



झारखण्ड गजट

असाधारण अंक

झारखण्ड सरकार द्वारा प्रकाशित

5 वैशाख, 1947 (श०)

संख्या - 192 राँची, शुक्रवार,

25 अप्रैल, 2025 (ई०)

विधि (विधान) विभाग

अधिसूचना

22 अप्रैल, 2025

संख्या-एल0जी0-05/2024-16/लेज०,--झारखंड विधान मंडल द्वारा यथा पारित और माननीय राज्यपाल द्वारा दिनांक-16/04/2025 को अनुमत झारखंड कारा एवं सुधारात्मक सेवाएं अधिनियम, 2025 का निम्नांकित अंग्रेजी अनुवाद झारखंड राज्यपाल के प्राधिकार से इसके द्वारा प्रकाशित किया जाता है, जिसे भारत का संविधान के अनुच्छेद 348 के खंड (3) के अधीन उक्त अधिनियम का अंग्रेजी भाषा में प्राधिकृत पाठ समझा जाएगा।

Jharkhand Prisons and Correctional Services Act, 2025

(Jharkhand Act, 04, 2025)

Table of Contents

Contents

Jharkhand Prisons and Correctional Services Act, 2025

Preamble

Chapter-I

Preliminary

1. Short Title, Extent and Commencement

2. Definitions**Chapter II****3. Functions of Prisons and Correctional Institution****Chapter III****Architecture and Categorization of Prisons****4. Accommodation for prisoners****5. Prison Architecture and Institutional Pattern****6. Categorization of Jails****7. Temporary Accommodation for prisoners****Chapter IV****Organizational set up****8. Inspectorate of Prison and Correctional Services****9. Inspector General of Prisons and Correctional Services****10. Additional Inspector General of Prisons and Correctional Services****11. Deputy Inspector General of Prisons and Correctional Services****12. Director of State Prisons and Correction Services Academy****13. Recruitment and Training****14. Other Officers of the Prison****Chapter V****Duties of Prison Officers****15. Functions and Duties of Superintendent****16. Duties of Jailor****17. Duties of Medical Officer****18. Duties of other prison officers and staff****19. Temporary vacancy or absence of Superintendent or Medical Officer****20. Officers not to have business dealings with prisoners****21. Officers not to be interested in prison contracts****22. Records and Registers to be kept in the Prison****23. Offences by prison subordinates****24. Staff Welfare****Chapter VI****Digital Transformation of Prison****25. Digital Transformation of Prison Officers, Prison Processes and Technology****Chapter VII****Admission and Discharge of Prisoners****26. Admission of Prisoners**

27. Prisoners Entries, Search and Medical Screening at the time of Admission
28. Search of Prisoners
29. Prisoners' Personal Effects
30. Removal and discharge of prisoners
31. Remission to Prisoners
32. Pre-mature release of Prisoners sentenced to Life Imprisonment

Chapter VIII

Transfer of Prisoners

33. Transfer of prisoners within prisons in the State
34. Transfer of a prisoner to another State /UT
35. Transfer of Ailing Prisoners to Hospitals in the State for treatment
36. Transfer of an ailing prisoner to medical facilities in another State/UT

Chapter IX

Admission, transfer, and Repatriation of Foreign Prisoners

Chapter X

Classification of Prisoners and their Placement in Prison

38. Composition of Classification Committee
39. Separation of prisoners
40. Security Classification of Prisoners
41. Prisoners under sentence of death.

Chapter XI

Prison Security Framework

42. Good Order and Control in Prison

Chapter XII

Human Rights Management of Prisoners

43. Adequate Standard of Living or Maintenance of Prisoners
44. Legal rights of prisoners
45. Right to practice one's faith and worship

Chapter XIII

Visitation or contact with outside world

46. Authorized Communication and Visitation

Chapter XIV

Prison Regime and Custodial Discipline

47. Prison Regime and Custodial Discipline

Chapter XV

Prison Offenses and Punishment

48. Prison Offences
49. Enquiry of prison offences and award of punishment for such offences

- 50. Plurality of punishment under section 49
- 51. Award of punishment under sections 49 and section 50
- 52. Entries in the Punishment Books
- 53. Contrabands
- 54. Punishment for trafficking Contraband and its usage for unauthorized communication 29
- 55. Procedure on repeated committal of a prison offence
- 56. Display of prison offences and penalties

Chapter XVI

Medical Management of Prison

- 57. Primary Health Care of prisoner
- 58. Mental health - psychological assessment and treatment
- 59. Record of directions of Medical Officers
- 60. Referral to Higher Centre
- 61. Infectious, communicable, non-communicable and notified diseases
- 62. Epidemics

Chapter XVII

Prison Regime for Women Prisoners

- 63. Segregation and Separate Accommodation for Women Prisoners
- 64. The Maintenance of Reproductive health of female prisoners
- 65. Pregnant Women Prisoners
- 66. Children with Female Prisoner
- 67. Inquiry into Complaints of Sexual Harassment

Chapter XVIII

Transgender Prisoners

- 68. Prison Regime for Transgender Prisoners

Chapter XIX

Case Management for Correctional Intervention

- 69. Case Management Unit for Sentence Planning

Chapter XX

Open and Semi-Open Prisons

- 70. Open and semi open Jail /Correctional Institutions

Chapter XXI

Prison Leave

- 71. Parole and Furlough

Chapter XXII

Inspection of Prisons and Board of Visitors

72. Inspection of Prisons

Chapter XXIII

After care and Rehabilitation Services

73. After-Care and Rehabilitation Services

Chapter XXIV

Miscellaneous

74. Legal Aid

75. Constitution of Under Trial Review Committee for every district

76. Report on the death of a prisoner

77. Establishment of Canteens and Sales Outlets

78. Grievance Redressal Mechanism

79. Prohibition of Caste based discrimination in Classification, Segregation and Work Assignment

80. Prohibition of strike and agitation

81. Prison Emergencies

82. Extramural Custody, control, and employment of prisoners

83. Prison Development Board

84. Delegation of Powers

85. Accounts and Audit

86. Protection of action taken in good faith

87. Powers of the Government to make rules

88. Repeal and Saving

89. Power to remove difficulties

Jharkhand Prisons and Correctional Services Act, 2025

An Act to amend the law relating to Prisons and Correctional Institutions and provide for the secure and safe custody, correction, reformation, and rehabilitation of prisoners as law abiding citizens, and the management of prisons and correctional services in the State of Jharkhand and for matters connected therewith or incidental thereto.

Be it enacted by Legislature of Jharkhand in the Seventy Six year of the Republic of India as follows:-

Preamble

Whereas, it is expedient to provide for the secure and safe custody, correction, reformation, and rehabilitation of prisoners as law abiding citizens, and the management of prisons and correctional services in the State of Jharkhand and for matters connected therewith or incidental thereto.

Chapter-I

Preliminary

1. Short Title, Extent and Commencement

1. This Act shall be called the Jharkhand Prisons and Correctional Services Act, 2025.
2. It shall extend to the whole of the State of Jharkhand.
3. It shall come into force on such date as the Government may, by notification in the official Gazette, appoint and different dates may be appointed for different provisions of this Act, and any reference in any such provisions to the commencement of this Act shall be construed as a reference to coming into force of that provisions.

2. Definitions

In this Act unless the context otherwise requires:

1. **Access Control** is the process used to identify and verify the credentials of man, material and transport that may pass through an authorized entry or exit point of a protected area.
2. **Alarm** is the early warning of unauthorized access or exit to a physical facility and is monitored and linked to a pre-determined response.
3. **At large** means not confined in detention or in prison.
4. **Authorized Communication** means Communication made as per rules in this Act.
5. **Case Management** is the sequential activities accorded as classification, criminogenic needs identification and correctional intervention in the carceral period of a prisoner. These sequential activities are Prison Intake, Assessment, Classification, Referral, Intervention, Monitoring, Evaluation and Advocacy.
6. **Categorization of Prisoners** means classification of prisoners based on security and public risk assessment to determine how and where a prisoner is housed in the prison and under what security protocol.

7. **Civil Prisoner** means any prisoner who is not a criminal prisoner
8. **Classification of Prisoners**-- Classification is the management tool used to assign incarcerated persons to the least restrictive Custody Level that addresses programming and other needs, while providing for the safety of personnel, the community, and the incarcerated person. The tool is designed to assign points based on factors that may include, but are not limited to, crime category, history of violence, detainers, escape history, age, and characteristics of sentence. The systemic subdivision of prisoners into groups based on their security and programme needs.
9. **Competent Authority** means any officer having jurisdiction and due legal authority to deal with a particular matter in question.
10. **Contraband** means and includes illegal or prohibited articles or its trafficking.
11. **Control** means the use of prison security infrastructure and equipment and use of force to manage and respond to prison incidents.
12. **Convict** means and includes any prisoner under sentence of a court exercising criminal jurisdiction or court-martial.
13. **Convicted Criminal Prisoner** means any criminal prisoner under sentence of a Court or Court-martial, and includes a person detained in prison under the provisions of the Chapter IX of the Bharatiya Nagarik Suraksha Sanhita, 2023.
14. **Correctional Service** means and includes any service which renders secure and safe custody of prisoners with the administration of correctional interventions and rehabilitation.
15. **Court** means includes any officer lawfully exercising civil, criminal or revenue jurisdiction.
16. **Criminal Prisoner** means any prisoner duly committed to the custody under writ, warrant or order of any Court or authority exercising criminal jurisdiction, or by order of a Court-martial.
17. **Custody** means the state of being guarded legally by law enforcement agency or is state of being kept in prison.
18. **Custody Level** means custody Levels at jails are designated by a point valuation through the Classification process. Each Custody Level reflects the degree of supervision required to effectively and safely manage incarcerated persons. For example, inmates classified at higher Custody Levels require more supervision staff to effectively and safely manage them, as well as physical premises that are of a higher Security Level than lower Custody Level.
19. **Detenue** means any person detained in prison on the orders of the competent authority under the relevant preventive laws.

