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GOVERNMENT OF KERALA

# THE KERALA SUB JAIL RULES, 1959

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Government of Kerala  
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Sub Jail Rules

Kerala Gazette No. 5 dated 31st January 1961.

PART I

NOTIFICATION

G. O. Ms. No. 298/Home

Dated, Trivandrum 31st March 1959.

In exercise of the powers conferred by Section 50 of the Travancore-Cochin Prisons Act, 1950 (Act XVIII of 1950) and Section 59 of the Prisons Act, 1894 (Central Act IX of 1894) and in supersession of the existing rules pertaining to Subsidiary Jails, the Government of Kerala hereby make the following rules, namely:—

SUB JAIL RULES

CHAPTER I

Classification of Sub Jails and Prisoners to be confined

1. Classes of Sub Jails:—

There shall be three classes of Subsidiary Jails (hereinafter referred to as Sub Jails) viz., Special Sub Jails, 'A' Class Sub Jails and Ordinary Sub Jails.

2. Classes of Prisoners to be confined:—

(i) In the Special Sub Jails shall ordinarily be confined—

(a) All persons committed to custody during remand and pending trial or preliminary investigation before the Magistracy or Sessions Court;

(b) All non-habitual criminal prisoners sentenced to imprisonment for three months and under and habitual prisoners sentenced to one month and below;

(c) Prisoners from Central Jails summoned to give evidence in courts; and

(d) Prisoners in custody enroute through one station to another;

(ii) The 'A' class and ordinary Sub Jails shall be the ordinary place of confinement for the following classes of prisoners and no other prisoners shall be confined in them except for special reasons and as a temporary measure:—

(a) All prisoners mentioned in clauses (a), (c) and (d) of sub-rule (i).

(b) All criminal prisoners sentenced to imprisonment for one month and under;

(iii) In stations where there is no Sub Jail, prisoners referred to in clause (d) of sub-rule (i) shall be kept in Police Station lock-up. In the Sub Jail, Trivandrum no convicted prisoners and female under-trials and remand prisoners be confined except for temporary custody when their admission in the Central Prison, Trivandrum is prevented being a holiday or the time for admittance is over. In the Sub Jail Cannanore also no female prisoners whether convicted, under-trial or remand be admitted and such prisoners be admitted in the Central Jail, Cannanore.



## CHAPTER II

## The Inspector-General of Prisons

3. The Inspector-General of Prisons is appointed under Section 5 of the T. C. Prisons Act, 1950 (Act XVIII of 1950) and Section 5 of the Prisons Act, 1894 (Central Act IX of 1894) and he shall exercise under that section the general control and superintendence of all Sub Jails in the State.

4. All Officers in charge of Sub Jails shall obey all orders issued by him.

5. The annual budget prepared by the Inspector-General of Prisons for expenditure of Jails shall include provisions for Sub Jails and he is empowered to sanction any sum within his allotment, subject to general or special orders regarding his power of sanctioning expenditure.

6. The Inspector-General of Prisons is empowered under Section 7 of the T.C. Prisons Act, 1950 (Act XVIII of 1950) and Section 7 of the Prisons Act, 1894 (Central Act IX of 1894) to direct the removal of prisoners from one Sub Jail to another and to Central Jails.

7. He shall inspect all Sub Jails as many times as possible recording the results of his inspection in the Inspection Register.

8. He shall review in his annual Administration Report the general condition and management of Jails.

9. Yearly inspection of the Sub Jails (accounts, other connected registers of convicts, cash accounts etc.,) shall be conducted by the Inspector-General of Prisons in detail and the result of the inspection shall be reported to the Government.

10. It shall be competent to the Inspector-General of Prisons to make all appointments on the sanctioned establishment of the Sub Jails (except ordinary Sub Jails) Subject to Public Service Recruitment Rules.

## CHAPTER III

## Additional District Magistrate, (District Collector) and other Magistrates

11. (i) Subject to the general control vested by Section 5 of the T. C. Prisons Act, 1950 (Act XVIII of 1950) and section 5 of Prisons Act, 1894 (Central Act IX of 1894) in the Inspector-General of Prisons, the Collector shall exercise supervision and authority over all Ordinary Sub Jails within his district and officers in charge of Sub Jails shall obey all orders issued by him.

(ii) The Collector shall communicate with the Government on all matters connected with ordinary Sub Jails through the Inspector-General of Prisons.

(iii) In case of very urgent necessity the Collector may order for the removal of prisoners from one Sub Jail to another in his district and he shall inform the Inspector-General of Prisons of such transfers.



(iv) The Collector shall inspect the Jails in his district as many times as possible without previous notice and at irregular intervals and he shall record his remarks in the inspection registers which shall be kept in Form No. 1 in Appendix I.

(v) The District Magistrate (Judicial), the Sub Divisional Magistrates, the Sub Magistrates and the Revenue Divisional Officers may also visit the Sub Jails of their area as frequently as possible and record their remarks in the inspection registers referred to in sub-rule (iv).

(vi) The Superintendents of Sub Jails shall carry out the directions of the District Magistrates, Sub Divisional Magistrates, Sub Magistrates and Revenue Divisional Officers and report the fact to the Inspector-General of Prisons for his information and orders.

## CHAPTER IV

### Visitors

12. (i) (a) The Inspector-General of Police and the Director of Health Services shall be the official visitors of all the Sub Jails in the State.

(b) The Sessions Judges shall be the official visitors of the Sub Jails within their jurisdictions.

(c) The Senior Medical Officer, the Probation Officer and the Municipal Chairman shall also function as visitors of the Sub Jails within their jurisdictions.

(d) The M.L.A. and M.P. of the Taluk in which the Sub Jail is situated.

(ii) The Government may nominate—

(a) Any responsible person of the locality;

(b) One Doctor of the place;

(c) One Lawyer of the place; and

(d) One Woman Social Worker, as non-official visitor for each Sub Jail.

13. The visitors shall be at liberty to enter and inspect the Sub Jails, Hospital shed, Cook shed, Latrine and other places in Sub Jails and see all prisoners in confinement and all registers maintained in Sub Jails. These visitors shall record the results of their inspection in the visitor's book to be maintained by the Superintendent of each Sub Jail and the true copy of the remarks shall be sent to the Inspector-General of Prisons by the Superintendent without any delay whatsoever.

