

XII

Important Extracts from the Jail Manual Concerning undertrials/convicts.

633-A. Ordinary remission not earnable for certain offences committed after admission to jail.— If a prisoner is convicted of an offence committed after admission to jail under sections 147, 148, 152, 224, 302, 304, 304-A, 306, 307, 308, 323, 324, 325, 326, 332, 333, 352, 353 or 377 of the Indian Penal Code, or of an assault committed after admission to jail on a warder or other officer or under Section 6 of the Good Conduct Prisoners Probational Release Act, 1926 (x of 1926), the remission of whatever kind earned by him under these rules up to the date of the said conviction may, with the sanction of the Inspector-General of Prisons, be cancelled.

800. Maintenance from private sources.—An un-convicted criminal prisoner shall be permitted to maintain himself, and to purchase, or receive from private sources at proper hours, food, clothing, bedding or other necessaries, but subject to examination and to such rules as may be approved by the Inspector-General.

802. Supply of clothing and bedding.—Every un-convicted criminal prisoner unable to provide himself with sufficient clothing and bedding shall be supplied by the Superintendent with such clothing and beddings as may be necessary.

803. Supply of food, clothing, bedding and other necessaries to un-convicted criminal prisoner.—(1) Every un-convicted criminal prisoner may, unless in any case the Superintendent otherwise directs, be supplied with food, clothing bedding and other necessaries by his friends at such hours as the superintendent may, from time to time, fix in that behalf.

(2) Every article supplied under clause (1) shall--

(a) be delivered to the Deputy Superintendent or other officer appointed by the Superintendent for that purpose, and

(b) be examined, before it is made over to such prisoner, either by the medical officer or the Medical Subordinate.

806. Permission to cook his own food.—Claims for permission to cook are not recognised but such a privilege may be granted at the discretion of the Superintendent.

811. Unconvicted prisoners may be kept separate.—Any special directions as to separation of an unconvicted criminal prisoner, given by the Magistrate, should be carried out. Such separation should be unaccompanied by any irksome conditions beyond those that are necessary to secure the object in view, namely, to prevent his communicating directly or indirectly with other prisoners concerned in the same case.

832. Children of female prisoners.—(1) A child under the age of four years, the offspring of a female prisoner shall, if it has not been weaned and no friend or relative can be found to take charge of it, be admitted to jail with its mother.

(2) A child born in jail may be permitted to remain with its mother.

(3) As soon as any child admitted or born in jail attains the age of 4 years of female prisoner dies leaving a child under that age, the Superintendent shall communicate with the Magistrate of the District of which the mother is or was a resident, with a view to the child being made over to the charge of a relative or friend or being placed in an orphanage or being entrusted to some respectable person to be brought up at the expense of Government, if necessary, until it attains an age to earn a livelihood.

(4) Any female prisoner may be allowed to retain her child with her until it is four or with the approval of the Superintendent even up to 6 years of age if she so desires.

832-A. Children of male prisoners.—(1) A child under the age of four years shall be admitted to jail with its father if its mother is dead and no friend or letter can be found to take charge of it.

(2) As soon as any child admitted to jail with its father attains the age of 4 years or a male prisoner dies leaving a child under that age, the Superintendent shall communicate with Magistrate of the District of which the father is or was a resident with a view to the child being made over to the charge of a relative or friend or being placed at on orphanage or being entrusted to some respectable person to be brought up at the expense of Government, if necessary, until it attains an age to earn livelihood.

(3) Any male prisoner whose wife is dead may be allowed to retain his child with him until it is 4 years or with the approval of the Superintendent even upto 6 years of age if he so desires.

836-A. Female prisoners not to be employed on grinding .—Female convicts shall not be employed on grinding grains except as punishment awarded by competent authority.

Journey expenses of poor prisoners to be borne by State Government.—(Under Section 7 of Punjab Good Conduct Prisoners (Temporary Release)Act, 1962.—If, on the report of the District Magistrate, the State Government is satisfied that a prisoner's family cannot bear the expenses of his journey from and to the prison after his temporary release under this Act, the expenses may be borne by the State Government to such extend and in such manner as may be prescribed.

In case a prisoner has already been allowed parole, no police verification shall be required in case he seeks to go on parole for the next time (Crl. M.No. 8876-M of 2000 decided on May 22, 2000)