in the event of cowardice, drunkenness, gambling, immoral activities, corruption, moral turpitude, indebtedness and insolvency, cruelty to prisoners etc.;
- (v) summary inquiry procedure for minor violations ;
- (vi) punishments for minor violations ;
- (vii) departmental inquiry procedure for major violations ;
- (viii) punishments for major violations ;
- (ix) powers of punishment ;
- (x) suitability of punishment ;
- (xi) appealable punishments ;
- (xii) appellate authorities ;

- (xiii) appeal procedure ;
- (xiv) petitions in revision ;
- (xv) procedure for criminal prosecution of staff members ;
- (xvi) departmental action on termination of judicial proceedings ;
- (xvii) defence facilities to staff members during departmental proceedings ;
- (xviii) right of private defence of Government servant ; and
- (xix) procedure to be adopted regarding suspension of personnel.

Control and duties of officers of prisons

13.3) 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 assigned to them by the Deputy Superintendent with the sanction of the Superintendent or prescribed by rules under section 60 of the Prisons Act.

Officers not to have business dealings with prisoners

13.4) No officer of a prison 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 article to any prisoner or have money or other business dealings directly or indirectly with any prisoner.

Officer not to be interested in prison contracts

13.5) No officer of a prison shall, nor shall any person in trust for or employed by him, have any interest, direct or indirect, in any contract for the supply of the prison ; nor shall he derive any benefit, directly or indirectly, from the sale or purchase of any article on behalf of the prison or belonging to a prisoner

Superintendent alone to punish prisoners

13.6) No officer of any jail other than the Superintendent shall at any time award any punishment to any prisoner or, otherwise than in accordance with law and under the orders of the Superintendent, inflict any punishment on any prisoner.

13.7) No officer of any jail shall use violent, abusive, insulting or unnecessarily irritating language to any prisoner.

Prisoners to be treated with tact, humanity and strict impartiality

13.8) Every officer of a jail shall at all times avoid all conducts calculated to unduly irritate or annoy any prisoner and shall treat every prisoner with tact, good temper, humanity and strict impartiality, and 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 a firm and effective discharge of his duties. Subject to the foregoing, every such officer shall firmly and fully maintain strict discipline and enforce all laws, rules, regulations, directions and orders for the time being in force and applicable to the discharge of all or any of the duties pertaining to his office.

Prisoners not to be struck

13.9) No officer of any jail shall, at any time under any circumstances or on any pretext, strike any prisoner otherwise than in the 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 the law.

Use of force regulated

13.10) No officer of any jail shall, in the discharge of his duties, at any time use more force than is absolutely necessary for the purpose of enforcing the law and carrying out his duties.

Prisoners not to be employed on private work

13.11) No officer of any jail shall, save as authorized by any provision of any rule in that behalf, at any time employ any prisoner on his own private work or for his own gain or profit; nor shall any such officer at any time employ any prisoner otherwise than for the profit and advantage of the Government and in strict accordance with the provisions of the Prisons Act, 1920 A. D. and the rules made thereunder, relating to the employment of prisoners.

Immediate report of misconduct and the like

13.12) It shall be the duty of every officer of a jail, subordinate to or under the orders of the Superintendent, to make an immediate report to that officer of any misconduct, act of wilful disobedience or breach of the provisions of any law, rules or regulations for the time being in force on the part of any other or any prisoner which shall at any time come to his knowledge or be committed in his presence, sight or hearing.

No officer to enter any ward or cell alone, from lock-up to sunrise

13.13) No officer of a jail shall at any time enter any ward, cell or other compartment, occupied by any prisoner, from the hour such ward, cell or compartment has been locked-up for the night, till sunrise the following morning unless he is accompanied by at least one other officer and that too only in case of emergency.

Duty of all officers to prevent and report escapes and breaches of discipline

13.14) It shall be the duty of every officer of a jail at all times 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 jail or escaping or attempting to break out of jail or escape, or from creating or attempting to create any disturbance or riot or from doing or attempting to do any other violent or disorderly act.

13.15) Every officer of a jail is required to :

- (i) take all lawful measures which may be possible to prevent the commission of any prison-offence ;
- (ii) enforce the provisions of the Prisons Act, 1920 A.D. and all rules regulations, directions and orders for the time being in force in, or in any way applicable to, the jail, in regard to the conduct and discipline of the prisoners and the administration of the jail; and
- (iii) at the earliest opportunity to report to his superior authority every breach or attempt at breach or design to commit any breach of any provision of any law, rule, regulation, direction or order for the time being in force in, or in any way applicable to, the jail or any prisoner confined therein.

Application of rules to Deputy Superintendent, Medical Subordinate and others

13.16) Unless there is something inconsistent with anything contained in any rule relating to any officer or class of officers, or repugnant to the subject or context, the rules relating to subordinate officers shall be deemed generally to apply also to the Deputy Superintendent, the Medical Subordinate and all persons serving under the orders of the Medical Officer or Superintendent. Provided that the rules relating to the appointment, removal, dismissal or other punishment of subordinate officers shall not be deemed to apply to the Medical Subordinate.

Prohibition of business and pecuniary transactions

13.17) No subordinate officer shall, whether directly or indirectly :

- (i) engage in any trade, business or employment other than his duties as such subordinate officer ; and
- (ii) lend money to, borrow money from, enter into any pecuniary transaction with, or incur any obligation in favour of any other subordinate officer or any prisoner.

Residence of officers in quarters to be provided at the jail

13.18) Residential quarters shall ordinarily be provided at each jail for the Deputy Superintendent, Assistant Superintendent, Medical Subordinate, Pharmacist and the staff of Warders.

13.19) Every officer of a jail for whom any residential quarters is at any time be provided at such jail, shall reside therein.

13.20) Every officer for whom no residential quarter is available at any jail, shall (except in the case of Medical Subordinate holding dual appointments) reside within such distance of the jail as the Superintendent may from time to time, in his discretion, fix in that behalf.

Leave to subordinate officers

13.21) Officers subordinate to the Deputy Superintendent shall not be absent from the prison without leave from the Superintendent or from the Deputy Superintendent.

Officers not to absent themselves without leave and procedure for granting short leave

13.22) No subordinate officer shall, at any time, without the permission, if such officer is subordinate to the Deputy Superintendent, of the Deputy Superintendent, and, in any other case, of the Superintendent, be absent from the jail premises, whether by day or by night. In case of non-availability of jail accommodation for Superintendent/ Deputy Superintendent/ Assistant Superintendent/ Medical Professional, private building may be hired as near to the Jail as possible and rent due shall be paid by the Government.