14. The non-official visitors shall hold their honorary office for a period of 2 years, and they shall be eligible for re-nomination after that period.

15. Every non-official visitor is expected to visit the Sub Jail of which he is a visitor at least once in a quarter of every year. No non-official visitor may issue any order or instruction to any officer of the Sub Jail.

16. No Police Officer shall be permitted except under authority or in the presence of a Magistrate to enter a Sub Jail for the purpose of interviewing or communicating with any prisoner.



## CHAPTER V

## SUPERINTENDENT

17. For the purpose of the Travancore-Cochin Prisons Act 1950 (Act XVIII of 1950) or the Prisons Act 1894 (Central Act IX of 1894) and the Travancore-Cochin Prisoners Act, 1950 (Act XVII of 1950) or the Prisoners Act 1900, (Central Act III of 1900) the Inspector-General of Prisons shall appoint a full time Superintendent for every A Class Sub Jail subject to Public Service Recruitment Rules. The Deputy Tahsildar and in places where there are no Deputy Tahsildars, Sub Registrars shall be appointed Ex-officio Superintendents of Ordinary Sub Jails. For Special Sub Jails a local Medical Officer shall be appointed part-time Superintendent or in place where there is a Central Jail nearby the Superintendent of that Jail be in additional charge of that Special Sub Jail.

18. The Superintendent of 'A' Class Sub Jail shall wear uniform, similar to that of First Grade Assistant Jailors of Central Jails.

19. The Sub Jail Superintendent shall furnish a security of Rs. 100 on appointment.

20. The Superintendent shall be responsible for the due carrying out of all rules and orders and the observance of all provisions of legislative enactments and the due executions of all warrants and sentences on prisoners committed to his charge. He shall record his orders in the Sub Jail order book which shall be kept in Form No. 2 in Appendix I.

21. The Superintendent shall see all the prisoners in the Sub Jail daily, shall frequently inspect the articles of rations and shall satisfy himself that they are correct and shall see that, the prisoners receive the prescribed bedding and that all sanitary arrangements are correctly carried out.

22. The Superintendent shall hear and enquire into any complaint which any prisoner may make.

23. The Superintendent shall provide suitable labour for the convicts.

24. The Superintendent shall if possible attend all inspecting officers at their visits.

25. The Superintendent shall send copies of the remarks of official and non-official visitors made in the Inspection Register or visitors' book to the Inspector-General of Prisons as immediately as possible with his remarks.

26. The Superintendent shall have power to grant casual leave to all subordinate officers under him.

27. The Superintendent shall maintain the registers mentioned in rule 125 and shall have charge of the prisoners' warrants and shall conduct necessary correspondence.

28. The Superintendent shall be present in the Sub Jail from morning till evening except when he leaves it for meals. He shall be provided with rent free quarters very close to the Jail.



## CHAPTER VI

### THE MEDICAL OFFICER

29. For the purpose of the Travancore-Cochin Prisons Act 1950 (Act XVIII of 1950) or the Prisons Act, 1894 (Central Act IX of 1894) and the Travancore-Cochin Prisoners Act, 1950 (Act XVII of 1950) or the Prisoners Act, 1900 (Central Act III of 1900), the Senior Government Medical Officer of the Station in which the Sub Jail is situated shall be the Medical Officer of the Jail. In the absence of the Senior Medical Officer of the Station the duties of the Medical Officer under the Prisons Act shall be performed by the next Medical Officer in the Station.

*Note*.—When no Medical Officer is available the Superintendent shall send intimation in cases of necessity to the nearest Medical Officer who will arrange to attend to any urgent requisition for medical assistance.

30. The Medical Officer shall visit the Sub Jail twice in a week and daily when any prisoner is sick, he shall frequently inspect the food, both the raw articles of rations and the cooked meals, he shall see that the water supply is from a protected source, that the latrines are kept thoroughly clean, and that all sanitary arrangements are properly carried out.

31. The Medical Officer shall keep a register in Form No. 3 in Appendix I in which he shall enter each visit to the Sub Jail and the result thereof, recording any want of cleanliness, drainage, warmth or ventilation, and bad quality of the provisions, any insufficiency of clothing or bedding, or any other cause which may affect the health of the prisoners. This register shall be kept at the Sub Jail.

32. The Medical Officer shall be responsible for the treatment of the sick, and shall record clearly and fully in his register every recommendation as to the diet, medicines, other treatment of the sick which he thinks necessary. The Superintendent of the Sub Jail shall see that such instructions are correctly carried out.

33. In all but trivial cases, the Medical Officer shall also record in the register notes regarding the condition of each patient so that the register may serve the purpose of a rough case book.

34. Any prisoner who is found to be suffering from infectious disease, or who is seriously ill, shall be at once removed to the nearest hospital, due arrangements being made by the Superintendent in communication with the local Police, for his being guarded there.

35. If there is no hospital nearby, the Superintendent shall arrange for the segregation, in a vacant ward or temporary hut of any prisoner suffering from infectious disease.

36. Upon the death of any prisoner, the Medical Officer shall record the particulars required by Section 15 of the Travancore-Cochin Prisons Act or Central Prison Act and shall send a copy of such record without delay to the Superintendent who shall at once forward it to the Inspector-General of Prisons and the Magistrate under whose warrant the prisoner is detained.

37. If cholera or any other dangerous disease appears in a Sub Jail, the Superintendent shall at once report the fact to the Inspector-General of Prisons, to the District Magistrate and the Superintendent of neighbouring Jails, in order that enroute prisoners may not be sent to the infected Sub Jail.

38. Any suicide, serious accident or violent death occurring to a prisoner in a Sub Jail shall be immediately reported to the Inspector-General of Prisons and to the District Magistrate by the Superintendent.

39. In every case of suicide or violent death, a post-mortem examination of the body shall be made by the Medical Officer, and a full record of the result of such examination shall be made. The Superintendent shall forward a copy of this record to the District Magistrate and to the Inspector-General of Prisons with his report.

40. An inquest should be held by the Magistrate on every prisoner dying by suicide or of any violent or unnatural death in a Sub Jail.

