

Jail Code consists of the provisions of Prisons Act 1894, Prisoners Act 1900, Identification of Prisoners Act 1920, Rules made under Section 59 of the Prisons Act 1894 and Rules made under Section 60(a) of the said Act of 1894 for the superintendence and management of jails and subsidiary jails respectively.

The Prisons Act 1894 This Act defines prison as any jail or place used permanently or temporarily for the detention of prisoners under the general or special orders of the government. Every prison is managed by a Superintendent, a Medical officer, a Medical subordinate, a Jailer and other officers and employees under the general control and superintendence exercised by the Inspector General of Prisons. Prisoners are admitted to, removed and discharged from the prison, disciplined and punished, employed, medically treated and provided with food, clothing and bedding under the provisions of this Act.

There are also provisions for separation of male and female prisoners, male minor prisoners and male adult prisoners, convicted prisoners, criminal prisoners and civil prisoners. The act stipulates for keeping together or in segregation of convicted criminal prisoners, solitary confinement in a cell of any such prisoner and confinement of a prisoner sentenced to death in a separate cell. Another important provision allows visitors including legal advisers to meet under-trial criminal prisoners and also to visit civil prisoners. The act also allows for confining a dangerous prisoner or a prisoner sentenced to imprisonment for life with iron chain, fetters or handcuffs.

The Prisoners Act 1900 Under the Prisoners Act 1900, prison includes any place declared by the government by general or special order as a subsidiary jail. This Act authorises an officer in charge of prison to receive and detain any person duly committed to his custody by any court in the prison until such person is discharged or removed there from in due course of law. Detention of such a person in the reformatory school shall mean detention in prison. A prisoner may be removed from one prison to another under order of the government or Inspector General of Prisons.

There is also provision for removal from the prison of a convicted prisoner suffering from lunacy to a lunatic asylum or any other place for his safe custody and treatment and for his removal back to the prison after his treatment to undergo the unexpired period of sentence, if any, and for reckoning the period of his confinement in the lunatic asylum as the part of the term of his detention or imprisonment ordered by the court to be undergone by him. There are also provisions for service of process of the court on the prisoners, requiring them to attend civil or criminal courts to give evidence or answer charge, and examine them on commission issued by the court in case of any prohibition by the government of their removal from jail to give evidence before the court or abstention of the jail authority to do so due to sickness or infirmity of the prisoner or other causes.

The Identification of Prisoners Act 1920 In the Identification of Prisoners Act 1920 there are provisions for taking measurements and photograph of a convicted prisoner and measurements only of an under-trial prisoner. A magistrate of the first class can also pass an order for taking by a police measurements or photograph of any person for the purpose of any investigation or proceeding under the criminal procedure code if the prisoner was previously arrested in connection with such investigation or proceeding. There is also provision for destruction of measurements or photograph taken of an under-trial prisoner after his discharge or acquittal by the court unless he was previously convicted of an offence punishable with rigorous imprisonment for one year or more.

Rules for superintendence and management of jails Rules for the superintendence and management of jails classify the jails into central, district, subsidiary and special jails. If a prisoner is sentenced to suffer imprisonment for more than 14 days he shall be removed from the subsidiary jail to the district jail unless otherwise declared by the Inspector General of Prisons.

The District Magistrate (now Deputy Commissioner) has general control over the district jail and the Superintendent has control of detailed management subject to the lawful orders of the District Magistrate. In case of a central jail which is also a district jail the District Magistrate shall have control as regards prisoners belonging to the district. The District Magistrate is required to visit the district jail once a week and in case of his inability to send his subordinate magistrate for the purpose. The District Magistrate shall be subject to the control of the Inspector General of Prisons in all matters affecting the discipline of the jail, and shall report to him all important steps taken by him. There is also provision for visiting the jails by official and non-official visitors and recording their remarks about actual facts coming to their knowledge in course of their visits, and suggestions made by them and action taken by the superintendent on the same to be recorded in the visitors' minute book.

The superintendent manages the prison in all matters relating to discipline, labour, expenditure, punishment and control with the assistance of the Jailer and other officers, and wardens and head wardens to be appointed and dismissed by him, subject to the orders of the Inspector General of Prisons. Subject to the control of the Superintendent and general control of the Inspector General of Prisons, the Medical Officer shall have charge of sanitary administration of the prison, and his duties shall embrace every matter affecting the health of the prisoners and general hygiene of the jail. He shall from time to time change the general diet and may order special diet for the sick, aged and infants. He visits the patients in the hospital daily and examines prisoners complaining of illness and admits them, if necessary, to hospital.

The Medical Officer is required to attend all members of the jail staff and their families who reside in the jail premises. Medical subordinates assist the Medical Officer in attending the prisoners for their treatment, cleanliness, order and discipline in the hospital, and supervision of the duties of the compounder and attendants. He is also to ensure cleanliness and hygienic condition of the jail, and inspect the food store and kitchen daily to ensure quality of the food.

On arrival in the jail every prisoner is provided with a history ticket in which particulars about the prisoner, and every occurrence of importance in the jail life of that prisoner and every order relating to him are recorded in a chronological order. There are provisions for preparation and sending of petitions of appeal by the jail authority on behalf of the convicted prisoner at his desire to the appellate court. There are detailed provisions for separation of civil prisoners, under-trial prisoners, female prisoners, male prisoners of different ages. There are also detailed provisions for maintaining discipline and daily routine by the prisoners in the jail.

Heinous offences committed by the prisoner in the jail are punishable by the court on his being sent to the court by the jail authority as those cannot be punished by the Superintendent. There are provisions relating to treatment of prisoners in cells. There are also stipulations for ordinary remission of part of the sentence of a prisoner for good conduct, industry and due performance of his daily task, and special remission for special services rendered by the prisoner.