13.23) Whenever any leave is granted by the Deputy Superintendent to any subordinate officer, he shall, at the time the leave is granted, enter the fact, and the period from which such leave is to commence, in his journal.

13.24) Every subordinate officer to whom any leave has at any time been granted shall, immediately on his return there-from, personally report the fact of his return to the Deputy Superintendent, and the Deputy Superintendent shall forthwith record such report in his journal.

13.25) The Deputy Superintendent shall similarly record in the proper register all leave granted by the Superintendent and all reports made of return from leave so granted.

Absence caused by illness or other unavoidable cause

13.26) Whenever any subordinate officer is at any time prevented by sudden illness or other unavoidable cause, from attending at the jail or performing his duties, he shall forthwith give notice, or cause notice of the fact to be given, to the Deputy Superintendent and shall also communicate to that officer the reasons for his absence or failure to perform his duties. The Deputy Superintendent shall there-upon make such arrangements as may be suitable and necessary for the due performance of the duties of such officer.

Officers to ascertain and perform their duties efficiently

13.27) It shall be the duty of every subordinate officer to make himself thoroughly acquainted with the duties of his office and the law, rules and regulations for the time being in force relating thereto, and to discharge his duties with zeal, efficiency, honesty, alacrity and regularity.

Note-book to be maintained by certain officers

13.28) Every Deputy Superintendent, Assistant Superintendent and Head Warder, as the case may be, shall at all time have with him a note-book in which he shall enter every verbal order given to him by any superior officer, at the time when such order is so given.

Subordinate officers to render prompt obedience

13.29) 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 any officer to whom he is in any way subordinate, or under whom he is for the time being employed, and to treat every superior officer with proper courtesy and respect.

Prohibition of communication with prisoners, their relatives and friends

13.30) No subordinate officer shall, otherwise than with the special permission of the Superintendent, at any time :

- (i) correspond or hold any intercourse or communication of any kind whatever with any relative or friend of any prisoner ;
- (ii) hold any unauthorized communication of any kind whatsoever with any prisoner ;
- (iii) correspond or hold any intercourse whatever with any discharged prisoner ; or
- (iv) permit any discharged prisoner or any relative or friend of any such prisoner to visit or remain at his quarters.

13.31) No subordinate officer shall at any time :

- (i) hold any unnecessary conversation with any prisoner ;
- (ii) treat any prisoner with familiarity ; and
- (iii) discuss any matter relating to the discipline or regulations of the jail with or within the hearing of any prisoner.

Matters concerning the wearing of uniform and cleanliness thereof

13.32) Every subordinate officer in respect of the office held by him, for whom any uniform is at any time prescribed by the Inspector General, shall wear such uniform at all times when on duty, and when off duty, within jail premises or in any public place, may wear either uniform or private clothes. Provided that no combination of uniform and private clothes shall at any time be worn by any subordinate officer.

13.33) The following instructions in regard to saluting superior officers shall be observed:-

For Dy. Superintendent, Sr. Asstt. Superintendent and Asstt. Supdt.

Officers to be Saluted	When on parade and armed	when not on parade	If drilling with warders in the ranks
Superintendent, official & shall present non-official Visitors & Superior Officers of the Govt.	at word of command	shall salute tion and salute with hand.	shall stand at atten- arms at word of command.
For Warder and Head Warder			
Superintendent, official & non-official Visitors & Superior Officers of Govt.	shall halt & present arms at word of command	shall slope arms if marching in squad at word of command	shall salute with hand in military fashion.
Dy. Superintendent:	shall slope arms at word of command	--ditto--	--ditto--

The gate Sentry shall salute the Deputy Superintendent by coming to attention on his approach ; to any officer superior to the Deputy Superintendent and to every official and non-official Visitor, shall present arms. A Warder sitting, shall, when any of these officers approaches, rise and stand at attention; before addressing the officer, he shall halt two paces from him and salute with the hand ; he shall also salute when withdrawing.

13.34) Every subordinate officer shall at all times and on all occasions be clean and neat as to his dress, as well as clean as to his person.

Officers to remain at their beats

13.35) Every subordinate officer shall, when on duty, except when ordered by a superior officer to go elsewhere or when going to or returning from duty, confine himself to the limits of his beat or place of duty and remain there at. Idleness and lounging about the jail premises are at all times prohibited.

13.36) No subordinate officer shall at any time, while on duty, smoke or drink, or sing or talk loudly, or cook or eat his food, or in any way conduct himself in an unseemly or disorderly manner.

Visitors to subordinate officers

13.37) No subordinate officer shall be at any time permitted to receive any visitor within the jail walls, or while on duty outside the jail.

Procedure as to the making of complaints

13.38) Any subordinate officer, desiring to make any complaint of any kind shall do so, in writing, to the Superintendent, within twenty-four hours of the occurrence of the cause of complaint.

13.39) The making of frivolous, vexatious or false complaints is prohibited.

Combined action amongst officers prohibited

13.40) Subordinate officers are prohibited from taking part in any joint or combined action with a view to agitating for the redressal of any grievance or supposed grievance, or for any other purpose whatsoever.

Care and management of keys

13.41) No subordinate officer who is at any time entrusted with any key shall, under any circumstances or on any pretext whatsoever :

- (i) take any key of a lock in use for securing the custody of any prisoner out of the jail ;
- (ii) leave any such key lying about ;
- (iii) deliver any such key to any person other than any officer of the jail duly authorized to receive such key or to have the care or custody thereof ; or
- (iv) leave his post or duty or the jail without delivering such key to the officer duly authorized to receive the same from him.

13.42) The key of any ward, cell, compartment, godown, main gate or main gate wicket shall not, under any circumstances or on any pretext, be at any time made over to any prisoner.

Note:- If any key is lost or mislaid, the lock or locks to which it belongs shall at once be put out of use, and the officer responsible for the loss shall be liable to replace both lock and key at his own expense. Keys should ordinarily be slung on a chain which should be worn round the neck or secured to the waist-belt.

Subordinate officer not to withdraw from the service without notice

13.43) No subordinate officer shall, without the permission, in writing, of the Superintendent, be at liberty to withdraw himself from the duties of his office, or to resign his office, unless he shall have given to the Superintendent notice, in writing, for a period of not less than two months of his intention to so resign and the period of such notice shall have expired.