41. The Body of the Prisoner dying in Sub Jail shall be made over to the relatives or friends of the deceased if claimed by them unless the prisoner died of infectious disease. If unclaimed or if died of infectious disease, the Superintendent shall arrange burial of body in the nearest burial ground.

42. All prisoners in Sub Jails shall be vaccinated whenever practicable without reference to their wishes, and the Director of Health Services will make suitable and definite arrangements, in communication with the Inspector-General of Prisons for the systematic vaccination of Sub Jail Prisoners and for duly recording the results. The duty of maintaining the vaccination register will devolve on the local vaccinator of the Health Services Department.

43. The Local Government Lady Doctor shall attend the sick female prisoners in cases of necessity if required by the Superintendent of Sub Jail.

44. On admission all prisoners shall be examined for venereal diseases and other contagious diseases. Female prisoners shall be examined by a lady doctor when the Superintendent thinks necessary. In special cases the Superintendent may waive the examination.

## CHAPTER VII

### OTHER ESTABLISHMENT

45. Each special Sub Jail should have the following subordinate staff:—

- Jailer (1)
- Assistant Jailer (1)
- Head Warders (3)
- Warders (Male)—Minimum (10)

46. The Jailer shall subject to the Superintendent's control be generally responsible for the proper management of the Sub Jail. He shall see



that prisoners observe the Jail Rules and maintain order and discipline. He shall also see that they receive the prescribed rations at the proper time and that they have their full share of labour on working days.

G.O. No. 498/61 Home dated 13-9-61.

Amendment

In the said rules for the existing rule 48 the following shall be substituted, namely:

" 48. Subject to ratification by the I.G. of Prisons the Sub-Jail unit, shall employ temporary female warders in sub jails on daily wage system at the rate fixed by Govt. from time to time to guard female prisoners when they are detained in the sub jails or for escort duty. The duties of the female warders shall be the same as those of the male warders mentioned in the Jail Rules, so far as the women prisoners are concerned."

D. No. 18634/61

Warders live for a Jail population of 30 or below. For every additional 10 prisoners one warder may be appointed. The Government may appoint an additional Head Warden for ministerial work in each 'A' Class Sub Jail, if considered necessary.

#### GUARDING OF SUB JAILS

51. The guarding of special and 'A' Class Sub Jails and the prisoners therein shall be carried out by the warden staff and the Ordinary Sub Jails by the Police, and the warden staff and the Police respectively shall be responsible for the safe custody of the prisoners both while the prisoners are in the wards and while they are removed for labour, to the cook house, latrine etc.

52. The Inspector-General of Prisons may sanction the entertainment of temporary additional establishment not exceeding 5 warders for each Sub Jail in any of the following cases:—

- (1) The presence of civil and criminal lunatics or prisoners who need to be specially guarded or kept under observation.
- (2) Any such emergency as a serious increase in the population of the Jail or a temporary insecurity in the means of confining prisoners.

53. Whenever the Superintendent of an 'A' Class Sub Jail is absent on casual leave or court-duty etc., his duties shall be performed by the Head Warden.

#### CHAPTER VIII

##### CLASSIFICATION OF PRISONERS AND ACCOMMODATION

54. Prisoners under the age of 21 shall, whenever practicable, be placed in a ward separate from any adult prisoner. Adolescent under-trial and remand prisoners shall be sent to Remand Home, if there is



such an institution in the District in which the Court committing the prisoner is situated.

55. Under no circumstances shall males and females be placed in the same ward nor shall the convicted be placed in the same ward with undertrials.

56. As far as possible, undertrials shall be separated from convicted, first offenders from habituals, adolescents from adults, and decent members of society from lower grade of criminals.

57. The child or children of the female prisoners may be admitted into a Sub Jail with the mother if he or they cannot be placed with their relatives or otherwise conveniently provided for, provided that the age of the child does not exceed 5 years. Provision may be made for the training of children of females in Jails.

58. Over the door of each ward in every Sub Jail shall be placed an inscription stating the number of the ward, the class of prisoners, viz., convicted or undertrial, male or female, for which it is intended, its superficial area and the cubical capacity, and the number of prisoners it is authorised to contain.

59. In calculating the number of prisoners to be confined in any ward, every prisoner shall be allowed not less than 40 superficial and 600 cubic ft. or 36 superficial and 648 cubic ft. of space.

60. The Superintendent shall be responsible that overcrowding does not occur and that a greater number of prisoners than that permitted under the preceding rule is not placed in a ward.

61. If the Sub Jail is full, the Superintendent shall make the best arrangement practicable for the safe custody of persons and shall report the matter to the Inspector General of Prisons. If the number is largely in excess of the accommodation the Superintendent shall pending receipt of the orders of the Inspector-General of Prisons provide temporary accommodation for the excess.

## CHAPTER IX

### DAILY ROUTINE AND DISCIPLINE

62. The Sub Jail wards shall be unlocked at daybreak on every day. The bedding of the prisoners shall be at once brought outside, well shaken, folded and if the weather is fine, left for some hours in the Sun.

63. The night vessels shall be removed and the wards thoroughly cleaned.

64. The prisoners shall visit the latrine, and shall be allowed to wash. Selected prisoners for cooking purposes shall cook the early morning Kanjee, midday and evening meals for all the prisoners. Convicts shall not be kept in their wards during the day except on account of inclemency of weather, sickness, infirmity or other unavoidable cause.

65. The midday meal shall be given at 11 a.m. and the afternoon meal at 5 p.m. After each meal the prisoners may be allowed to visit the latrine. After the afternoon meal, they may be allowed to wash. At sun set they shall be locked up.

66. The practice of hand cuffing two or more prisoners together in Sub Jail is prohibited, and prisoners under trial shall in no case be hand-cuffed without an express order in writing of the Superintendent. Except as a means of punishment no prisoner shall be hand-cuffed or fettered unless on the specific ground that he is refractory violent or dangerous.