- 20. Family** means spouse, children, siblings, parents, grand-parents, and in the context of transgender inmates, people related through socio-religious family system
- 21. Foreign Prisoner** means any prisoner who is not a citizen of India.
- 22. Furlough** means short leave granted to a convict after undergoing a prescribed period of sentence, as an incentive for maintaining good conduct in prison.
- 23. Good Order** means and includes application of a set of rules and regulations which govern the daily lives of prisoners through established routines without fear for their personal security.
- 24. Government** means the of Jharkhand Government.
- 25. Inspector General of Prisons and Correctional Services** means an officer designated as such by the State Government.
- 26. Inspectorate** means Prison Inspectorate of the State of Jharkhand.
- 27. Habitual offender** means a prisoner who during any continuous period of five years has been convicted and sentenced to imprisonment on more than two occasions on account of any one or more of the offences committed on different occasions and not constituting parts of same transactions, such sentence not having been reversed in appeal or review.
- Provided that in computing the continuous period of five years referred to above, any period spent in jail either under sentence of imprisonment or under detention shall not be taken into account.
- 28. History ticket** means the ticket exhibiting such information as is required in respect of each prisoner by the Prisons and Correctional Services Act or the rules thereunder.
- 29. Human Rights** means and includes rights related to life and liberty of a person.
- 30. Medical Officer** means a qualified government medical practitioner appointed or deputed as medical officer of a prison.
- 31. Medical Subordinate** means a qualified medical assistant such as pharmacist, nurse, laboratory Assistant, X-Ray technician etc. appointed or deputed in a prison.
- 32. Prisoner** means any person lawfully kept in an institution under prison regulations.
- 33. Magistrate** means any person exercising all or any of the powers of a Magistrate under the Bharatiya Nagarik Suraksha Sanhita, 2023.

-
- 34. Offence** means and includes Any act or omission made punishable by any law for the time being in force.
- 35. Offender** means and includes any person alleged to be involved in the commission of crime.
- 36. Officer-in-charge of the Prison** means an officer appointed by the competent authority as in-charge of a prison, namely the superintendent.
- 37. Open Correctional Institution** means a place for confinement of eligible prisoners on the least restrictive facility by allowing them liberty outside that prison for facilitating their rehabilitation after release.
- 38. Operational Security** means and includes effective system and procedures related to security functions rendered by prison officers such as deployment of forces, duty roster, access control, risk assessment, categorization, allocation, counting search, surveillance, communication etc.
- 39. Panopticon** means and includes an architectural design of a prison in which a tower is positioned in its center and an annular building at the periphery. All parts of the interior are visible from a single point.
- 40. Parole** means the conditional enlargement on a sufficient cause and purpose of a prisoner from jail before the expiration of sentence.
- 41. Personal Effects** means and includes Prisoners' properties.
- 42. Physical Security** means and includes Security related to the physical building, barrier and electronics or digital technology equipment installed upon them to supplement security to prevent escape.
- 43. Podular** means and includes design concept for detention facilities in which housing cells, dormitories or sleeping rooms are positioned around the perimeter of a common dayroom, forming a housing/living unit.
- 44. Prison-** means and includes any place used permanently or temporarily under the general or special orders of a State Government for the detention of prisoners, and includes all land and buildings appurtenant thereto, but does not include:
- (a) any place for the confinement of prisoners who are exclusively in the custody of the police,
 - (b) any place specially appointed by the State government under Section 457 of the Bharatiya Nagarik Suraksha Sanhita, 2023.
- 45. Prison Officer** means an officer appointed in the Prison and Correctional services for the administration and management of prison as required by this Act.
- 46. Prison Staff or Subordinate Officer** means employee appointed by the Directorate/Inspectorate to assist Prison officers in the administration and management of prison as required by this Act.

- 47. Prisoner** means and includes any person committed to custody in a prison under the writ, warrant, order, or sentence of a Court or a competent authority and includes convicted prisoners, civil prisoners, under-trial prisoners, prisoners remanded by a court to prison custody under the orders of a competent authority and a detainee.
- 48. Prisoners with special needs** mean prisoners having vulnerable status in prisons and it includes but not limited to
- (i) Prisoners with mental health care needs;
 - (ii) Prisoners with disabilities;
 - (iii) Ethnic and racial minorities and indigenous people;
 - (iv) Foreign national prisoners;
 - (v) Transgender prisoners;
 - (vi) Old age prisoners;
 - (vii) Prisoners with terminal illness and
 - (viii) Prisoners under sentence of death.
- 49. Prohibited article** means an article the introduction or removal of which into or out of a prison is prohibited by any rule under this Act.
- 50. Public Security** means the prevention of and protection from events that could endanger the safety and security of the public from significant danger, injury, or property damage.
- 51. Radicalized offender** means and includes Ideologically motivated offender, who commits, aspires, or conspires to commit, or promotes violent acts in order to achieve ideological objectives.
- 52. Recidivism** refers to a person's relapse into criminal behavior. It is measured by criminal acts that result in a return to jails with or without a new sentence during a three-year period (36 months) after being released from prison.
- 53. Risk** means and includes probability or threat of damage, injury, loss, or any other negative occurrence that is caused by external or internal vulnerabilities.
- 54. Risk Assessment** means a systematic process of evaluating the potential risks that may be involved in projected activity.
- 55. Remission system** means the rules in this Act for regulating the shortening of sentence of prisoners.
- 56. Reproductive Rights** means and includes Rights related to reproductive health and reproductive choice of women.
- 57. Rule means** a rule made under this Act
- 58. Separation of Prisoners** means separation of prisoners as per gender, age, trial, severity of crime and security threats.
- 59. Superintendent** means an officer who is appointed by the competent authority to be in-charge of a prison with such designation as it may specify.

- 60. Transgender** means and includes the person with meaning assigned to it in the clause (k) of the section 2 of the Transgender Persons (Protection of Rights) Act, 2019
- 61. Unauthorized Communication** means and includes communication not authorized or permitted by rules under this Act.
- 62. Under-trial prisoner** means and includes any prisoner who is not convict and who has been committed to judicial custody pending investigation or trial by a competent authority.
- 63. Warrant** means a writ or order issued by some authority empowering an officer to make arrest, seizure, or search or to execute a judicial sentence.
- 64. Warrant of Commitment** means a written order by a magistrate or Court sending a person for his trial by a competent Court.
- 65. Young offender** means any prisoner who has attained the age of 18 years but has not attained the age of 21 years.

Chapter II

3. Functions of Prisons and Correctional Institution

The functions of the prisons shall be as follows:

- (i) To secure public by keeping in secure and safe custody, a prisoner committed to it under any writ, warrant or by the order of any court or of any other competent authority;
- (ii) To take appropriate measures for the safety and security of prisoners by maintaining good order and control in accordance with the provisions of this Act and the rules made thereunder
- (iii) To maintain human rights of prisoners by providing adequate accommodation, food, climate/weather/seasons specific clothing and bedding, health and medical care and other necessities as enumerated by rules
- (iv) To intervene the carceral period of prisoners by purposeful activities to effect reform and rehabilitation so as to desist them from reoffending and recidivism thus enable them, after release and re-entry, to integrate in the society by leading a law-abiding and self-supporting life

Chapter III

Architecture and Categorization of Prisons

4. Accommodation for prisoners

1. The Government shall provide adequate accommodation in prisons constructed and regulated in such manner as to comply with the requisitions of this Act in respect of separate, categorized, secure and safe custody of prisoners with deployable supervision and their engagement in purposeful activities. The physical structure related to security function may be leveraged with installation of latest available technology. For example, security function of admission, search,

surveillance, and communication may be leveraged with the installation of Prison software, scanner, video surveillance with AI analytics and internet networks.

2. The Government may designate a high security prison with appropriate physical structure with technological installations and organizational infrastructure for the incarceration of high security prisoners or designate a high security enclosure in any central jail in the State. This structure may include a structural complex for functioning of court so that physical production of such security prisoners solemnized without any outside movement laden with security compulsion.
3. The Government shall also designate a separate female jail for the incarceration of female prisoners to be administered and guarded by female officers and guards.
4. The Government may also designate a separate hospital for male and female prison building complex.
5. The Government may also designate such separate building and structural units within the prison for the initiation, continuation and functioning of purposeful activities such as educational programme, vocational training and workshop for work assignment for prisoners.