Prohibition of sleeping on duty and committing other ir-regularities

13.44) No subordinate officer shall at any time-

- (i) be in a state of intoxication ;
- (ii) sleep while on duty ;
- (iii) enter or permit any person to enter any enclosure, yard, ward, cell, compartment or other part of a jail reserved for or allotted to the use of or for occupation by any female, otherwise than at the times and in the manner prescribed in that behalf by proper authority ;
- (iv) commit, or permit or abet the commission of any irregularity in the supply or distribution of food, clothes or other articles to, or amongst any prisoner ;
- (v) display cowardice while in the discharge of any duty of his office ;
- (vi) be guilty of any act of insubordination, disobedience or breach of faith ; and
- (vii) mangle or render himself unable or unfit to discharge his duties or any of them.

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CHAPTER XIV

STAFF WELFARE

Welfare Committee

14.1) *There will be a Welfare Committee at each Central Jail consisting of executive, ministerial and guarding representatives. The Superintendent will be the ex-officio Chairman of the Welfare Committee. The elections to the Welfare Committee will be held annually. The Committee will meet at least once a month. The minutes of its meetings will be recorded.*

[See J&K Prisons Welfare Fund Rules 1981]

14.2) Functions of the Welfare Committee will be :-

- (i) to chalk out a programme for staff welfare ;
- (ii) to build up a Welfare Fund ;
- (iii) to prepare an annual budget for the utilisation of the Welfare Fund ; and
- (iv) to supervise the maintenance of the welfare accounts.

Welfare Fund

14.3) The Prisons & Correctional Services Department may institute a Welfare Fund the aim of which is to introduce measures for welfare of the J&K Prisons staff, the regular subscribers to the Fund, as also of their families. The resources of the Fund shall comprise annual Government contribution, subscriptions made by members and voluntary donations. Government shall contribute every financial year an amount equivalent to the amount collected in the Fund through member's subscriptions and donations. The subscriptions shall be collected every month from the salary of the members and credited to the Fund.

14.4) Membership of the Welfare Fund will be open to all non-gazetted staff in the prison cadre. Officials who belong to other services shall not be covered under the scheme. A member of the Fund on leave or on deputation or under suspension shall continue to be a member unless he is permanently absorbed elsewhere.

Subscription

14.5) Monthly subscription will be payable towards the Fund by the members at rates to be fixed by the Government from time to time.

14.6) Resources of the Welfare Fund will be available for the following welfare measures :-

- (i) immediate relief in the event of death of a subscriber while in service ; and
- (ii) suitable grant of relief / loan to a subscriber while in service for medical treatment including artificial limbs and recuperator, to be refunded by the subscriber if and when his medical reimbursement is passed and paid ;
- (iii) suitable grant to a subscriber in case of acute hardship or distress and personal loss caused by calamities like fire, flood, accident etc ;
- (iv) aid for education of children of a needy member ;
- (v) staff club ;
- (vi) aid to build / repair residential house ; and
- (vii) grant of interest free loan in deserving cases not exceeding three months pay to be recovered in twenty monthly instalments on the occasion of religious function such as circumcision, mundan, marriage or a bereavement in the family of a member.

Operation of Fund

14.7) The Fund shall be administered by two Divisional Committees one each for Jammu and Kashmir Divisions. All Central Jails, District Jails and Sub-Jails situated in a particular division will come under the jurisdiction of the respective Divisional Committee. The staff working in the office of the Inspector General shall be attached to Divisional Committee of Kashmir for the purpose of the Fund.

14.8) The Divisional Committee shall comprise the following:-

- | | |
|--|----------|
| (i) Deputy Inspector General of Prisons | Chairman |
| (ii) Superintendent of one District Jail
nominated by the HOD on rotation for a
period of one year | Member |
| (iii) One Head Warder / Warder /
Head Assistant /Sr. Assistant nominated
by the Deputy Inspector General of the
Division concerned for a period of one
year on rotation. | Member |

(iv)	Deputy Superintendent Central Jail	Member Secretary
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14.9) The Divisional Committee shall have authority to sanction relief up to Rs. 1000/- provided that approval of the Head of Department shall be necessary for relief for the second time to the same person. While the Committee shall sanction loans upto Rs. 5000/-, loans over Rs 5000/- shall be granted to a deserving claimant by the HOD on the recommendation of the Committee. These limits may be modified by the Welfare Committee from time to time depending on the value of rupee. Provided that in case of emergency the relief may be sanctioned by the Superintendent concerned in anticipation of the approval by the Committee.

14.10) The concerned Accountant or the personnel connected with this extra assignment at the Central Jails to maintain proper record of the Fund, relief, loan, and recoveries shall be allowed monthly allowance of Rs. 40 each the expenditure on which shall be debited to the Fund. The allowance may be enhanced by the Welfare Committee from time to time depending on the value of rupee.

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CHAPTER XV

TRAINING OF PERSONNEL

Guiding principles

15.1) The correctional aspect of prison management is becoming more important with the increasing shift of emphasis towards the reformatory aspect of imprisonment as against its custodial aspect. Correctional work is a specialized field. The principal job of correctional personnel is social re-education of offenders. The effectiveness of institutional discipline and the impact of treatment mainly depend on the quality of the correctional staff. Untrained and uninstructed personnel are not only ineffective, but more often than not an impediment in the proper implementation of correctional policies. The training of correctional personnel is, therefore, of paramount importance in a system of correctional administration of prisons. It is necessary to train all prison personnel in the craft of correctional management of prisons and other custodial institutions.

15.2) The training programmes shall aim at :-

- (i) acquainting the prison staff in general and correctional personnel in operation with scientific and progressive methods of correctional service ;
- (ii) making them conscious of their responsibilities and also of the role they have to play in a Welfare State ;
- (iii) broadening of their cultural and professional interests ; expanding their experience, refining their abilities and skills, improving their performance of administrative duties, providing them with experience to meet future needs of the department in positions of higher responsibilities ; and
- (iv) inculcating an esprit-de-corps amongst the correctional personnel.

15.3) The prison personnel should be properly trained both in theory and practice of correctional work. After entering service and during their career, the personnel should not only maintain but also improve their knowledge and professional capability by attending training courses and through their individual efforts.

15.4) Correctional personnel should be given special training. (in P. T., drill, unarmed combat, cane drill, mob-dispersal etc.) to enable them to restrain aggressive prisoners by means of relevant rules and regulations. Personnel who are provided with arms should be trained in their use and instructed in the regulations governing their use.

15.5) Training of correctional personnel will not only be helpful in creating a proper cultural atmosphere in the Department but also go a long way in establishing good traditions and practices of institutional management. A properly trained staff will be an asset in the proper implementation of prison reforms. With training, both attitudes and abilities of the personnel improve. The expenditure incurred on staff training will ultimately result not only in departmental gains but also in social gains in terms of better institutional impact and ultimate rehabilitation of the offenders in society.