67. Whenever it is found necessary to place handcuffs, or fetters on prisoner a report specifying the date and hour when they were put on and the necessity of the case shall be made by the Superintendent to the Inspector-General of Prisons

68. If an escape occurs from a Sub Jail the Superintendent shall send an immediate report to the Inspector-General of Prisons and the local Magistrate and the nearest District Magistrate (judicial) and the District Collector. The Superintendent shall at once forward notice of the escape with a descriptive roll of the escaped prisoner to the nearest police station and to the police station nearest to the prisoner's home and shall also take all necessary measures for the recapture of the escaped prisoner.

69. No prisoner shall be permitted to leave the Sub Jail after night fall.

70. All facilities should be afforded and interviews granted by the Superintendent, if a prisoner expresses his wish to appeal. Interviews may also be granted once a week for family matters. In urgent cases the Superintendent can grant interviews at shorter intervals in which case he shall note the urgency of the matter in the petition for interviews.

71. All undertrial and remand prisoners shall be allowed to write and receive one letter a fortnight. All letters shall be censored by the Superintendent.

72. Friends and relations of the undertrial and remand prisoners shall be permitted to have interviews with the prisoners once in a week in the presence of a responsible officer.

73. If any convicted prisoner intimates his wish to appeal, the Superintendent shall at once apply to the convicting Court for a copy of the judgment and shall supply the prisoner with the writing materials necessary to enable him to make his appeal.

74. Escorting of prisoners from Sub Jails to Courts, hospitals etc., and the guarding of prisoners while in Courts and hospitals shall be done by the Police.

75. The Scales of ration that are allowed to prisoners of the Central Jails shall be allowed to the prisoners confined in the Sub Jails also.

76. All able bodied willing prisoners in the Sub Jails shall be provided with some items of labour. A small amount as an incentive may be paid as remuneration for those who do work in the Sub Jails.

77. Moral and religious instructions shall be imparted to the prisoners in the Sub Jails. They shall also be given social education.

78. A small library shall be opened in each Sub-Jail. The prisoners can procure books and news papers at their expense subject to the scrutiny of the Superintendent. One vernacular paper shall be supplied to each Sub Jail. The Government may provide a dining hall, a recreation room, and a canteen in each Sub Jail.

79. Limited quantity of tobacco and its products may be got by the prisoners at their own cost. Smoking and chewing will be allowed at fixed places and periods to the prisoners in the Sub Jails.

80. Female prisoners shall be given combs and mirrors.

81. Male prisoners shall be given one shave a week and one hair cutting in two months.

82. The guarding of the main gates of Special and 'A' class Sub Jails shall be done by Armed Warders and Ordinary Sub Jails by the Armed Police.

83. Unlocking of Cells shall be done at 6 a.m. and Lock up at 6 p.m. The lock up time may be extended up to 6-30 p.m. in clear weather days. Admission of prisoners to the Sub Jails may be done at any time even on holidays. There shall be no release after sunset and before daybreak.

84. Quarterly statements shall be sent to the courts by the officer in charge of the Jail in regard to undertrial prisoners detained continuously for periods over three months. Copies of such statements shall be sent to the High Court, District Magistrates, Inspector-General of Prisons and the Government.

## CHAPTER X

### OFFENCES AND PUNISHMENTS.

85. The acts which constitute Jail offences are specified in section 46 of the Travancore-Cochin Prisons Act 1950 (Act XVIII of 1950) or Section 45 of the Prisons Act, 1894 (Central Act IX of 1894) as the case may be. Rule 287 of the Kerala Prisons Rules shall apply to the prisoners who go on hunger-strikes in the Sub Jails.

86. The following acts also are forbidden and every prisoner who wilfully commits any of these acts shall be deemed to have wilfully disobeyed the rules of the Sub Jail and to have committed a Jail Offence:—

(i) Talking during working hours and when at field, or at unlocking or at latrine, bathing or other parades, or at any time when ordered by an Officer of the Sub Jail to desist, and singing, loud laughing and loud talking at any time;

(ii) Quarrelling with any other person;

(iii) Secreting any articles whatever;

(iv) Showing disrespect to any Jail Officer or visitor;

(v) Making groundless complaints;

(vi) Answering untruthfully any question put by an officer of the Sub Jail or a visitor;



(vii) Holding any communication (in writing, by word of mouth, or otherwise) with an outsider, with a prisoner of the opposite sex, or with a prisoner of a different class in disobedience to the regulations of the Sub Jail.

(viii) Abetting the commission of any Jail offence;

(ix) Omitting to assist in the maintenance of discipline by reporting any Jail offence, or to give assistance to an officer of the Sub Jail when called on to do so;

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

(xi) Doing any act calculated to create any unnecessary alarm in the mind of the prisoners or officers of the Sub Jail.

(xii) Leaving without permission of an officer of the Sub Jail, the ward, the yard, the place in file, the seat or berth assigned to him;

(xiii) Leaving without permission of an officer of the Sub Jail, the gang to which he is attached, or the part of the Sub Jail in which he is confined;

(xiv) Loitering about the yards, or lingering in the wards when they are open;

(xv) Omitting or refusing to march in file when moving about the Sub Jail;

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

(xvii) Refusing to eat food or the food prescribed by the Sub Jail diet scale;

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

(xix) Removing without permission of an officer of the Sub Jail food from the cook room or godown or from the place where meals are served or disobeying any order as to the issue and distribution of food and drink;

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

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

(xxii) Removing, defacing or altering any distinctive number, mark or badge attached to, or worn on the clothing of the Sub Jail;

(xxiii) Omitting or refusing to keep the person clean or disobeying any order regulating the cutting of hair or nails;

(xxiv) Omitting or refusing to keep clean his clothing, blankets, bedding, fetters, aluminium cups or platters or metal tickets or other identification token, or disobeying any order as to the arrangement or disposition of such articles;

(xxv) Tampering in any way with Sub Jail locks, lamps or lights or other properties with which he has no concern;

(xxvi) Stealing the Jail clothing or any part of the Jail kit of any other prisoner;

(xxvii) Committing a nuisance in any part of the Sub Jail;

(xxviii) Spitting on or otherwise soiling any floor, door-wall or other part of the Sub Jail building or any article in the Sub Jail;

(xxix) Wilfully befouling the wells, latrines, washing or bathing places;

(xxx) Damaging the trees and vegetables in the garden of the Jail or maltreating the prison cattle;