5. Prison Architecture and Institutional Pattern

1. The prison building structure and premises shall be constructed as per standard specifications related to civil engineering, electrical engineering, fire safety, HVAC, health, physical security as well as cyber requirement and security norms prevailing in the country and shall conform to the such standards and specifications as may be prescribed under rules.
2. Design of the prison may be panoptical or podular or such architectural design with standards and specifications as decided by the Government and may incorporate
 1. a secure perimeter wall, single gate entry and exit, surveillance watch towers conforming to standard and specifications decided by the Government.
 2. Separate enclosures, wards and cells as per classification of prisoners so as to effect a segregated enclosure and wards for female prisoners, segregated enclosure and wards for administrative segregation prisoners, sentenced convicts, habitual prisoners, under-trial prisoners, young offenders, civil prisoners, and prisoners with special needs.
 3. Kitchen, dining space, prison warehouse for storing, cooking preparing and distributing dietary items.
 4. Hospital for health and medical care
 5. Water supply installation with drainage
 6. Latrines and sewer treatment installation
 7. Schools and Workshop for purposeful engagement of prisoners
 8. Recreation hall and exercise and play ground
 9. Administrative and housing units

10. Any other structure as prescribed under rules or as the Government may think necessary to address any challenges.

6. Categorization of Jails

The Government may establish various categories of Prison and Correctional Institutions and classify such prisons according as the prescribed norms under the rules in this Act, such as

1. Category of Prisons in respect of offenders' length of sentence
 - a. Central Jail
 - b. District Jail
 - c. Subsidiary Jail or,
2. Security Classification of jails
 - a. Maximum Security Jail
 - b. Medium Security Jail
 - c. Minimum Security Jail
 - d. Open Jails

7. Temporary Accommodation for prisoners

1. Whenever it has become expedient and imminent to shift a large number of prisoners from one jail to another one or at some appropriate temporary structure due to natural calamity or some exigencies, the Government may designate such structure as a temporary prison for certain period unless the exigency is over.
2. Whenever the Government thinks that it would be necessary to confine a person or persons in a separate facility due to existential or other security compulsion for a specified period of time, it would declare any structure with all appropriate organizational and security requirement of prison as a prison for the certain period which may be extended should such condition of exigency persists.

Chapter IV

Organizational set up

8. Inspectorate of Prison and Correctional Services

1. There shall be an Inspectorate of Prison and Correctional Services in the State which shall be responsible for implementing the prison policies laid down by the State Government and will plan, organize, direct, coordinate and control various prison and correctional services and matters connected therewith and incidental thereto. This office may formulate a vision and mission statement for jails and goals and objectives to be achieved in a time frame.
2. The Inspectorate shall consist of such number of officers and staff as may be prescribed by the Government from time to time.
3. The institutional setup may be decided in accordance with the need and requirement of accommodating the prisoners, the inmate population, workload of prison officers and staff and the workforce may include executive, ministerial,

guarding staff, correctional staff, medical personnel, etc., as may be prescribed under the rules.

9. Inspector General of Prisons and Correctional Services

1. For the administration of Prison and Correctional Services, the Government shall appoint the Head of Prison and Correctional Services (of appropriate rank as the Government may deem fit) subject to the provisions of the Act and rules made thereunder.
2. The Head of Prison and Correctional Services may be called the Inspector General of Prisons and Correctional Services, shall exercise powers, and perform duties under this Act and other officers and staff of prisons shall work under the general supervision, control and direction of the Head of Prisons and Correctional Services.
3. The Inspectorate shall be headed by Inspector General who has administrative, disciplinary, and fiscal control over all prison officers and staff of prisons in the State. He shall also be entrusted with such powers and tasks as the State Government may think appropriate. The Inspector General may be assisted by such officers from jail services or secretariat services as the State Government may think appropriate.

10. Additional Inspector General of Prisons and Correctional Services

Inspector General, Prisons shall be assisted by an Additional Inspector General of Prisons and Deputy Inspector General of Prison which shall be selected from senior Central jail Superintendent through promotion.

11. Deputy Inspector General of Prisons and Correctional Services

There shall be two deputy Inspector General of Prisons, one entrusted with administration while other with correction and rehabilitation. Their roles, responsibilities and duties are defined by the Inspector General.

12. Director of State Prisons and Correction Services Academy

There shall be one Director of State Prisons and Correctional Services Academy to be selected from senior Central Jail Superintendents through promotion, to render training to all hierarchical levels of prison officers and security employees as per directions of the Inspector General of Prisons and Correctional Services.

13. Recruitment and Training

1. The qualifications, recruitment, appointment and training of the officers and staff of the Prisons shall be such as may be prescribed under the rules.
2. Salaries and other benefits of officers and staff members may be commensurate with the work performed in a modern prisons and correctional system as may be prescribed under the rules.
3. Every member of the prison officers and staff in the Prison shall be provided basic training and periodic in-service training to enable them to perform their duties efficiently and professionally.

14. Other Officers of the Prison

1. For every prison in the State, there shall be a Superintendent, Medical officers, Jailors, Assistant Jailors, Medical Subordinates, Computer professionals, Head Warders and Warders and such other staff as the State Government shall think necessary.
2. The general administrative control and management of a prison shall vest with the Officer-in-charge or Superintendent of that jail who allocate duties and function to all subordinate officer as prescribed in these rules.
3. Jharkhand Prisons and Correctional Services shall comprise the administrative hierarchy of superintendents which originates from recruitment of superintendent, basic grade and further to central jail superintendent, senior central jail superintendent and deputy inspector general and additional inspector general through promotion subject to seniority and merit.
4. Prison officers including subordinate officers shall be recruited, appointed, and facilitated basic as well as advanced and periodic training as enumerated under the rules to develop efficacy and professionalism. The training curriculum shall contain prison management, organizational behaviour, cognitive behaviour, criminology and penology, leadership, execution, and communication.

Chapter V

Duties of Prison Officers

15. Functions and Duties of Superintendent

1. Subject to the provisions of the Act and the rules thereunder or control of Inspector General of Prisons, the Superintendent shall manage the prisons in all matters related with discipline, control, punishment, labour, expenditure, and correction.
2. Subject to such general or special directions as may be given by the State 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 Inspector General all such orders and the action taken thereon.
3. Main functions of the Superintendent are as follows:
 - a. To secure jail against escape of incarcerated offenders or any attempt to escape.
 - b. To keep prisoners in safe custody in least restrictive housing with due compliance to with prison regulations.
 - c. To administer correctional interventions to prisoners during incarceration to mitigate reoffending and recidivism by released prisoners.

16. Duties of Jailor

1. The chief duty of jailor is the discipline of execution and he is under the immediate directions of the Superintendent, whose orders he is bound to obey. Functional duties of jailor are divided in administration and corrections.
2. The administrative duties of jailor comprise of prison administration of establishment, prison intake and release, prisoners' classification and their placement, prison security, prison regime including custodial management, transfer, offences and punishment and digital transformation.

3. The correctional duties of jailor comprise of human right management including maintenance of adequate standard of living for prisoners, health management, risk and need analysis based correctional intervention, work allocation, prison manufacturing, construction and repairs, prison modernization and digital transformation.
4. He shall be the custodian of all prisoners, remanded as well as sentenced, all warrant of commitment and intermediate custody, all documents, returns and registers, all plants, tools and equipment, all dietary and other conservancy items, all cash and stock, all raw material, manufactured items, and material under work in progress or any matter incidental thereto.
5. His chief duty is the secure and safe custody of prisoners consistent with security assessment, classification, health, hygiene, labour, and human rights management of prisoners and deployment of security forces in the prison and its discipline as prescribed in the rules.
6. The Jailor shall reside in the prison, unless the Superintendent permits him in writing to reside elsewhere.
7. The Jailor shall not, without the Inspector General's sanction in writing, be concerned in any other employment.

17. Duties of Medical Officer

The Medical officer shall be entrusted with the overall health management of prisoners and prison officers as well as with administration of treatment and of preventive measures for infectious, communicable, and notified diseases including epidemics as prescribed in the rules hereto.

18. Duties of other prison officers and staff

All other prison staff including security and medical personnel shall discharge their duties as defined and assigned for respective categories as prescribed under the rules.

19. Temporary vacancy or absence of Superintendent or Medical Officer

All or any of the powers and duties of Superintendent or Medical officer, may be exercised by such officer as the competent authority or Inspector General of Prisons may prescribe either by name or by official designation.

20. Officers not to have business dealings with prisoners

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 any money or other business dealings directly or indirectly with any prisoner.

21. Officers not to be interested in prison contracts

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.