Training school for correctional services

15.6) The Department may establish a training school for training the prison staff in the management of prisons with particular emphasis on correctional services. The functions of the training school will be : (i) training, (ii) research, (iii) development of managerial skills and (iv) production of technical material and publication of pamphlets, papers, handbooks, correctional journal etc.

Training personnel

15.7) The personnel at the training school will be as follows:--

- (a) Principal,
- (b) Vice-Principal,
- (c) Administrative Officer,
- (d) Officer-in-charge P.T. and Drill
- (e) Faculty (full time and/ or visiting),
- (f) Drill Instructor,
- (g) Research and Development Personnel,
- (h) Public Relations Officer,
- (i) Other supporting staff.

15.8) The Principal shall plan, co-ordinate and direct all activities of the training school. He shall exercise the same powers as that of a Superintendent of Central Prison and fix the duties, responsibilities and functions of personnel working under his control. He shall forward to the Inspector General, the annual programme of training before the commencement of each financial year. He shall also fix all necessary details about terms, vacations, visiting lecturers, etc.

15.9) The Vice-Principal shall be the next senior officer responsible for the working of the school. He shall exercise the same powers as that of a Superintendent of a District Prison. He shall have precedence over other officers at the training school including probationary and in-service officers under training.

15.10) There may be established in due course a Research Unit to undertake research projects on various aspects of imprisonment and a Methods and Organization Unit to suggest improvements in the work methods and organization of the department and its constituent institutions.

15.11) The Administrative Officer shall be in charge of office management, financial matters, library, staff welfare etc. and shall be fully accountable to the Principal.

15.12) The officer in charge of Physical Education shall be responsible for conducting training programmes in physical training and drill, musketry, unarmed combat etc. He shall also organize games and recreational programmes.

Visiting faculty

15.13) The teaching facilities at the training school of other States, Universities and schools of Social Sciences should be utilized for training purposes. Panels of visiting Lecturers shall be prepared for this purpose every two years. The visiting Lecturers should be paid suitable honorarium and travelling allowance.

Training courses for correctional personnel

15.14) On recruitment, all Prison Officers i.e., Superintendents, Assistant Superintendents, etc., shall undergo an initial basic training course which will be phased as shown below:--

- (i) initial basic training at the training school for nine months;
- (ii) practical training in various branches of institutional management at a Central Prison for nine months ; and
- (iii) Pre-posting training at the training school for six months.

15.15) Officers who have had no opportunity to get the initial basic training shall under-go a training course of nine months' duration.

15.16) Superintendents, Deputy Superintendents, Assistant Superintendent, and other correctional officers of all grades will undergo refresher courses of three months duration once every five years.

Training courses for technical personnel

15.17) On recruitment, the technical and agriculture personnel will undergo an initial basic training course in various aspects of institutional management. This course will be of four months' duration.

15.18) Technical and agricultural personnel who have had no opportunity to undergo the initial basic training course, will undergo a training course of three month's duration

15.19) Technical and agriculture personnel of all grades will undergo refresher course of two month's duration every five years.

Training courses for guarding personnel

15.20) On recruitment, Warders shall undergo an initial basic training course for six months. During this period, they will be given practical training in every aspect of institutional management.

15.21) Guarding personnel who have had no opportunity to undergo the initial basic training course shall undergo a training course of four months' duration.

15.22) Guarding personnel of all grades shall undergo refresher courses of two month' duration once every five years.

Training courses for ministerial personnel

15.23) On recruitment, ministerial personnel will undergo an initial basic course for four months.

15.24) Ministerial personnel who have had no opportunity to undergo the initial basic training course will undergo a training course of three months' duration.

15.25) Ministerial personnel of all grades will undergo refresher courses of two months duration once every five years.

Other training courses

15.26) In addition to the training courses as mentioned above, the Inspector General may organise specialised training courses.

Note 1 :- These training course can be for classification work, group work activities and educational projects, as also for Vocational Instructors, Physical Training and Drill Instructors, Recreation and Sports Leaders etc.

Note 2 :- In case some trainees need accommodation at the institution from where they have been brought for purposes such as education of their children, storage of luggage, illness etc., all reasonable facilities would be given at the parent institution.

Discipline

15.27) The Principal will frame necessary rules regarding discipline. He is authorised to take disciplinary action in the event of breaches of discipline, with the approval of Inspector General.

15.28) The trainees shall wear such uniform as may be prescribed during the training period.

Tests and Examinations.

15.29) The Principal shall fix details about examinations and tests. Trainees of all cadres are required to pass such examinations and tests as may be prescribed. In case, a trainee fails to reach the required standards during the training course, the Principal shall forward a report to the Inspector General for suitable action. Failure to pass the examination and to complete the training course satisfactorily shall make the trainee liable to such disciplinary action as the Inspector General may think fit. In case of newly recruited personnel, such failure may result in discharge from service.

15.30) The evaluation of the trainee should be made on the basis of his total performance in all the tests and examinations. The trainees shall be evaluated on the following amongst other points :-

- (i) turn-out discipline,
- (ii) capacity for hard work and physical endurance,
- (iii) interest shown in the various aspects of the training course.
- (iv) performance in each test and examination,
- (v) special capacities shown during the training course,
- (vi) leadership, and
- (vii) conduct, integrity and trustworthiness.

Note :- Each trainee should be encouraged to compete with himself rather than with others. He should be encouraged to develop a sense of group responsibility.

Library and recreational facilities

15.31) The training school should have good library and reading room facilities. Provision for the purchase of library books, periodicals, etc. should be made in the annual budget.

15.32) A correctional journal should be published by the training school with a suitable periodicity.

15.33) Recreational facilities like games, etc. should be organised for the trainees for all courses.

15.34) A museum showing the historical development of prison administration and other aspects of institutional management should be set up at the training school.

Training facilities

15.35) The following training facilities should be organised at the institutions :-

- (i) interpretation of policy by senior officers from head-quarters office during visits ;
- (ii) library and reading room facilities for staff members ;
- (iii) lectures by professors from the Universities and other Training Schools on subjects related with correctional work ;
- (iv) fortnightly talk on correctional methods by the Superintendent or any other officer;
- (v) reading of papers, case histories, etc. by institutional personnel;
- (vi) monthly discussions on improvement in administrative procedures, method and organization etc.

Note :- Only a brief outline of the possibilities has been given above. The Superintendent should use his resourcefulness in organizing such training programmes as will keep institutional personnel acquainted with current developments in the field of correctional service.