(xxxi) Omitting or refusing to take due care of all prison property entrusted to him;

(xxxii) Omitting or refusing to take due care or injuring, destroying or misappropriating, the materials and implements entrusted to him for work;

(xxxiii) Omitting to report at once any loss, breakage or injury which he may accidentally have caused to Jail property or implements;

(xxxiv) Manufacturing any article without the knowledge or permission of an officer of the Sub Jail;

(xxxv) Performing any portion of the task allotted to another prisoner or obtaining the assistance of another prisoner in the performance of his own task;

(xxxvi) Appropriating any portion of the task performed by another prisoner;

(xxxvii) Mixing or adding any foreign substance to the materials issued for work;

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

(xxxix) Causing or omitting to assist in suppressing violence or insubordination of any kind;

(xl) Taking part in any attack upon any prisoner or officer of the Sub Jail;

(xli) Omitting or refusing to help any officer of the Sub Jail in case of an attempt at escape or of an attack upon such officer or upon another prisoner;

(xlii) Disobeying any lawful order of an officer of the Sub Jail or omitting or refusing to perform duties in the manner prescribed;

87. The Superintendents of Sub Jails may impose for any Sub Jail offence punishments specified in clauses (1), (2), (5), (6), (7) or (9) of Section 47 of the Travancore-Cochin Prisons Act, 1950 (Act XVIII of 1950) or Clauses (1), (2), (6), (7), (8) or (10) or Section 46 of the Prisons Act, 1894 (Central Act IX of 1894).

88. The Superintendent shall in accordance with the provisions in sections 12 (3) and 52 of the Travancore-Cochin Prisons Act, 1950 (Act XVIII of 1950) or 12 (3) and 51 of the Prisons Act, 1894 (Central Act IX of 1894) as the cases may be maintain a punishment book in Form No. 4 in Appendix I.

## CHAPTER XI

## LABOUR

89. It shall be the duty of the Superintendent to give effect to all sentences of rigorous imprisonment by employing, within the precincts of the Jail compound, convicts so sentenced on such simple kinds of hard labour as may be available and best suited to the circumstances of each Sub Jail. All able bodied other than those sentenced to rigorous imprisonment shall also be provided with some items of labour like gardening, coir making, spinning, tape making etc. A small amount as an incentive may be paid as remuneration for those who do work.

90. A supply of materials and implements shall periodically be furnished to the Superintendents of Sub Jails by the Inspector-General of Prisons who shall satisfy himself that every Sub Jail in the State is provided with the means of enforcing hard labour.

91. The employment of convicts outside the Jail e.g., in road making is prohibited.

92. No prisoner shall be required to perform any labour other than such as may be necessary for the conduct of the internal managements and domestic economy of the Jail or to meet any call of emergency, on any of the public holidays declared by the Government.

## CHAPTER XII

## DIET AND CLOTHING

93. The diet of Indian prisoners in the Sub Jails shall be in accordance with the following scale provided that the undertrial prisoners shall be allowed to supply their own food, if they so desire, subject to such restrictions as the Superintendent may impose.

Diet scale per head per day of 'C' class prisoner and undertrial prisoner.

Rice or wheat	Noon 10 oz. rice, Morn. 4 oz. wheat or rice evening 4 oz. rice.
Vegetables	4 oz. (large and small), Sunday, Tuesday and Thursday
Vegetables	11 oz. (large), Monday, Wednesday, Friday and Saturday.
Dried tapioca	6 oz. Sunday, Tuesday, and Thursday.
Onions	1/2 oz.
Tamarind	1/4 oz.
Curry Powder	6 drams.
Cocconut	1 1/2 oz.
Salt	1 1/2 oz.
Firewood	1 1/2 lb.
Butter milk	2 oz.
Cocconut oil	4 drams
Mustard	4 grains
Cumin seed	3 grains
Green gram.	3 oz. (Sunday, Tuesday, Thursday and Friday)
Do.	1 oz. (Monday, Wednesday & Saturday)
Dhal	1/2 oz. (Every sambar days i. e. Sunday, Tuesday and Thursday).



Dried fish	2 oz. (Monday, Wednesday).
Mutton inclusive of bones	2 1/2 oz. on Saturday
Uluva	1 grain.
Asafoetida	1/8 dram.
Pepper	1/8 dram.
Garlic	1/4 dram.
Potatoes	2 oz. on Saturday.

2. When there is scarcity of rice, other foodgrains shall be substituted for rice;

3. The Superintendent shall be responsible for the quality and quantity of food supplied and shall see that sufficient time at fixed hour is allowed for meals.

94. (i) There shall be three meals daily. The first shall consist of warm Kanjee made of 4 oz. of rice or wheat with a small quantity of chutney to be issued as soon as possible after unlocking and before the prisoners are detailed for work. The second and third shall also be warm meals one to be given at 11 a.m., and the other after the men return from work viz., at 5 p.m.

(ii) The quality of diet for non-Indians will be fixed by the Superintendent in proportion to the quantity of diet for Indians.

(iii) The day's ration shall be served out to the prisoners immediately after the unlocking so that the cooking may be done by the prisoners selected for the purpose.

95. (i) No rice less than six months old shall be issued. Cooked rice is about three to three and a half times the weight of uncooked rice;

(ii) Dhal shall be freed from husk;

(iii) The oil shall be tempered and mixed with the curry in the presence of a responsible officer of the Jail who shall ascertain by weightment that the quantity is correct;

(iv) Curry powder shall be prepared according to the following recipe, viz.

Chillies	4 oz.
Coriander	1 1/2 drams.
Turmeric	8 "

It shall be prepared and issued to the cook in the form of powder, and not ingredients.