22. Records and Registers to be kept in the Prison

The Superintendent shall keep a Minute Book for issuing directions concerning duty assignment to subordinate officers for the administration of jail and shall cause to be kept and maintained the following records

1. A register for convicted prisoners admitted
2. A register for under-trial prisoners admitted
3. A book showing when each prisoner is to be released
4. Lockup register
5. Gate Register of Persons
6. Gate Register of Articles
7. Cash Book
8. Stock Book for Provisions
9. A Punishment Book for entry of the punishment inflicted on prisoners for prison offences
10. A visitors' Book for the entry of any observations made by visitors touching any matters connected with the administration of the prison
11. Ammunition Register
12. History Tickets of Prisoners
13. A record of the money and other articles taken from prisoners
14. Any other register as prescribed by rules.

23. Offences by prison subordinates

1. Prison officers including subordinate officers shall be proceeded departmentally as prescribed by the rules under the Act, for the disciplinary infraction and lapses resulting in escape, prison violence and other administrative or financial irregularity.
2. Every Jailer or officer of a prison subordinate to him who shall be guilty of any violation of duty or willful breach or neglect of any rule or regulation or lawful order made by competent authority or who shall withdraw from the duties of his office without permission, or without having given previous notice in writing of his intention for the period of two months, or who shall willfully overstay any leave granted to him, or who shall engage without authority in any employment other than his prison-duty, or who shall be guilty of cowardice, shall be liable, on conviction before a Magistrate, to fine not exceeding five thousand rupees, or to imprisonment for a period not exceeding six months, or to both. and one month simple imprisonment in default of payment of fine.
3. No person shall under this section be punished twice for the same offence.

24. Staff Welfare

The Inspector General of Prison may establish a staff welfare wing to aid and advise the Government in the implementation of welfare measures for prison officers.

Chapter VI

Digital Transformation of Prison

25. Digital Transformation of Prison Officers, Prison Processes and Technology

1. The State should strive to leverage the prison management in all its ramifications, i.e., people, process, and technology encompassing administration, custody,

security, and correction by installation of necessary and updated version hardware, software, digital platforms, network, and cyber security with standard specifications or any matter incidental thereto.

2. The digital skill-set, digitization of prison processes, cloud storage, big data analytics and artificial intelligence should be implemented.
3. The security technology should leverage and supplement the security processes to be discharged physically as well as digitally.
4. Digital transformation of Prison and Correctional Institutes should be integrated to Digital Transformation of the Criminal Justice System.

Chapter VII

Admission and Discharge of Prisoners

26. Admission of Prisoners

1. The Officer-in-charge of a prison shall receive and detain a person duly committed to his custody, under this Act or otherwise, by any Court or any competent authority, according to the exigency of any writ, warrant or order by which such person has been committed to the prison until such person is discharged or removed in due course of law.
2. The Officer-in-charge of a prison shall give effect to any sentence or order or warrant for the detention of any person, passed, or issued by any court or competent authority, under the provisions of any law for the time being.
3. Where an officer-in-charge of a prison doubts the legality of a warrant sent to him for execution, he shall report the matter to the concerned court or authority.
4. Pending a reference made under sub-section (4) above, the prisoner shall be detained in such manner and with such restrictions or mitigations, as may be specified in the warrant or order.
5. No such person shall be admitted into prison for detention otherwise than under the production of a lawful warrant or under any order of commitment addressed to the Officer-in-charge of a prison by a Court or any competent authority.
6. The Office-in-charge of a prison shall, after the execution of such writ, warrant or order or after discharge of the person committed thereby, return the same to the court by which it was issued, with duly signed signature, showing how the same has been executed or why the person committed thereby discharged from custody before execution thereof.

27. Prisoners Entries, Search and Medical Screening at the time of Admission

Every prisoner on being admitted in the prison

1. Shall have his details mentioned in the warrant of commitment entered in the Admission Register as prescribed in the rules.
2. Shall be searched thoroughly by prison officer of same sex and everything notified as contraband in this Act shall be seized except cash, jewellery and other valuables which shall be retained and documented by the jailor in safe custody and to be returned to prisoner on release.
3. Shall be subjected to physical and biometrical identification measurements in accordance with the provisions of the Criminal Procedure (Identification) Act, 2022 and any other law in force.

4. Shall be medically examined by Medical Officer within 24 hours for updated health condition of prisoner and any treatment if required.
5. Shall be classified as per security classification and be placed correspondingly in an appropriate place in the prison to ensure secure and safe custody and supervision level as prescribed by rules under this Act.

28. Search of Prisoners

Prisoners and their effects, their living areas, barrack, wards, or cell are subjected to surprise or routine search for the detection of any contraband, if any, the detection, and seizure of which is to be followed by inquiry and award of punishment, for committing prison offence as enumerated in rules under this Act.

29. Prisoners' Personal Effects

Prisoners' personal effects which shall be permitted as prescribed under rules in this Act to be remained with them after search on admission and subsequently permitted articles to be received on visitation by their relatives. All personal effects to be retained by prisoners for usage during incarceration shall be subjected to thorough search for detection of contraband to secure prison against unauthorized possession, usage and communication, violence, and escape.

30. Removal and discharge of prisoners

1. All prisoners, previously to being removed to any other prison, shall be examined by the Medical Officer as prescribed by rules.
2. No prisoner shall be removed from one prison to another unless the Medical Officer certifies that the prisoner is free from any illness rendering him unfit for removal.
3. No prisoner shall be discharged against his will from prison, if labouring under any acute or dangerous distemper, nor until, in the opinion of the Medical Officer, such discharge is safe.

31. Remission to Prisoners

1. Subject to the overall good behaviour and conduct of a convicted prisoner and his duly being performing the work assigned while serving the sentence, remission may be granted by the competent authority, as may be prescribed under the rules.
2. The period and criteria of granting remission shall be such as may be prescribed under the rules.

32. Pre-mature release of Prisoners sentenced to Life Imprisonment

Pre-mature release may be allowed to a prisoner sentenced to life imprisonment by the competent authority with the objective of his rehabilitation and reintegration into the society. The Government may constitute a Sentence Review Board for considering and recommending cases for premature release of a convicted prisoner in appropriate cases under the provisions of the Bharatiya Nagarik Suraksha Sanhita, 2023 as prescribed under the rules.

*Chapter VIII**Transfer of Prisoners***33. Transfer of prisoners within prisons in the State**

1. The State Government may, by general or special order, provide for the transfer of any prisoner confined in a prison
 1. Under sentence of death, or
 2. Under a sentence of imprisonment, or
 3. In default of payment of fine, or
 4. In default of giving security for keeping the peace or for maintaining good behaviour
 to any other prison in the State.
2. Subject to the orders, and under the control, of the State Government, the Inspector General of Prisons may, in like manner, provide for the removal of any prisoner confined as aforesaid in a prison in the State to any other prison in the State for administrative segregation.
3. Subject to the orders, and under the control, of the State Government any person who is detained in custody in a prison pending inquiry, investigation or trial under any writ, warrant or order of any Court may, by order be directed to be removed by the Inspector General of Prisons to any other prison in the State for administrative segregation with the consent of the trial Court.

34. Transfer of a prisoner to another State /UT

1. Where any person is confined in a State
 1. Under sentence of death or
 2. Under sentence of imprisonment, or
 3. In default of payment of fine or
 4. In default of giving security for keeping peace or for maintaining good behaviour,
 the Government of that State may, with the mutual consent of the Government of any other State/UT, by order, provide for the removal of the prisoner from that prison to any prison in the other State/UT.
2. The Officer-in-Charge of the prison to which any person is removed under sub-section (1) shall receive and detain him, so far as may be, according to the exigency of any writ, warrant, or order of the Court by which such person has been committed or until such person is discharged or removed in due course of law.
3. Subject to the orders, and under the control, of the State Government may with the mutual consent of the other State/UT, by order, provide for the removal of any person who is detained in custody in a prison pending inquiry, investigation or trial under any writ, warrant or order of any Court, from that prison to any prison in other State/UT for administrative segregation with the consent of the trial Court.

35. Transfer of Ailing Prisoners to Hospitals in the State for treatment

1. Subject to the orders, and under the control, of the State Government, the District Magistrate may, in like manner, provide for transfer of any convicted prisoner confined in a prison to the district hospital or a higher government medical centre in the State for treatment as per recommendation of medical officer or of a medical board constituted by the Civil Surgeon.
2. The ailing under-trial prisoners shall be sent to the district hospital or higher medical centre by the concerned trial court as recommended by the medical officer or by the medical board constituted by the Civil Surgeon on the order of the concerned trial court.

36. Transfer of an ailing prisoner to medical facilities in another State/UT

1. Subject to the orders, and under the control, of the State Government, the Inspector General of Prisons may, in like manner, provide for the removal of any ailing prisoner (whether confined in prison or admitted in the State level hospital for continued treatment) who has been referred by the State Level Medical Board constituted by the competent authority to the medical higher centre situated in another State /UT under proper armed police escort.
2. The transfer of an ailing under-trial prisoner who has been referred to the higher medical centre situated in another State /UT under proper armed police escort for appropriate treatment by the State Level Medical Board be done with the consent of the concerned trial court in addition to the order of Inspector General in that regard.