15.36) In order to keep the officers and men always trim, the training given at the training school in physical drills, parades, musketry practice, unarmed combat , cane drill, mob-dispersal etc., should be continued at the institutions also. Particular attention should also be paid to games and quickening exercises. Efforts should also be made to instil interest and enthusiasm among the personnel by introduction of new items and methods of training. Opportunities should be provided to stimulate initiative, intelligence, independent judgement and resourcefulness amongst the men.

15.37) Subject to the general or specific order which may be issued in this behalf by the Inspector General, the training programme in physical training, drill etc., will consist of physical training exercise, squad drill, company drill, weapon training, bayonet fighting, ceremonial parade, obstacle course, inspection of guard and sentry duties, saluting, reporting, kit inspection, emergency practices etc.

15.38) Appendix "A" to this chapter contains the curriculum for the training of officers at different levels.

APPENDIX "A"

Training School for Correctional Services (Curriculum for the training of officers)

Section I

1. Element of Sociology
2. Elements of Psychology (general and social)
3. Criminology
4. Psychiatric aspects of Crime and Delinquency
5. Juvenile Delinquency
6. Correctional Administration
7. Social Case Work
8. Social Group Work
9. Principles of Public Administration
10. Principles of Personnel Management
11. Law:-
 - (i) Constitution of India

- (ii) Criminal Jurisprudence
 - (iii) Ranbir Penal Code
 - (iv) Criminal Procedure Code
 - (v) Prisons Act
 - (vi) Prisoners Act
 - (vii) Transfer of Prisoners Act
 - (viii) Prisoners Attendance in Courts Act
 - (ix) Borstal Act
 - (x) Probation of Offenders Act
 - (xi) Habitual Offenders Act
 - (xii) Mental Health Act
 - (xiii) J&K Juvenile Justice Act
 - (xiv) J&K Police Act
 - (xv) Principles of Evidence
 - (xvi) Related Social Legislations
12. Administration of Justice
 13. Police Administration
 14. Elements of Practical Ethics.

Section II

1. Jail Manual
2. Fundamental of Financial Administration
3. Office Administration
4. Service Regulations:
 - (i) Recruitment and training
 - (ii) Service Conditions
 - (iii) Service Conduct Rules
 - (iv) Staff Discipline
 - (v) Departmental Enquiry Procedure
 - (vi) Staff Welfare.
5. Prison Statistics.

Section III

1. Architecture and Buildings
2. Security and Custody
3. Gate
4. Admission, Quarantine Procedure
5. Classification Committee
6. Daily routine
7. Education
8. Work, and Employment of Prisoners
9. Technical and Vocational Training
10. Cultural Activities
11. Inmate Discipline
12. Orderly Room Procedure
13. Sanitation and Hygiene
14. Medical Aspects
15. Barrack/ Yard Management
16. Kitchen Management
17. Canteen Management
18. Hospital Management
19. Extramural Gangs
20. Prison Stores,
21. Prison Agriculture, Dairy, Poultry etc.
22. Pre-release and Release
23. Aftercare and Rehabilitation

Section IV

1. Practical work in every section of the Institution
2. Orientation talks
3. Preparing case histories
 4. Conducting social education classes.

5. Organising extra-curricular activities

6. Demonstrations regarding various operations of institutional management
7. Handling of emergencies (escape, hunger-strikes, accidents, assaults, death, fire, riot, suicide, work-strike, epidemics, food poisoning, control of violent prisoners, failure of electricity / water-supply, alarm procedure etc.)
8. First-aid.

Section V

1. Physical Training Exercises
2. Squad Drill
3. Company Drill
4. Weapon Training
5. Ceremonial Parade
6. Unarmed Combat, and Defence Tactics
7. Baton and Cane Drill
8. Obstacle Course
9. Inspection of Guard and Sentry Duties
10. Saluting
11. Reporting
12. Kit Inspection
13. Outdoor Games.

* * * *

CHAPTER XVI

UNIFORM AND EQUIPMENT

Specification of Uniforms

16.1) The specification of uniform together with the scale and their life prescribed for all ranks of prisons officers together with memoranda of wearing of orders, decorations and medals are given in Appendix-A to this chapter.

Badges to be worn by gazetted and non - gazetted ranks

16.2) All officers of the gazetted as well as non- gazetted ranks shall be put on appropriate badges of rank given in Appendix-B to this chapter.

Muster patterns

16.3) Muster patterns of all materials and articles of clothing prescribed for enrolled prisons officers will be approved by the Inspector General and a muster pattern of each articles will be kept in the stores at Jammu and Srinagar. A label bearing the name of the article with date of approval and signature of the Inspector General of Prisons shall be firmly attached by the seal of the Central Prison office to the master pattern so issued. Tenders for supply of different articles of uniform will be required to supply the goods as would conform to these sealed muster patterns.

Grants for purchase and maintenance of uniform

16.4) The prison officers will be allowed uniform allowance and kit maintenance allowance to be fixed by the Government from time to time.

Condemnation of articles of uniform

16.5) The Superintendent of jail concerned, may recommend any article in a man's kit to be condemned, if it has become unserviceable before the expiry of the prescribed period due to exigencies of service. The Inspector General on the recommendation of the concerned Superintendent may accord necessary sanction for its replacement. No article which is still serviceable may be condemned merely because the period of serviceability has expired ; it will remain in use till it becomes unserviceable.

16.6) All condemned articles of uniform when replaced be returned to the jail store and be entered in "condemned uniform stock book" and be placed in condemned uniform store.

16.7) The prescribed committee under the chairmanship of (Dy. Inspector General) Prisons will examine and survey all uniform articles and accordingly submit recommendations to the Inspector General for their condemnation and auction.

16.8) A certificate to the effect that their report covers all articles of uniform received in the condemned uniform store since the last meeting of the Committee was held and that all articles declared by the Committee to be unserviceable have been clearly marked with the condemned stamp in their presence, shall be recorded by the Committee in each part of the Condemned Uniform Stock Book.

16.9) The Superintendent and Dy. Superintendent of jail concerned will from time to time compare the "Uniform Indent Register" against the "condemned Uniform Stock Book" to ensure that all articles which have been replaced have been returned to Condemned Uniform Store. Wherever such a check is made the checking officer will make an entry to that effect in the relevant part of the Condemned Uniform Stock Book.

Condemned Uniform Stock Register

16.10) The "Condemned Uniform Stock Book" will be maintained in Form 1-A. The book will be divided into parts, one part for each article of uniform.