(v) If cheaper, an equal quantity of mango pickle may be substituted for tamarind;

(vi) The allowance of vegetables shall be calculated after stalks, skins and refuse have been separated and only good succulent vegetables shall be used. Similarly the allowance of tamarind shall be issued free of husk and seed;

(vii) Vegetarians shall be given 2 oz. green gram in lieu of fish or mutton;

(viii) Dhal, cummin seed, mustard and tamarind need be issued only for such of the daily curries that require them;

(ix) All food except that specially prepared for prisoners in hospital, shall be cooked at the main kitchen;

(x) The work of preparing grain and curry powder shall not be done by the cooks. They shall however, wash the rice and prepare the vegetables;

(xi) The cooks shall be required to keep the kitchen clean and tidy and the cooking pots, moulds, trays etc., scrupulously clean. They shall

carry the cooked food to a Central position, to be selected by the Superintendent and then removed to the several blocks by the cooks and distributed to the prisoners under the supervision of the warder in charge of the block;

(xii) All food shall be carefully protected from flies;

(xiii) Iron or aluminium pots or copper vessels properly tinned shall be used for cooking. Trays made of metal with handles may be employed to carry food on;

(xiv) The maximum allowance of fuel for all classes of prisoners is 2½ lb. per head per diem when the population is below hundred and 2 lb. above hundred prisoners;

(xv) The consumption of fuel shall, if possible be kept below those maximum, but the thorough cooking of the food shall not be sacrificed in order to secure a small saving in fuel;

(xvi) Every prisoner shall be provided with a set of aluminium or earthen eating and drinking vessel. The vessels should be of a uniform material and pattern;

(xvii) The Superintendent shall exercise the utmost vigilance in the supervision of the food supplied and all articles issued for consumption shall be inspected by the Superintendent;

(xviii) All articles of food issued for consumption shall be weighed daily by the Superintendent or Jailer, or the Head warder who shall be responsible to see that the proper quantity is issued for every prisoner. From time to time, the Superintendent shall check the issues of rations thus made. A proper set of scales, weights and measures shall be maintained in the Jail and shall be frequently tested by the Superintendent;

(xix) If any complaint is made by any prisoner regarding the quantity, quality, or cooking of the food, it shall be at once enquired into by the Superintendent and the circumstances reported in his report book for the day. If the complaint relates to the quantity of food received, the rations shall at once be weighed in the presence of the prisoner making the complaint;

(xx) No change in the prescribed dietary of the whole or part of the Jail shall be made without the sanction of the Government except in the unavoidable circumstances e.g., when the prescribed food stuffs are not available, in which event departure from the prescribed dietary should be reported to the Inspector-General of Prisons. But the diet of individual prisoners may be modified on the recommendation of the Medical Officer. Unless the prisoner is in the hospital, any modification, which involves increased expenditure and which is continued for more than a month, should be reported to the Inspector-General of Prisons;

**Note:**—To relieve the monotony of the sameness of the food the Superintendent may make such alterations in the cooking as is possible within the sanctioned quantity of ingredients without involving extra cost.

(xxi) Every convicted prisoner shall be given two ounces of gingelly or cocoanut oil per week for bathing purposes twice a week, viz., on Saturdays and Wednesdays at the rate of one ounce each time. Care should be taken that the whole of the oil issued is utilised for the purpose intended and the issuing officer shall see that the oil is smeared on their persons by the convicts as soon as it is issued to them. A reasonable quantity of "Pinnacle" or any other cheap saponaceous material shall be issued to each convict to remove the oil;



(xxii) The diet of a prisoner in hospital shall entirely be under the Medical Officer's control and he may order, for each individual case, such extra as he considers necessary in addition to the ordinary hospital diets, but he should exercise such economy as is not inconsistent with the well being of the sick;

(xxiii) The ordinary hospital diet shall be as follows:—

Articles comprising the different heads of diets for a day.

<i>Spoon</i>	<i>Milk</i>	<i>Broken rice Kanjee</i>	<i>Full</i>	<i>Rice</i>
Sago 7 oz.	*Bread 12 oz.	Broken rice 20 oz.	Mutton for curry 8 oz. Rice 8 oz.	
Sugar 2 oz. Rice 2 oz. Salt 2 drs. for Kanjee water	} Milk 2 pt. Sugar 2 oz.	Salt 1 oz. Pappadam 6 nos. lime pickle 1/8 oz.	Curry powder 1/2 oz. Country vegetables 4 oz. Hoppers No. 6 + Bread 8 oz. Ordinary Jail diet	
		Rice 2 oz. Salt 2 drs. for kanjee water		Butter or ghee 1 oz. Salt 1 oz.

\* Or rice 1 lb. omitting the bread

+ Hoppers to weigh 2 oz. each when cooked.

#### 2. Distribution of Diets.

<i>Spoon</i>	<i>Milk</i>	<i>Broken rice kanjee</i>	<i>Full</i>	<i>Rice</i>
Sago 4 oz.	Bread or	Kanjee 4 oz.	Hoppers No. 6	
Sugar 1/2 oz.	Rice 4 oz.	Salt 1/2 oz.	Butter or Ghee oz. 1/2	
	Sugar 1 oz. Milk 1/2 pint	Pappadam 2 Nos. Lime pickle 1/8 oz.		Ordinary jail diet.
		<b>Mid-day meal</b>		
Sago 2 oz.	Bread or	Kanjee 8 oz.	Mutton for	Ordinary
Sugar 1 oz.	Rice 8 oz.	Salt 3/8 oz.	curry 8 oz.	jail diet
Milk 1 pint	Milk 1 pt. Sugar 1 oz.	Pappadam 2 Nos. Lime pickle 3/16 oz.	Vegetables 4 oz. Rice 8 oz.	
		<b>Evening meal</b>		
Sago 1 oz.	Milk 1/2 pint	Kanjee 8 oz.	Bread 8 oz.	do.
Sugar 1/2 oz.		Salt 3/8 oz. Pappadam 2 Nos. Lime pickle 3/16 oz.	Butter or Ghee 1/2 oz.	

(xxiv) The weight of the meat in the above diet shall be exclusive of bone;

In cases in which the Medical Officer considers it necessary 1/2 oz. tea or 1 1/2 oz. coffee per diem may be ordered with any of the above diets; when given with the low or full diets 1 1/2 oz. sugar and 8 oz. of milk will also be allowed.