*Chapter IX***Admission, transfer, and Repatriation of Foreign Prisoners****37. Repatriation of Foreign Prisoners**

The information of admission of a foreign prisoner in a prisoner in the State shall be sent forthwith to the Inspector General of prisons and forwarded to the Ministry of External Affairs, Government of India, or any other agency as may be specified by the Central Government as may be prescribed under the rules.

Chapter X**Classification of Prisoners and their Placement in Prison****38. Composition of Classification Committee**

A Classification Committee may be constituted for security classification of prisoners based on risk assessment, custody rating and institutional adjustment comprising officers of the Prison and other officers, as may be prescribed under the rules. The classification of prisoners shall not be based on caste, creed, or religious affiliation of prisoners.

39. Separation of prisoners

Prisoners following classification shall be segregated in separate wards according as their gender, status of case, age and security risk. Prisoners shall never be classified and separated on the basis of caste, creed or religion. Following prisoners shall be kept in separate buildings or separate parts of the same building complex

1. Civil prisoners
2. Male Convicted prisoners
3. Male under-trial prisoners (UT prisoners under magisterial courts are to be kept separate from UT prisoners under sessions Court)
4. Female prisoners (Female convicts are to be kept separate from female under-trial)
5. Young offenders
6. Foreign Prisoners
7. Prisoners with special needs or vulnerabilities (See section 2.48)
8. Prisoners suffering with infectious and communicable diseases
9. Prisoners placed under Quarantine.

40. Security Classification of Prisoners

1. Prisoners shall be further classified according as rules prescribed in the Act such as their risk assessment manifested in Custody Rating Scale and Institutional Adjustment. This assessment may be based on static risk factors as well as dynamic risk factors including criminogenic needs and as such factors decided by the Government. The supervision level of deployable forces on the respective custodial placement and administered correctional interventions shall correspond to the categorization of prisoners and this segregation as prescribed under rules shall be necessary for disengagement from indoctrination and radicalization of prisoners leading to violence. Security categorization of prisoners entails

1. High or Maximum-Security Prisoners
2. Security Threat Group of prisoners
3. Prisoners for administrative segregation
4. Medium Security Prisoners
5. Minimum Security Prisoners

2. After one year, reclassification of prisoners based on risk assessments shall be conducted and prisoners shall be so placed in the prison for custody, supervision, and correction as prescribed under rules.

41. Prisoners under sentence of death.

1. Every prisoner under sentence of death shall, immediately on his death sentence finally fixed, be searched by, or by order of, the Jailer and all articles shall be taken from him which the Jailer deems it dangerous or inexpedient to leave in his possession.
2. Every such prisoner shall be confined in a cell apart from all other prisoners, and shall be placed by day and by night under the charge of a guard

Chapter XI**Prison Security Framework****42. Good Order and Control in Prison**

1. Prisons shall be secured against escape (including attempt of escape) of offenders, for maintaining good order and control and for purposeful correctional interventions. Maintenance of good order and control is the principle of prison security.
2. Maintenance of good order in the prison shall be ensured by operational security, operational capacity and efficiency, dynamic security, and contingent planning as prescribed by rules.
3. Operational security details the security function of categorization of prisoners and their respective placement based on risk assessment, counting, search, surveillance, supervision, and communication and such other factors as Government may think necessary to address any challenge. Security function of supervision and surveillance consists of deployment of forces in strategic and vulnerable points, the rosters weekly or daily roster for placement and defined duties rendered by that security forces. For

effective deployment of forces, rotational roster of duties shall be put in function. There shall be mandatory search of prisoners at the time of lockup and opening of wards, entry after coming back from courts after production or trail. Entry and exit episode of prisoners as well as prison warders for whatever purposes may be shall invariably intervened and intercepted by thorough search as prescribed by rules under this Act for contrabands trafficking through jail gates.

4. Prisoners may be provided with authorized communication either through physical visitation, telephonic visitation, or video visitation as prescribed by rules. Communication of prisoners with outside world through any other mode except enumerated in rules deems to be unauthorized and thereby punishable under law.
5. Operational capacity and efficiency are based on staff-inmate ratio, training, and professionalism in discharge of duties as enumerated under rules. Adequate periodical training facility for all ranks of prison officers shall be facilitated for professionalism.
6. Superintendent and jailor shall ensure day as well as well as night visit to jail to see the status of security and other issues related with custodial discipline as required under rules.
7. Contingent planning is visualization of scenarios followed by your response subject to available resources and preparedness of security forces. Security audit has to be conducted regularly to measure organizational health. Dynamic security entails active and empathic communication of staff with inmates to develop an atmosphere of trust and amicability and collection of prison intelligence to take preventive measures as well as timely action against the likelihood of emergencies or incidents.
8. Maintenance of control in prison consists of static security and access control related with structure of building, gates. Windows, perimeter walls and other barriers, technological installations to leverage security, use of force and incident management (written procedure for actions in case of prison emergencies, for example, escape, violence, riot, fire, hostage, bomb hoax etc.)
9. The Superintendent shall prepare a security map of the whole jail premises and precincts showing specifically vulnerable points where greater attention required to be paid and accordingly deployment of forces for supervision and surveillance. Superintendent shall arrange a proper mix of segments of physical, procedural (operational) and dynamic securities to ensure security of jail and safe custody of prisoners required under rules.
10. Classification of prisoners based on risk assessment is the initiation of procedural security. Maximum or High security prisoners shall be put in administrative segregation. They shall have kept in isolation in minimum restrictive (not more than requirement) cells and appropriate supervision shall be detailed with escorted movements inside the prison. They shall be subjected to regular and surprise search for contrabands and constant surveillance. At the same time their human rights and other rights enshrined by the Constitution of India shall prevail even in their custodial discipline and supervision.

Chapter XII

Human Rights Management of Prisoners

43. Adequate Standard of Living or Maintenance of Prisoners

1. Accommodation

Prisoners shall be accommodated according as their security classification as per standard specifications fixed by the Government. These specifications shall incorporate the minimum superficial area of sleeping and movement, cubical volume for air ventilation and light incidence and common corridor for movement. The arrangement and design of living barracks will be such as to facilitate surveillance, and control and accommodation of prisoners for safe and secure custody as prescribed in the rules.

2. Diet

Prisoners shall be provided with as many diet per day as per scale of diet based upon standard nutritional values fixed by the Government. Procurement of Dietary items and its storage shall be as per standard norm and procedure fixed by the Government. Hygienic preparation of food and its distribution shall be monitored by medical officer and jailor. The Prison Warehouse, Kitchen, dining space and washing area shall be constructed as per security norms and as fixed by the Government.

3. Pure Drinking Water and water for other purposes

Prisoners shall have access to purified water for daily water intake and preparation of food in the kitchen as well as water for bathing and toilet.

4. Clothing and bedding provisions

Prisoners shall be provided adequately climate specific clothing and bedding. Under-trial prisoners may get clothing and bedding from their own sources subject to compliance to security norms. Under-trial prisoners who are unable to provide himself with sufficient clothing and beddings shall be supplied by such clothing and bedding as may be necessary.

5. Maintenance of certain prisoners from private sources

A civil prisoner or an under-trial prisoner shall be permitted to maintain himself, and to purchase, or receive from private sources at proper hours, food, clothing, bedding or other necessities, but subject to security protocol, examination, and to such rules as may be approved by the Inspector General.

44. Legal rights of prisoners

Prisoners are endowed with legal rights of being facilitated with filing appeal against sentence by a lower court in a higher appellate Courts through jail if not being

financially capable of filing appeal by oneself. Further they (prisoners) shall be provided with legal counsel to have advocacy of their case at State's expense.

45. Right to practice one's faith and worship

Prisoners have rights to practice their worship and faith so long as security protocol warrants and it does not interfere with others' faith or this does not inculcate indoctrination for radicalization leading to violence. They are not permitted to practice proselytization in any forms that entails indoctrination and religious conversion.

Chapter XIII

Visitation or contact with outside world

46. Authorized Communication and Visitation

1. Physical and Digital Visitation

Prisoners shall have authorized communication as decided by the Government such as through physical, telephonic, or digital mode with their relatives, friends, and legal counsels subject to security protocol and good conduct. The procedure, frequency, duration, and venue shall be fixed by the Government. Request by visitors shall be permitted by Superintendent or be denied if the Superintendent is of opinion by assigning reason thereby that the interview contravenes rules in this Act, or this interview may disturb prison security and public tranquility. The refusal of interview shall be communicated forthwith. The procedure of visitation initiated from receipt of application to the permission or denial shall be documented in the register as prescribed in rule in this Act.

2. Biometric Authentication of Visitors

Visitors shall be authenticated by government issued identity cards having both photograph and address and biometrically as well and be searched thoroughly before visitation. The conversation shall conform to family, domestic matters or matters concerning case. The political conversation or campaigning shall not be allowed in any case and the facility of visitation shall be withdrawn forthwith.