Maintenance of uniform register

16.11) The maintenance of registers and records like "Stock Book", "Personal Ledger", "Kit Book" etc relating to supply and issue of uniforms shall be maintained by concerned jail lines officer under the supervision of Dy. Superintendent of the concerned jail.

Definition of uniform

16.12) The term uniform covers both clothing and leather accoutrements e.g belts, boots etc.

Annual kit inspection

16.13) Annual kit inspection of each jail shall be carried out by officers of the rank of Superintendent on convenient dates. All these kit inspections must be completed by March 31, each year at the latest and the Superintendent of the prison concerned will be responsible for ensuring that this order is complied with. These annual kit inspections will form the basis for the preparation of the annual indent for uniform which must be dispatched by the Superintendent to the office of the Inspector General by April 15 each year.

Kit inspection memorandum form

16.14) The officers making inspection will enter the result of all kit inspection in the “Memorandum of Kits Inspected” form No 1-B. In the case of annual kit inspection, the words “Annual Kit Inspection” in block capitals will be entered by that officer in the left hand corner of the form.

16.15) In estimating the requirements of each man at the time of the annual kit inspection not only those articles which are already unserviceable and unfit for use shall be entered but also those articles which are likely to be unserviceable during the next twelve months. Entries regarding those items which are already unserviceable will be marked with a small cross. On the occasion of all other kit inspections, entries will be made only in respect of those articles which are already unserviceable in order that they may be replaced at once. These articles will also be marked with a cross. After the form has been completed, a horizontal line will be drawn through all items left blank. The form will then be sent to the Inspector General.

Stock book of uniform

16.16) This book (form No 1-C) will provide for transactions relating to new as well as serviceable articles. The first two columns of the form are self-explanatory. When new serviceable uniforms are issued to any man, his rank, name and number will be entered in the 2nd column. The number of items of each article issued or received will be entered under the appropriate heading in the 3rd column. Acknowledgements for “issues” will be taken in the 4th column. In the case of “Receipts” the lines officer will enter his acknowledgement in this column. In the 4th column, the number of items issued or received will be noted against each entry. The Dy. Superintendent in charge of lines and inspecting officers should periodically have balances struck and on such occasion check the number of items of the stock against the balance recorded in the Uniform Stock Book.

16.17) A separate receipt will also be issued to the person depositing articles of uniform, equipment and furniture in bulk in form 1-D.

Uniform ledger

16.18) This ledger (form No. 1-E) is a record of the uniform in possession of each man at any time and is a duplicate record of the entries in his Kit Book and Dy. Superintendent as well as inspecting officers should frequently check one against the other. Whenever a fresh ledger is opened, it should be balanced and the entries correctly transferred to the new ledger. The first entry in the new ledger will be “brought over from the old ledger”. Entries for uniform therefore issued should be made in the new ledger. When issue is made, the number of items issued should be entered under the appropriate heading. When an article is with

drawn the relevant entry according to the date of issue or the oldest if the date is not decipherable under the appropriate heading should be deleted with a single diagonal stroke of the pen and be initialed. If the oldest entry consists of more than an item e.g. "2" shirts and "1" shirt is Uniform indent register withdrawn, "2" should be deleted and "1" inserted instead and initialed.

16.19) The Dy. Supdt. of concerned jail/Lines Officer will maintain the uniform, indent registers consisting of the necessary number of copies of the form "Memorandum of Kits Inspected" bound in register. The names of all enrolled prison officers will be entered in the register in serial order according to their respective numbers.

16.20) On receipt of a "Memorandum of Kits Inspected form" marked "Annual Kit Inspection" the lines officer will copy all the entries from that form into the register. Having done so, he will certify to that effect on the memorandum form.

16.21) On receipt of a "Memorandum of Kits Inspected Form" which is not marked "Annual Kit Inspection", the Reserve Inspector will replace the articles condemned if stocks are available but no entries will be made in the uniform indent register.

Annual issue of uniform

16.22) As soon as adequate supplies of uniform are received, the Lines Officers under supervision of Dy. Superintendent will commence issues, the under mentioned procedure being followed:-

- (i) The Lines Officer will issue uniform on convenient date, all unserviceable articles being taken into the condemned uniform store.
- (ii) As each articles is issued, the Lines Officer will make the necessary entry in the Uniform Ledger to be maintained in the prescribed form and will delete the entry in the Uniform Indent Register by one diagonal stroke and initial the deletion. Necessary entries will also be made in the Uniform Stock Book, Stock Book of Condemned Uniform Book etc.
- (iii) All new articles issued must be stamped with the man's number and year of issue. Entries must also be made in the Kit Book Uniform Ledger etc.
- (iv) All condemned articles of uniform must be clearly marked with the condemned stamp and entries made in Kit Books, the Stock Book of Condemned Uniform Book etc.
- (v) On the occasion of the annual issue of uniform, the opportunity must be taken of checking kit books against the Uniform Ledgers etc.

Stock Book of Condemned Uniform

16.23) All unserviceable articles of uniform which are taken in will be deposited in the Condemned Uniform Store and necessary entries showing the date of deposit, the rank, name and number of the man from whom received etc. will be entered in the Stock Book of Condemned Uniform.

Store Keepers Stock Book of Uniform

16.24) The Stock Book (form No 1-F) will be maintained by the prison's Lines Storekeepers. This book will be divided in various parts, one part being allotted to each article entered in the main Uniform Stock Book. A suitable number of pages will be allotted to each part. For example, fewer pages will be required for such articles as Great Coats, Boots and Jerseys than for Khaki Drill Slacks and Khaki T- Shirts. At the end of the Stock Book, there should be half a dozen blank parts for articles which may latter come on the Uniform Stock Book.

16.25) Each part will be numbered and the number of each part must correspond with the number of the corresponding articles in the Stock Book of Uniform to facilitate reference.

16.26) Only daily totals of new and serviceable articles received and issued during the day will be entered, each in the appropriate column; the details of these receipts and issues will be found in the Stock Book of Uniforms.

16.27) At the end of each day, the store keeper will strike balance under the column "Clothing Balance". This stock book will, therefore, show each day the total number of articles of each kind, separately for new and serviceable articles in the store.

16.28) The balance in the main Stock Book of Uniform will be struck on the last day of each month and the entries in this book which represent the totals of new serviceable articles in stock be compared with the Store Keeper's Stock Book of Uniforms of the same day. In the case of each article, the number in the main stock should correspond to that of the Stock Book of Uniforms of the same day. The Dy. Superintendent. of Prisons in charge of the lines will carry out the check on the first day of every month and will record a note in the main stock of uniform that the check has been made and stock found to be correct. Discrepancy, if any, discovered should be reported immediately to the Superintendent who will either make an enquiry himself or give an order that enquiry be made by the Deputy Superintendent Incharge of the lines.