(xxv) No prisoner shall be allowed any article not included in the diet scale except on the orders in writing of the Superintendent and that only on medical grounds. The order recorded shall state the reasons which render the grant of any article necessary;

(xxvi) The source from which the drinking water for the prisoners is obtained shall be selected by medical officer who shall be responsible that it is the best available and that all possible measures are taken for its protection from pollution;



(xxvii) In case of epidemic disease, the drinking water shall ordinarily be boiled before issue to prisoners;

(xxviii) Prisoners in Sub Jail other than convicted shall ordinarily wear their own clothing. For those who cannot purchase their own bedding shall be supplied with two cotton jamakals and a coir mat or grass mat 8 feet in length and 2½ ft. in breadth, and one end of which is to be rolled up to form a pillow. These should last for three years, jamakals and mats should be got from the Central Jails if available on indents. Undertrial prisoners may be allowed to supply their own bedding if they want to do so. In Sub Jails located in places where there are extreme cold climate such as Peermade, Devicolum, Vythiri and Mananthody shall be supplied with cumbles in place of jamakals. Those who are unable to buy their own cloths will be supplied with cloth at Government cost at the rate of 2 mundooos and 2 thorthus for males and 2 sarees and 2 rowkeys and a thorthu for a female prisoner for a year. Every undertrial prisoner can have his own clothing.

(xxix) Prisoners shall be required to wash the clothing as often as is necessary for the purpose of cleanliness. In times of epidemic disease the clothing of newly arrived prisoners should be boiled before they are admitted to Sub Jail;

(xxx) Every prisoner under sentence of rigorous imprisonment shall wear Jail clothing as prescribed in these rules and shall be supplied with Jail bedding. Any prisoner of any other class shall likewise be supplied with clothing and bedding if he requires it;

(xxxi) The clothing of a male convict shall consist of a shirt with half arm and a mundoo. These articles shall constitute a suit. No pocket or opening in the lining should be allowed in any prison clothing;

(xxxii) Female convicts shall wear saree and jacket or "Rowkey";

(xxxiii) Every convict shall be furnished with a cotton towel 3 ft. x 3 feet;

(xxxiv) Every short term male convict shall be provided with one shirt, two mundooos and a langottee, besides the towel to be furnished under sub-rule xxiv. Short term female convicts shall be provided with the same clothing as long term female convicts;

(xxxv) Washing soda at the rate of ¼ oz. per prisoner per month for washing bedding shall be allowed;

(xxxvi) Convicts sent in custody to a court in this State or to a foreign court either as a witness or as an accused person shall wear ordinary private clothing. Their metal tickets shall also be removed. For this purpose the private clothing of convicts retained in the Jail or tendered by friends or relatives shall be issued to the convict before proceeding to, and withdrawn on his return from court daily. In other cases the Superintendent shall provide clothing of a kind suitable to the class to which the convict belongs;

(xxxvii) Men employed on work which specially soils their clothing e.g., cumbly starching and scavenging, may in addition to the ordinary scale of clothing be supplied with an old suit for wear during working hours;

(xxxviii) Convicts employed on garden work and on active occupations in closed workshop, kitchens etc., do not ordinarily require to wear a shirt while at work. On the other hand, care should be taken that at meal times, at inspections, and in cold weather all prisoners are properly clad. Prisoners should not be allowed to wear wet clothes;

(xxxix) Umbrella hats may, at the discretion of the Superintendent be issued to prisoners on extramural labour.

(xl) Woollen cumblies may be issued to sick prisoners on the recommendation of Medical Officer.

(xli) Extra clothing and bedding shall be issued to any sick, aged or infirm prisoners on the written recommendation of the Medical Officer.

(xlii) The Assistant Jailer of Special Sub Jail or Head Warder of A class Sub Jail shall be in charge of the clothing store and shall be held responsible for all clothing and bedding. He should be allowed a sufficient number of prisoners to enable him to have the clothing frequently moved and exposed to the sun and air. The strictest attention should be paid in having all clothes washed thoroughly before being placed in stock.

(xliii) A fixed day, weekly, shall be appointed for the repair of clothing. At the weekly parades of prisoners the Superintendent shall pay special attention to the clothing and bedding and shall satisfy himself that each man's kit is complete and in proper condition.

(xliv) Unserviceable clothing should be struck off the clothing registers. The entry should be initialled by the Superintendent and it should be utilised for such Jail purposes as the cleaning of lamps, carbines or machinery. No Jail clothing shall be sold unless it has first been reduced to rags by being torn up into pieces not more than an inch square.

(xlv) Prison clothing shall not be given to discharged prisoners and care shall be taken that prisoners on release surrender their full outfit. The clothing and bedding taken back from released prisoners shall be thoroughly boiled, washed and stored for reissue if they are found fit for further use.

(xlvi) To destroy vermin in the bedding and clothing of prisoners, they should be steeped in boiled water with alum. The clothing of patients suffering from infectious disease should be thoroughly disinfected under the supervision of the Medical Officer in cases where their destruction is not considered necessary by the Medical Officer.

Prisoners in the Sub Jails are allowed:—

1. Washing soda  $\frac{1}{2}$  oz. per head per week for washing clothing and  $\frac{1}{2}$  oz. per head per month for washing bedding of prisoners.
2. Gingelly oil or cocoanut oil 2 oz. for males and 3 oz. for females per week.

(xlvii) Indents for the clothing and bedding likely to be required during the next six, nine or twelve months shall be prepared in duplicate in the prescribed form and submitted to the Inspector-General of Prisons for sanction.

Note:—Nothing in this chapter applies to prisoners under sentence of simple imprisonment or to unconvicted criminal prisoners, unless they require to be provided with Jail clothing.



## CHAPTER XIII

## CONSERVANCY.

96. The jail area shall be kept perfectly clean, free from jungle, woods, rubbish and filth.

97. The dry earth conservancy system or flush out system if available shall be followed in every Sub Jail. The dry earth provided shall be finally powdered. Sand shall not be used.

98. In every sleeping ward two night vessels shall be provided, the one half filled with dry earth for excreta, and the other half filled with water for urine. A third receptacle containing dry earth shall be provided, and every prisoner using the night vessel provided for defecation shall use this dry earth in the prescribed manner.

99. The night vessels shall not be used by day, but shall be removed from wards. Their use by night be as far as possible discouraged.

100. All the menial duties of the Sub Jail shall be performed by convicted prisoners when they can, with propriety, be so employed without prejudice to castes. When a scavenger is attached to a Sub Jail the Superintendent shall see that he keeps both latrine and night vessels clean. The prisoners should be required to collect dry earth and to pound and sift it for use.