3. Search of visitors and prisoners

(a) Visitors shall have to be searched by the same gender warders thoroughly before interview so as to seize contraband, if any. The seizure of contraband might get the visitors legally prosecuted and they shall be denied visitation. The search shall not be humiliating, degrading, or open to public exposure, gender neutral. Appropriate provision and precaution shall be undertaken for the search of women, children, transgender or persons with disabilities as prescribed under rules.

(b) Should visitors refuse to submit to search, visitation shall be denied and the matter shall be entered in the visitation register.

4. Legal Counsel Visit

Prisoners shall be given ample facility to communicate with their legal counsels as prescribed by rules in this Act.

5. Visitation for Foreign Prisoners

Foreign prisoners may communicate with their family members, counsel representatives as prescribed by the rules in this Act.

Chapter XIV**Prison Regime and Custodial Discipline****47. Prison Regime and Custodial Discipline**

1. The superintendent shall have necessary and sufficient authority to enforce discipline and good order in the prison to ensure safe and secure custody of prisoners as prescribed in the rules. He is responsible for the due observance of rules in the Act from both prisoners and prison officers.
2. The superintendent shall award punishment to prisoners for the infraction and breach of discipline as prescribed in the rules.
3. Prisoners shall have duty bound to submit to prison rules and regulation and to comply to directions of the prison officers in discharge of their duties

Chapter XV**Prison Offences and Punishment****48. Prison Offences**

The following acts are declared to be prison offences when committed by a prisoner-

1. Such willful disobedience to any regulation of the prison as shall have been declared by rules made under section 87 of this Act to be a prison offence.
2. Any assault or use of criminal force.
3. The use of insulting, threatening or abusive language.
4. Immoral or indecent or disorderly behavior.
5. Willfully disabling himself from labour.
6. Contumaciously refusing to work
7. Filing, cutting, altering, or removing handcuffs, or bars without due authority.
8. Willful idleness or negligence at work by any prisoner sentenced to rigorous imprisonment.
9. Willful mismanagement of work by any prisoner sentenced to rigorous imprisonment.
10. Willful damage to prison or any government property.
11. Tampering with or defacing history tickets, records, or documents
12. Trafficking, receiving, possessing or transferring any prohibited article or contraband
13. Feigning illness
14. Forcibly demanding ransom from fellow prisoners by torturing or threatening
15. Sexual orientation or harassment to fellow prisoners
16. Willfully bringing a false accusation against any prison official or prisoner.
17. Refusal to submit to search of one's person and effects

18. Omitting or refusing to report, as soon as it comes to his knowledge, the occurrence of any fire, plot or conspiracy, any escape, attempt, or preparation to escape, and any attack, or preparation for attack, upon any prisoner or prison official.
19. Conspiring to escape or to assist in escaping, or to commit any other of the offences aforesaid.
20. Unauthorized communication with outsiders or threaten any outsiders or demand ransom through unauthorized communication from jail
21. Committing cyber offences related to the prison softwares, data, web-portals, connectivity and hardwares.
22. Any such act as the Government may classify as prison offence.

49. Enquiry of prison offences and award of punishment for such offences

The Superintendent shall conduct an enquiry of prison offence committed by prisoner (s) as per rules and award the following punishments if found guilty of committing prison offences by commission or omission enlisted above except those offences enumerated in the Bharatiya Nyaya Sanhita, 2023 and other criminal laws.

1. A formal warning or reprimand to be recorded in the Punishment Register and History Ticket
Explanation: A formal warning shall mean a warning personally addressed to a prisoner by the Superintendent and recorded in the punishment book and on the prisoner's history ticket.
2. Loss of privilege admissible under the remission system for the time being in force as may be prescribed by rules made under by the Government.
3. Debarment from visitation facility for one month except visit of legal counsel
4. Suspension of availing Parole for a year
5. Suspension of canteen facility for a month
6. Separate confinement for a period not exceeding three months
Explanation: Separate confinement means such confinement with or without labour as secludes a prisoner from communication with, or but not from sight of, other prisoners, and allows him not less than one hour's exercise per diem and to have his meals in association with one or more prisoners
7. Cellular confinement for a period not exceeding fourteen days
Explanation: Cellular confinement means such confinement with or without labour, as entirely secludes a prisoner from communication with, or not from sight of, other prisoners.

50. Plurality of punishment under section 49

1. Any two of the punishments in the last foregoing section may be awarded for any such offence in combination, subject to the following exceptions, namely
 1. Formal warning shall not be combined with any other punishment except loss of privilege under clause (2) of that section;
 2. Cellular confinement shall not be combined with separate confinement, so as to prolong the total period of seclusion to which the prisoner is liable;
 3. No punishment will be combined with any other punishment in contravention of rules made by the State Government;

2. No punishment shall be awarded for any such offence so as to combine with the punishment awarded for any other such offence, two of the punishment which may not be awarded in combination for any such offence.

51. Award of punishment under sections 49 and section 50

1. The Superintendent shall have power to award any of the punishments enumerated in the two last foregoing sections, subject, in the case of separate confinement for a period exceeding one month, to the previous confirmation of the Inspector -General.
2. No other subordinate to the Superintendent shall have power to award any punishment whatever.

52. Entries in the Punishment Books

1. In the punishment book prescribed in section 22 there shall be recorded, in respect of every punishment inflicted, the prisoner's name, register number, and the class (whether habitual or not, or security classification) to which he belongs, the prison offence of which he was guilty, the date on which such prison offence was committed, the number of previous prison offences recorded against the prisoner, and the date of his last prison offence, the punishment awarded, and the date of infliction.
2. In the case of every serious prison offence, the names of the witnesses proving the offence shall be recorded, the Superintendent shall record the substance of the evidence of the witnesses, the defence of the prisoner, and the finding with the reasons therefore.
3. Against the entries relating to each punishment the Jailor and the Superintendent shall affix their initials as evidence of the correctness of the entries.

53. Contrabands

List of prohibited articles includes but not limited to

1. Alcohol or spirituous liquors of any kind.
2. Materials for chewing tobacco.
3. Material of substance abuse
4. Ganja, opium, or any other drug, or poisonous article.
5. Poisonous materials, materials for making fire, or materials which would cause disfiguration
6. Bullion, metal, money, currency notes, valuable securities, jewelery or ornaments of any kind, and article of value of every description.
7. Books, printed matter, letters or writing materials of any kind not authorized by the Superintendent.
8. Knives, arms, ropes, string, bamboos, ladders, sticks, any article likely to facilitate escape or implements of any kind, except those issued for use in the performance of work, and these excepted only during work hours, and at such places as they are required for jail work.
9. Any article which has not been issued for the use of prisoners from the jail stores and supplies.
10. Any digital media, mobile, sim, digital camera, any wearable gadgets having mobile link and internet connectivity such as apple watch, google glass, or any media equipped with Bluetooth, or wi-fi, wi-max connectivity or any software of media transfer capable of linking communication to inside or outside, pen drive, card reader, etc.

11. Any application, software, Dark Web sites and its application software malware, ransomware, spyware, banned or blocked websites, messenger, social media applications
12. Drones or other flying objects capable of being remotely controlled violating the airspace of prison to deliver contraband to prisoners or to video-graph prison premises, or to attack or shoot any prisoners
13. Any such thing as the Government may classify as contraband

54. Punishment for trafficking Contraband and its usage for unauthorized communication

1. Whoever, contrary to any rule under this Act, introduces or removes, or attempts by any means whatever to introduce or remove, into or from any prison, or supplies or attempts to supply to any prisoner outside the limits of a prison, any prohibited article, and every officer of a prison who, contrary to any such rule, knowingly suffers any such article to be introduced into or removed from any prison, to be possessed by any prisoner, or to be supplied to any prisoner outside the limits of a prison, and whoever, contrary to any such rule, communicates or attempts to communicate with any prisoner or outsider, access or attempt to access the internet network through any application software installed in any digital device for communication with prisoners or outsiders and whoever abets any offence made punishable by this section shall, on conviction before a magistrate, be liable to rigorous imprisonment for a term not exceeding three years, or to fine not exceeding twenty-five thousand rupees, or to both and six months simple imprisonment in default of payment of fine.
2. Whoever is found to be manipulating, damaging, or destroying any assets, physical or digital, equipment in the prison, shall, on conviction before a Magistrate, be liable to imprisonment for a minimum period of two years which may extend to three years or with fine not exceeding twenty-five thousand rupees or with both and six months simple imprisonment in default of payment of fine.
3. The prisoner shall undergo the sentence awarded under sub-section (1) or sub-section (2) above on completion of any sentence if already undergoing.
4. The offences mentioned in sub-sections (1) and (2) above, shall be cognizable and non-bailable.

55. Procedure on repeated committal of a prison offence

If any person in the prison premises is guilty of an offence against prison discipline, which by reason of his having frequently committed such offence or otherwise, in the opinion of the officer-in-charge, is not adequately punishable by the infliction of any punishment which he has the power to inflict under this Act, the officer-in-charge shall forward the case of such prisoner to the competent Magistrate having jurisdiction, together with a statement of the circumstances, and such Magistrate shall thereupon try the charge so brought against the prisoner, and upon conviction, may sentence him to imprisonment which may extend for a period up to three years. Such term shall be in addition to any other term which such prisoner may be already undergoing.