Estimate of annual requirement

16.29) When annual issues of uniform have been completed the Deputy Superintendent will strike totals on all articles which have been deleted after making issued.

16.30) A consolidated abstract of these totals will be prepared at the end of the register and totals struck. To these totals will be added a proportionate provision for the men whose kits have not been inspected and the two results will be added together. From these latter, totals will be deducted the uniform in stock, and the balance will represent the requirement of uniform for the following year.

Annual indent of uniform

16.31) The final net totals arrived at according to the procedure will be the basis on which Superintendents of Jail will frame their annual indents. The Superintendent will prepare their indent in Form 1-G.

Kit Book

16.32) Separate Kit Books for Uniform and Accouterments in Form 1-H should be maintained for both upper and lower sub-ordinates who are supplied with uniform and accouterments at Government expenses and such kit books shall be issued with the uniform.

Dress and appearance

16.33) No unauthorised ornaments or emblem shall be worn with uniform, watch chains trinkets etc. if worn shall not be displayed outside the uniform.

16.34) Hair shall be kept short and men whose custom is to shave shall not appear in uniform in an unshaven condition.

16.35) No officer or men in uniform shall be permitted to wear any caste marks.

16.36) All ranks shall appear in the uniform whenever they are on duty unless ordered by a superior officer.

16.37) Smoking in public places when on duty in uniform is forbidden.

16.38) Officers and men when not on duty should not wear uniform but only plain clothes. They shall not appear at any time partly in uniform and partly in plain clothes.

Tenders

16.39) Tenders for the supply of uniform and equipment shall be called by the Inspector General, when necessary. On receipt of tenders and samples a comparative statement will be

prepared in Inspector General's office and put up before the Central Purchase Committee for orders.

Uniform Committee

16.40) When package of clothing or equipment are received in the Central Stores from contractors, the articles shall be surveyed by the Survey Committee in respect of quality, quantity as per approved sample.

16.41) The packages shall be opened in the presence of the Committee. Should any article or articles of clothing be not according to approved sample and therefore rejected by the committee, the Dy. Controller of Prisons (chairman) will survey the rejected articles and then forward the committee's report to the Inspector General with his remarks.

16.42) Every article passed by the committee shall be taken into Central Store and entered in the stock and store register.

Stamping and punching of uniform

16.43) All new articles of uniform must be stamped and new articles of accouterments punched before issue. Serviceable articles of uniform taken into store for re-issue must be repaired and washed before being deposited in the stock.

16.44) All articles of clothing will be stamped with the number allotted to each upper subordinates. Similarly articles of uniform issued to lower subordinates will be stamped with the belt number of the kit to which it is issued and the letter 'HW' for Head Warder will be placed in front of the number.

16.45) The stamp will also show the name of the jail in abbreviated form and the year of issue.

16.46) The following instructions should be observed in stamping articles of clothing:-

- (i) Coats and Shirts will be stamped inside on the right hand side between the 2nd and 3rd button.

Note:- When stamping, a plate of card board should be placed in the pocket in order that the ink may not come through on to outside cloth.

- (ii) Safes will be stamped on one end.
- (iii) Puttees will be stamped on the inside of the end to which the tape is attached, so that the mark may be concealed by the tape when the puttee is worn but may be visible at kit inspection.

- (iii) Trousers and shorts will be stamped inside in the middle of the top plate at the back.
- (iv) Kit bags will be stamped on the outside.
- (v) Haversacks will be stamped on inside, in the center of flap with the year only.
- (vi) Fatigue cap will be stamped inside on the left hand side 2" from lower edge.
- (vii) Fatigue cap will be stamped in the middle so that both the ends will be available for use and the number so given will neither appear nor create any difficulty in the matter of turn over.

Maintenance and upkeep of uniform

16.47) Considerable economy can be effected if supervision is exercised over the maintenance and upkeep of uniform issued to Head Warders and Warders. In order to prevent damage by insects, warm articles of uniform should be frequently sunned and if damaged they should be darned and shorts, slacks, shirts etc. which are torn should be repaired. Such measures lengthen the life of garments. It is essential that shorts, shirts, slacks etc. should be frequently washed. The enforcement of such Maintenance is mainly the responsibility of the immediate superior officer namely the Assistant Superintendent. in charge lines of the Jail.

16.48) To ensure regular supervision over the maintenance and upkeep of uniform, kit of every Head Warder and Warder must be thoroughly inspected at least once during every quarter of the year by the Superintendent concerned. Whenever any one of these officers makes such an inspection he will record his initial and the date in the appropriate column on the last page of the kit book. Only one entry need be made for each man in every quarter irrespective of the number of times that his uniform is inspected. Officers concerned should note that making of such entry implies that the officer making inspection has had all necessary action taken in respect of repairs or washing to be done. When visiting the jails, Deputy Controller (Dy. Inspector General) Prisons must make a point of examining kit books and see that these orders are being complied with and any disregard of this rule must be suitably dealt with.

Disposal of time expired unserviceable clothing

16.49) Articles removed from kits shall invariably be called into the lines and surveyed. Some of these may be issued to the tailors to be converted into shoulder pads. The lower sub-ordinates shall be entitled to purchase, for their own use, the time expired and unserviceable clothing offered for sale at a flat rate to be fixed by a committee of officers to be constituted by the Inspector General for this purpose.

16.50) All condemned articles of clothing and accouterment which are to be sold will be stamped or punched as "Condemned" immediately after they have been surveyed and condemned. The stamp for this purpose will consist of a square with the diagonal points joined as illustrated below.

For clothing the stamp will be 2 ½ inch square and accouterments 3 ½ inch square.

16.51) All articles which are not utilised in the manner explained in rule will be sold in an open auction to the highest bidder. When the Asstt. Supdtt has in hand a sufficient quantity of condemned uniform, he shall report the fact to the Deputy Controller (Deputy Inspector General) who will arrange to hold an auction and notice of the intention to hold it must be given as wide publicity as possible. A statement must be prepared of the price obtained for each lot offered for sale and the total amount realized must be sent to the treasury for being credited to the Jail Receipts. If a professional auctioneer is engaged to conduct the auction, his commission or fee will be met from the proceeds of the auction before the money is so credited.

"The auction committee will comprise the following officers.