101. Nightsoil and urine, if not removed by the local sanitary authorities shall be disposed of by being buried in shallow trenches, not exceeding one foot in depth and one foot in breadth, and shall be covered over by at least six inches in earth. Care shall be taken that such trenches are at some distance from the water supply.

102. All prisoners shall be required to bathe daily at such time and under rules as the Superintendent may direct.

103. All wards of Sub Jails, latrines, cook houses, hospitals, sheds and other attached buildings shall be white washed once every year, and oftener, if from sickness or other cause it becomes necessary.

## CHAPTER XIV

## TRANSFERS.

104. Every prisoner shall be examined by the Medical Officer before being transferred and the Medical Officer shall certify in writing whether the prisoner is fit or unfit for the journey.

105. If the Medical Officer certifies that the prisoner is unfit for the journey, the prisoner shall be detained in the Sub Jail until he is reported by the Medical Officer to be in a fit state to travel.

106. If the Medical Officer certifies that the prisoner is unfit to perform the journey on foot, but is fit to travel if a cart is provided, the Superintendent shall either provide a cart or other conveyance or shall detain the prisoner in the Sub Jail until he is fit to walk.



107. If any prisoner who is transferred is ill or has been ill in the Sub Jail, a copy of all entries relating to him in the Medical Officer's register shall be sent with him.

108. No prisoner shall be transferred from any Sub Jail without adequate supply of clothing.

109. No prisoner who is ill shall be transferred from any Sub Jail except for the benefit of his health. Weak or infirm prisoners shall in cold or wet weather be supplied with a cumby, which shall be brought back to the Sub Jail by the Police escort.

110. No prisoner shall be required to march by road more than 15 miles in 24 hours.

111. Prisoners shall not ordinarily be transferred from Sub Jail to Central Jails when cholera is present in either Jail, or along a route on which cholera is prevalent. When those circumstances occur, it is generally preferable that the prisoners should remain in the Sub Jail until the Jails are healthy or the route clear.

112. Every en-route prisoner shall receive two meals per diem. When an en-route prisoner is halted for the night at a place where there is no Sub Jail the Police escort shall provide him with necessary meals.

### CODE OF CRIMINAL PROCEDURE, 1973.

Section 428. Period of detention undergone by the accused to be set off against the sentence of imprisonment:-

Where an accused person has, on conviction, been sentenced to imprisonment for a term, the period of detention, if any, undergone by him during the investigation, inquiry or trial of the same case and before the date of such conviction, shall be set-off against the term of imprisonment imposed on him on such conviction, and the liability of such person to undergo imprisonment on such conviction shall be restricted to the remainder, if any, of the term of imprisonment imposed on him.

....

and the day of release shall both be included and considered as days of imprisonment.

**Illustration:**—A prisoner sentenced on the first day of January to a month's imprisonment should be released on the last day of January; a prisoner sentenced on the 1st day of February and a prisoner sentenced on the 2nd day of February should be released on the 1st day of February.

117. When a prisoner is sentenced to two or more sentences, the date of release shall be calculated as though the sum of the terms was awarded in one sentence.

118. Should the date on which a convict is entitled to release fall on a Sunday, or other Jail holiday he shall be liberated on the preceding day.

119. All prisoners shall be released at the Sub Jail, and in no case shall prisoners be taken for release to the Magistrate's Camp.

120. Ordinarily prisoners shall be released as soon as possible after the mid-day meal.

121. The Superintendent shall, as far as possible, personally release prisoners, after carefully examining their warrants. If the Superintendent is absent, the release shall be carried out by the Jailer or Head Warden-in-charge. In such cases the Superintendent should give definite orders in writing for the guidance of his subordinates.

122. Every prisoner who is released from a Sub Jail at a distance of every ten miles from his village shall, if he is without funds, be given actual bus, train or boat fare up to his native place. The Superintendent shall, as far as possible, personally disburse this money to the prisoner on his release.

123. If a prisoner escapes and is recaptured, he may be received back into Jail on his original warrant, the day of escape and the day of recapture shall be counted as days of imprisonment.

## CHAPTER XVI

### RETURNS

124. (a) The Superintendents shall send to the Inspector-General of Prisons annually by the 10th of January a consolidated abstract of the entries which have been made in the Inspection Register during the previous year.

(b) The Superintendent shall maintain in half margin f'cap paper and in his own handwriting a journal in which he shall record, as soon after the event as possible

- (i) The times at which he enters and leaves the Jail daily, result of his inspection.
- (ii) Reasons for punishing prisoners and punishment awarded.
- (iii) Every occurrence of importance.

The extract of journal shall be forwarded to the Inspector-General of Prisons on the first day of the month following that to which it

relates. This return shall be in the same form of the Inspection Register but with columns added for the names of the Sub Jails and of the Taluks in which they are situated. It should also show the action taken to give effect to the orders of the several Inspecting Officers.

125. Every Superintendent of the Sub Jail shall similarly forward to the Inspector-General of Prisons such quarterly statistical returns as may be prescribed by the Inspector-General of Prisons. These returns shall be forwarded so as to be received by the fifth of the month following the close of the quarter to which they relate.

126. Every Superintendent of Sub Jail shall forward to the Inspector-General of Prisons annually before the tenth January a statement (called annual statement) showing the nature of crimes for which convicts were imprisoned during the year previous.

127. *Registers.*—In addition to the Inspection Register, Order Book, Medical Officer's Register, and Punishment Book referred to in these Rules, the following Registers shall be maintained in Sub Jails, namely:—

1. Admission Register in Form No. 5.
2. Property Register in Form No. 6.
3. Lockup Register in Form No. 7.
4. Contingent Register in Form No. 8.
5. Register of Prisoners dieted in Form No. 9.
6. Stock book of Government Stores in Form No. 10.
7. Purchase Register in Form No. 11.
8. Stock Register in Form No. 12.
9. Main gate Register in Form No. 13.
10. Guard book in Form No. 14.
11. Convict Register in Form No. 15.
12. Undertrial Register in Form No. 16.

C. R. KRISHNAMOORTHY,  
*Secretary.*

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