56. Display of prison offences and penalties

The officer-in-charge may cause to be affixed, at a conspicuous place inside the prison, a notice in English and in the vernacular language, setting forth the acts prohibited under this

Act and the penalties incurred by their commission, for the information of the prisoners and prison staff.

Chapter XVI

Medical Management of Prison

57. Primary Health Care of prisoner

1. In every prison, there shall be at least one medical officer and such medical subordinate officers as the Government consider necessary and one hospital each for male and female prisoners as per Government norms and specifications to take care of primary health and medical care of incarcerated prisoners as prescribed in rules.
2. Hospital shall have OPD and inpatient ward, dispensary, dressing room, pathological laboratory, X-Ray installation, dental room, isolation and quarantine wards, kitchen and medical waste disposable unit and such unit as the Government consider necessary.
3. Sick and ailing prisoners are sent to hospital OPD by the warder-in-charge and Head warder for treatment and may be admitted by the Medical Officer or by medical subordinate in absence of medical officers if immediate medical intervention is required. The prescription and medical advice of medical officer shall be sent to jailor who shall make medicine available or other necessary arrangements as required by the advice. Jailor and Medical officer shall keep Superintendent posted about serious cases which needs urgent attention or referral.

58. Mental health - psychological assessment and treatment

The Government may, by a general or special order, direct the transfer of any prisoner with mental illness from the place of detention to any mental health establishment in the State/UT with prior permission of the Board mentioned in Sec.103 (Chapter XIII) of the Mental Healthcare Act, 2017. The method, modalities and procedure by which transfer of a prisoner under this section is to be effected shall be such as may be prescribed under the rules.

59. Record of directions of Medical Officers

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 State Government may by rule direct, and the Jailer 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 Jailer thinks fit to make, and the date of the entry.

60. Referral to Higher Centre

Prisoner who in the opinion of medical officer needs further treatment shall be referred to Sadar Hospital or higher centres subject to the sanction of appropriate authority under proper armed police escort.

61. Infectious, communicable, non-communicable and notified diseases

Medical Officer shall co-ordinate with Civil Surgeon to check and treat infectious, communicable, non-communicable and notified diseases suffered by prisoners.

62. Epidemics

Medical officer shall co-ordinate with Civil Surgeon of the district to comply guidelines issued by the Government to check the outbreak of epidemics in the jail.

Chapter XVII **Prison Regime for Women Prisoners**

63. Segregation and Separate Accommodation for Women Prisoners

1. The Government may establish such number of exclusive prisons for women prisoners as it may consider necessary, to accommodate women prisoners. In prisons housing both women and men prisoners, women prisoners shall be kept in a separate building or separate part of the same building, with separate entrance, in such manner that they don't come into contact with male prisoners. All basic infrastructure and facilities as provided for men prisoners may also be provided to women prisoners, along with such other facilities that meet their gender specific needs.
2. Perimeter wall of female enclosure shall be of such height as obstruct the visibility by male wards and watch towers to maintain privacy.
3. The female enclosure shall have a hospital with its necessary infrastructure, a kitchen, dining space, workshop, library, and recreation centre and such other structure as the Government deems fit.
4. Female prisoners shall have separate visitation room as prescribed under rules.
5. Female enclosure shall be guarded by female warders except for a brief visit of head warder at the time of shift change to confirm the number of female prisoners confined in the wards in enclosures.
6. The Superintendent or jailor shall visit the female wards in the presence of other female guards and after lockup if they have to visit female enclosure in case of any emergency, they shall be accompanied by head warder on duty.
7. No male prisoner on any pretext shall enter into female wards except for repair and conservancy works and under security protocol.

64. The Maintenance of Reproductive health of female prisoners

Reproductive health and menstrual hygiene of female prisoners shall be maintained and documented as prescribed under rules.

65. Pregnant Women Prisoners

Every female prisoner shall on admission be subjected to pregnancy test. If found pregnant, the medical officer shall report the matter to the Superintendent. The medical officer shall ensure antenatal and postpartum care, referral to district hospital for sonography and gynecological consultation. In no case pregnant female prisoner should give birth to child in prison or prison hospital but invariably in the district hospital equipped with maternity ward and surgery department. Nutritional diet and necessary medicines and supplements for pregnant and lactating mothers shall be provided as prescribed by the Medical officer under the rules.

66. Children with Female Prisoner

Women prisoners shall keep their children with them inside the female ward until the child attains the age of six years or as fixed by the Government. Children residing with their mothers shall be provided with diet as per their requirement, health care, immunization

appropriate to their age and such other facilities as may be prescribed under the rules. Creche shall be established in every jail to initiate education to children and development of their cognitive faculties.

67. Inquiry into Complaints of Sexual Harassment

Any complaint or information of sexual harassment of a women prisoner shall be acted upon as per the provision of law.

Chapter XVIII Transgender Prisoners

68. Prison Regime for Transgender Prisoners

1. Separate enclosure/ wards for transgender prisoners, both transmen and transwomen, may be provided, as prescribed under the rules.
2. Transgender prisoners may be provided access to any specific health care or psycho-social needs. Transgender prisoners may be provided access to correctional programmes and activities.

Chapter XIX Case Management for Correctional Intervention

69. Case Management Unit for Sentence Planning

1. Prisoners, after admission and induction to prison, are subjected to security classification for their placement in the type of housing (cells, wards or in administrative segregation) to ensure the custodial restriction and level of supervision. Appropriate to the custody and supervision levels, prisoners are considered by the Case Management Unit in the Jail to administer correctional interventions in a sequential, monitored and targeted manner. Each prisoner is assigned with a case officer who reports the progress of interventions to the Case Manager. Case management unit prepares the inmates for their successful re-entry in the society and rehabilitation. Case management procedure through sequences as prescribed by rules shall be documented and analyzed for better output.
2. Correctional interventions as prescribed by rules may include but not limited to literacy and education continuation, skill-set developments through vocational training and remunerative work assignment in prison workshop. Case management unit shall monitor the sequential output and provide mentorship to prisoners.
3. Prisoners shall be engaged in purposeful activities as means of correctional interventions as prescribed by rules under the Act. These purposeful activities shall be engagement in continuing education, development of skill-set through vocational training or through work assignment against wages fixed by the Government.
4. The officer-in-charge may utilize the services of prisoners in accordance with the rules for the day- to-day administration and management of the prisons, as may be prescribed.
5. A certain portion of the wages earned by the convict shall be apportioned to the victim or dependent of victim as prescribed by the rules.

6. No prisoner shall be assigned any work in any capacity unless medical officer finds and certifies that he or she is physically and mentally fit to discharge that work categorized in the class of labour appropriate to the his/her physical and mental condition.
7. No prisoner shall be assigned any work on the basis of caste, creed or religion. Work assignment shall never be impacted by caste disabilities.
8. When the Medical officer is of opinion that the health of any prisoner suffers from employment on any kind or class of labour, such prisoner shall not be employed on that labour but shall be placed on such other kind or class of labour as the Medical office may consider suited for him/her.

Chapter XX

Open and Semi-Open Prisons

70. Open and semi open Jail /Correctional Institutions

1. The Government may establish and maintain as many open and semi-open correctional institutions for prisoners, as may be required.
2. The Government may allow such facilities or concessions in such open or semi-open correctional institution which may assist the prisoner in his rehabilitation into the society, as may be prescribed under the rules.
3. The rules for management of open or semi-open institutions, including the procedure and eligibility of prisoners who can be transferred to such correctional institutions, dealing with prisoners who violate any condition of transfer to an open or semi open correctional institution, etc. shall be such as may be prescribed by the Government.

Chapter XXI

Prison Leave

71. Parole and Furlough

1. Prison leave may be granted to eligible convicted prisoners as an incentive for good behaviour and responsiveness to correctional treatment with the objective of their rehabilitation, as may be prescribed under the rules.
2. There may be the following types of prison leave, namely:
 1. Regular Parole
 2. Emergency Parole
 3. Furlough
3. Regular Parole may be granted to eligible convicts by the competent authority under such conditions and for such purposes as may be prescribed under the rules. The period spent on regular parole may not exceed thirty days at a time and may not be granted more than one time in a year. The period spent on regular parole shall not be counted as part of sentence.
4. Emergency Parole may be granted by the competent authority to eligible convicts in rare or emergent situations, under police protection for a period extending upto 48

hours, as prescribed under the rules. The period spent under this parole shall be counted towards part of sentence.

5. Furlough may be granted to eligible convicts by the competent authority, as an incentive for maintaining good conduct and discipline in the prison after the completion of such period of incarceration in jail as decided by the Government for a certain maximum period, also to be fixed by the Government, in a year. The period spent on furlough shall be counted as part of sentence served by the prisoner. For prisoners governed by any of the laws relating to the Armed Forces of the Union, the grant of leave shall be subject to the provisions of those laws. For public safety and preventing parole jumping, prisoners may be granted prison leave on the condition of their willingness to wear electronic tracking devices for monitoring the movement and activity of such prisoners. Any violation by the prisoner shall attract cancellation of prison leave, in addition to disqualification from any prison leave being granted in future, as may be prescribed under the Rules. If a prisoner on parole or furlough fails to surrender on the due date, upon intimation by the officer-in-charge of the Prison, the police shall arrest the prisoner under the provisions of section 262 of the Bharatiya Nyaya Sanhita, 2023 and take action as per the provisions of law.