- | | |
|--|----------|
| (i) Deputy Inspector General of Prisons (HQs) | Chairman |
| (ii) Chief Accounts Officer, Prisons | Member |
| (iii) Dy. Secy. To Government, Home Department | Member" |

[Govt. Order No :Home-156(Jails) of 1999]

16.52) Distinguishing features shall be removed from all articles of uniform before they are sold.

Surrender of kit

16.53) When a lower subordinate ceases to be member of the force from any cause or is transferred from one district to another, or promoted to upper subordinate rank, he shall surrender his full kit. The value of any article found to be missing or unserviceable shall be recovered in accordance with the rules. This shall also apply to the upper subordinates.

16.54) All kits surrendered under rules shall be returned to store and after necessary repairs and cleaning shall be made up into separate bundles and ticketed with label showing the height and chest measurement to fit which the kit is made.

Kit of absentees

16.55) The kits of lower subordinates proceeding on leave, absent without leave or admitted into hospital, shall be deposited in the clothing store or the store room of the concerned jails to which they are posted. Kits of men posted on duty of other than temporary nature on which uniform is not required shall be similarly deposited.

16.56) Separate space shall be allotted in the Central Stores for each class of kit in deposit, viz-vacancies, leave, sick, absentees, plain clothes duty, etc.

16.57) For all kits in deposit, the size of the kit shall be entered instead of the name.

Purchase and acquisition of Miscellaneous Stores

16.58) For the distribution and checking of all Government Stores, the Central Store is the channel. All stores newly acquired must in the first instance be entered in the appropriate register maintained in the Central Store. In this way the registers of Government property maintained in Central Stores will act as a check on all Government property throughout the State.

Register and accounts to be kept

16.59) Every new article of clothing, whether received ready made or made-up locally from material issued from stock, shall be brought on the Clothing Stock Book over the signature of the Asstt/ Deputy Superintendent.

16.60) An account of the material, and cost of making up of such articles of the clothing as are not bought ready-made, in a register Form No. 10-k. This register furnishes a check on the expenditure of material from store, and also shows the cost of any particular issue of made up articles.

16.61) Separate pages shall be given to each description of article. On one side shall be shown the amount, rate of cost, and total value of each issue of material to the tailor or other

contractor. On the other side of the register shall be entered the number, cost per article and total cost of each consignment of finished articles, handed in by the tailor or contractor and transferred to the stock of made up clothing.

16.62) The cost of each made-up article is the cost of the amount of material required, according to the prescribed scale for making it up, together with the authorised tailoring charges. To balance the two sides of the register it is necessary to add on the issue side in column 4 the amount of the tailoring charges. The balance shall be struck when each transaction is completed by the Superintendent incharge. This account shall be kept by the Deputy Superintendent of concerned jail. Each book, after completion shall be preserved for five years.

16.63) A clothing stock account of new articles of clothing and materials received and issued shall be kept by the Dy. Superintendent / Assistant Superintendent in Form 10-L and shall be preserved for ten years. At the end each month an abstract showing the total receipts and issued during the month and the resulting balance, shall be prepared by the Dy. Superintendent and Assistant Superintendent incharge lines shall certify as to the correctness of the account.

Stock account of clothing and equipment

16.64) A stock account of receipts and issue of clothing and equipment, both new and second hand, and of complete kits of men on leave etc. shall be maintained in form No. 10-M by the Incharge lines of the concerned jail and preserved for five years. This stock account shall be divided into three parts, as follows:-

Part -1: Made up clothing. In the remarks column of the register a reference to the stock account as prescribed in rule (REGISTER AND ACCOUNT TO BE KEPT) above shall be given.

Part-2: Second hand clothing and equipment received for sale or destruction. In the remarks column, a reference to the order of the competent officer directing the sale or destruction shall be given, and also the sale proceeds, with the number and date of the receipt issued.

Part-3: Complete kits of men on leave, sick in hospital, on special duty in other districts etc. and kits stored on account of vacancies.

16.65) Each issue made to an individual shall be assigned a separate line, and the account shall be balanced on the last working day of each month and certified as correct by the Dy. Superintendent /Assistant Superintendent of concerned jail.

APPENDIX- "A"

S.No.	Article	Scale	Life
Warders			
1).	K.C.Shirts	2	two years
2).	K.D. Trousers	2	two years
3).	Pagri (for Sikhs only)	1	one year
4).	Boots (Ammunition)	1 pair	one year
5).	Jungle Boots	1 pair	one year
6).	Cap Barret Khaki	2	Three years
7).	Woollen Jersey	1	Two years
8).	Great Coat	1	Six years
9).	Set of buttons	1 set	till serviceable
10).	Shoulder Titles(Brass)	1 pair	-do-
11).	Belt(leather) with brass buckle	1	-do-
12).	Whistle(thunder)	1	-do-
13).	Boot Polish	1 tin	one year
14).	P.T.Shoes (training issue only)	1pair	six months
15).	Whistle Cord	1	two years
16).	Socks	2 pair	one year
17).	K.S. Trousers	1 pair	two years
18).	Angola shirt	1	two years
19).	Cap badge	1	till serviceable

As for Head Warders plus (Chevron /double stripes)

As for Sg. Warders (Chevron / Single stripes)

Female Warders

1).	Shalwar cotton (khaki)	2	Two years
2).	Shirts (Cotton Khaki)	2	Two years
3).	Khaki chader	2	Two years
4).	Shoes leather (black)	1	one year
5).	Canvass shoes	1	one year
6).	Over Coat	1	six years
7).	Shalwar cots wool	1 pair	Two years
8).	Shirt Angola	1	Two years
9).	Jersey	1	Two years

In addition to above, item Nos. 8 to 15 as for Warders.

Rain Coats:- No individual issue. Each Jail will be provided with Rain coats in accordance with number of Sentry posts.

Kit Boxes:- Not an individual issue. Be treated as a barrack issue.

APPENDIX - "B"

<u>Prison Officers</u>	<u>Badges of Rank</u>
1) Inspector General of Prisons	Crossed sword, and Baton and one star
2) Deputy Inspector General of Prisons	State Emblem and three stars
3) Sr. Supdt. of Prison	State Emblem and two stars
4) Superintendent Grade- I	State Emblem and one star
5) Superintendent Grade- II	Three stars without stripe
6) Dy. Superintendent	Three stars and ribbon of ½ inches wide half red and half blue (red colour facing the stars) an inch from the base of the shoulder strap. The stars and letter will be of brass.
7) Asstt. Superintendent	Two stars (stars of India of normal size as worn by I.P/I.P.S. officers). and ribbon of ½ inches wide half red and half blue (red colour facing the stars) an inch from the base of the shoulder strap. The stars and letter will be of brass.

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