Chapter XXII

Inspection of Prisons and Board of Visitors

72. Inspection of Prisons

1. There may be a two-fold system for inspections of prisons:
 1. Inspection conducted by senior prison officers -The Head of Prisons & Correctional Services may have a prison inspected by an officer of appropriate rank at periodic intervals, as may be prescribed under the rules;
 2. Inspections conducted by the Board of Visitors - Board of Visitors may be headed by the Principal District and Sessions Judge/ District and Additional Sessions Judge/Chief Judicial Magistrate/ Sub Divisional Judicial Magistrate, as the case may be, and may comprise of such other official and non-official members for carrying out such functions, as may be prescribed under the rules.
2. Every inspection shall be followed by a written report to the officer-in- charge of the Prison and to the Head of the Inspectorate of Prisons & Correctional Services.

Chapter XXIII

After care and Rehabilitation Services

73. After-Care and Rehabilitation Services

The Government may endeavour to provide after-care services to all needy prisoners released from a prison with a view to ensuring their rehabilitation and reintegration into the society and to mitigate the likelihood of reoffending.

**Chapter XXIV
Miscellaneous**

74. Legal Aid

The Government may provide the facility of free legal aid to the prisoners in accordance with the provisions of 'the Legal Services Authorities Act, 1987' and the Standard Operating Procedure prescribed by National Legal Services Authority/State Legal Services Authority/ District Legal Services Authority or as may be prescribed under the rules.

75. Constitution of Under Trial Review Committee for every district

1. There shall be an Under Trial Review Committee for every district, headed by the Principal District and Sessions Judge, and comprising of such other members and for carrying out such functions, as may be prescribed under the rules.
2. The Committee shall meet periodically and review the cases of eligible prisoners in all prisons of the district, and make appropriate recommendations.

76. Report on the death of a prisoner

On the death of any prisoner, the Medical Officer shall forthwith record all relevant details and particulars of the case, as may be prescribed under the rules, and send the report to the officer-in-charge of the prison and the Head of Prisons and Correctional Services.

77. Establishment of Canteens and Sales Outlets

Canteens and Sales Outlets may be established in a prison for the sale of products, including jail products to the prisoners, prison staff and the public, as may be prescribed under the rule.

78. Grievance Redressal Mechanism

There may be an appropriate mechanism for redressal of the grievances of the prisoners and prison staff, as may be prescribed under the rules.

79. Prohibition of Caste based discrimination in Classification, Segregation and Work Assignment

1. It shall be ensured that there is no discrimination/ classification/segregation of prisoners on the basis of caste.
2. It shall be strictly be ensured that there is no discrimination of prisoners in allotment of any duty/work in prison on the basis of their caste.
3. Any inspection or visit by board of visitors shall see that no discrimination along the line of caste, creed or religion prevails in classification, placement, segregation and work allotment.
4. The provisions of "The Prohibition of Employment As Manual Scavenger and their Rehabilitation Act, 2013" shall have a binding effect even in Prison and Correctional Institutions. Manual scavenging or hazardous cleaning of a sewer or septic tank inside a prison shall not be permitted.

80. Prohibition of strike and agitation

No prisoner, visitor or any person employed in the prison, shall have any right to strike or start or continue any agitation inside the prison for achieving any request or demand.

81. Prison Emergencies

The officer-in-charge shall, as may be prescribed under the rules, take all appropriate measures, including the procurement of necessary equipments and preparation of a contingency plan, for preventing and controlling any emergency situation in the prisons, including ensuring availability of Quick Reaction Team, etc. and any other provision in conformity with the Disaster Management Act, 2005 or any other relevant Act and orders or instructions issued by any competent authority.

82. Extramural Custody, control, and employment of prisoners

A prisoner, when being taken to or from any prison, in which he may be lawfully confined, or to a court for production or to a hospital for medical treatment, or whenever he is working outside or is otherwise beyond the limits of any such prison in or under the lawful custody or control of a prison officer belonging to such prison, or any other officer deployed for such duty, shall be deemed to be in prison and shall be subject to all directions and discipline, as if he were actually in prison.

83. Prison Development Board

1. The State Government may set up a Prison Development Board with the objective of modernizing prison infrastructure and facilities for better prison management, correctional and reformatory activities for prisoners and welfare of the prison staff.
2. The composition of such Board, its responsibilities, and manner of governance etc., shall be such as may be prescribed under the rules.

84. Delegation of Powers

Any of the powers conferred by this Act may be exercised and performed by such officers as the Government may designate in this regard.

85. Accounts and Audit

The accounts of every prison shall be maintained and audited in such manner as may be prescribed by the Government.

86. Protection of action taken in good faith

No suit, prosecution or other legal proceeding shall lie against the Government or any functionary of the Government in respect of anything which is done or intended to be done in good faith in pursuance of this Act or the rules made or orders or directions issued thereunder.

87. Powers of the Government to make rules

The Government may, by notification in the official Gazette, make rules consistent with this Act which includes but not limited to

1. defining the act which shall constitute prison-offences;
2. determining the classification of prison-offences into serious and minor offences;
3. fixing the punishments admissible under this Act which shall be awardable for commission of prison-offences or classes thereof;
4. declaring the circumstances in which acts constituting both a prison-offence and a offence under the Bharatiya Nyaya Sanhita, 2023 may or may not be dealt with as a prison-offence;
5. for the award of marks or remission for the shortening of sentences;
6. regulating the use of arms against any prisoner or body of prisoners in the case of an outbreak or attempt to escape;

7. defining the circumstances and regulating the conditions under which prisoners in danger of death may be released;
8. for changing the name of the existing prison or for naming a newly constructed jail
9. for the classification of prisons, and description and construction of wards, cells, and other places of detention;
10. for the regulation by numbers, length, or character of sentences, or otherwise, of the prisoners to be confined in each class of prisons;
11. for the governance of prisons and for the appointment of all officers appointed under this Act;
12. as to the food, bedding and clothing of criminal prisoners and of civil prisoners maintained otherwise than at their own cost;
13. for the employment, instruction, and control of convicts within or without prisons;
14. for defining articles the introduction or removal of which into or out of prisons without due authority is prohibited;
15. for classifying and prescribing the forms of labour and regulating the periods of rest from labour;
16. for regulating the disposal of the proceeds of the employment of prisoners;
17. for the classification including the security classification and the separation of prisoners;
18. for regulating the confinement of prisoners as provided in Chapter X of the Act.
19. for the preparation and maintenance of history-tickets;
20. for the selection and appointment of prisoners as officers of prisons;
21. for rewards for good conduct:
22. for regulating the transfer of prisoners whose term of imprisonment is about to expire; subject, however, to the consent of the State Government of any other State/UT to which a prisoner is to be transferred;
23. for regulating the transmission of appeals and petitions from prisoners and their communications with their friends;
24. for the appointment and guidance of visitors of prisons;
25. for extending any or all of the provisions of this Act and of the rules thereunder to subsidiary jails or special places of confinement appointed under section 457 of the Bharatiya Nagarik Suraksha Sanhita, 2023, and to the officers employed, and the prisoners confined, therein;
26. for the digital transformation of prison;
27. for security technology installation in the prison;

28. for the cyber security in the prison;
29. in regard to the admission, custody, employment, dieting, treatment and release of prisoners;
30. for sanctioning new post in prison and correction services as per need and requirements;
31. for enhancing the scope of the defined duties to be supplemented with addition or omission of new duties of prison officers;
32. for framing amendments in the Jail Manual;
33. any matter related to prison management and incidental thereto: and
34. generally for carrying into effect the purposes of this Act.

88. Repeal and Saving

1. The Prisons Act, 1894 (9 of 1894), The Prisoners Act, 1900 (3 of 1900) and Transfer of Prisoners Act, 1950 (29 of 1950) as applicable to the State of Jharkhand are hereby repealed.
2. Notwithstanding this Act, all the rules, regulations, orders, directions, notifications relating to prisons made under these Acts and in force immediately before the commencement of this Act shall, except where and so far, as they are inconsistent with or repugnant to the provisions of this Act, continue to be in force until altered, amended, or repealed by rules made under this Act.

89. Power to remove difficulties

1. If any difficulty arises in giving effect to any of the provisions of this Act, the Government may, by order published in the Official Gazette, make such provisions, or take such measures, not inconsistent with the provisions of this Act, as may appear to be necessary or expedient for removing the difficulty.
2. The Government may make an order under sub-section (1) to have effect from any date not earlier than the date of commencement of this Act.

Rajesh Sharan Singh,

Principal Secretary-cum-L.R.
Department of Law,
Govt. of Jharkhand, Ranchi
