CHAPTER IV

DEPARTMENTAL ORGANIZATION
CHAPTER XI

ADMINISTRATIVE ORGANIZATION

Jail administration to be effective in the reformation of prisoners must be well-organised. The jail civil service will be efficient if qualified persons are recruited.

The Jail Department has its headquarters at Shillong. From the beginning, jail administration is under the over-all control of the Home Department of the Government of Assam. But for administrative conveniences it was attached to the Health Department for sometime. At present, it is a branch of the Home Department. But it is practically independent in the day-to-day matters of administration. In policy matters and in effecting major changes in the administration of jails, the approval of the Home Department is necessary. Thus, we find that jail administration was never constituted into a separate department during the period of our study.

Let us now consider the machinery devised for the administration of jails. During the period under review there was little change in the administrative structure. At the apex was the Inspector General of Jails who was the channel of communication between the officers of the Jail Department and the Government of Assam. Till the appointment of the Inspector General of Jails, the jail administration was under the direct control of the Chief Commissioner. The Inspector General of Jails, Assam, was appointed in 1877. Captain W. Williamson was the first occupant of this office.

Later on the Jail Department was attached to the Health Department. This arrangement continued till 1966, when the

1. Circular No. 24 C.T., 10.2.1874, Chief Commissioner, Assam.
2. Home Department No. 2A6, 20.3.1877, Chief Commissioner, Assam.
jail administration was taken over from the control of the Director of Health Services.

The Jail Department was merged with the Health Department, because, the nature of services of both the departments is the same. One is meant for the treatment and reformation of the criminals and the other for the prevention and cure of the sick and the ultimate object of both was the establishment of a healthy society. Moreover, it was also convenient for the Medical Officer to be in charge of the administration of a jail as he was already connected with its medical administration.

So long Assam was a Chief Commissioner's Province, the Inspector General of Prison was responsible to the Chief Commissioner for the administration of jails in Assam. But since the creation of Assam into a Governor's Province in 1920, the Judicial Member in the Governor's Executive Council was the controlling authority over the Inspector General of Prisons. The Judicial Member was answerable to the Legislative Council for efficient jail administration. Ministers were held responsible for the efficient administration of jails, since the introduction of Provincial Autonomy in 1937.

Upto 1966, the Inspector General of Prisons was a part-time officer, who was the Director of Health Services. In the Health Directorate itself there was a separate wing for jail administration consisting of a few upper and lower division assistants, typists, accountants and office-peons. But the part-time I.G.P. was not in a position to devote his whole-hearted attention to the reformation of jail administration as he was pre-occupied with other activities. And hence, the question of the separation of the Jail Department from the Directorate of Health Services arose.
The Jail Reform Enquiry Committee, 1956, suggested the separation of Jail Department from the Public Health Department. In 1958, the Development Commissioner, however, suggested that it should be combined with the Directorate of Social Welfare on the assumption that it was the proper body to look after the effective administration of jails. Sri B.P. Ghaliha, the Chief Minister of Assam, accepted the above recommendation in principle.

The Home Department agreed to the proposal. In 1961, the Director of Social Welfare suggested the immediate separation of the Jail Department from the Directorate of Health Services. The Director of Social Welfare gave the following suggestions.

1. The Director of Social Welfare should also be the Inspector General of Prisons.

2. There should be a whole-time Jail Superintendent for each jail in place of a part-time officer.

3. There should be two posts of Deputy Inspectors General of Prisons - one for the prisons and the other for the State Vagrant Homes.

The Home Department accepted the recommendations of the Director of Social Welfare in 1962 with slight modifications namely, the Director of Social Welfare should be a full time supervising officer of jails and the routine works of the jails should be performed by the Deputy Inspector General of Prisons. But the Government of Assam took some time to give effect to the recommendations. Ultimately, in 1966, the Jail Department was separated from the Directorate of Health Services and it was placed under the supervision and control of the Director of Social Welfare. Now, the Director of Social welfare is also the Inspector General of Prisons.

After the reorganisation of the jail administration in 1966, the Inspector General of Prisons was assisted by a Joint Inspector General of Prisons and a Special Officer, Jail Reforms. The office for carrying on secretarial work, consisted of a Superintendent, one Senior accountant, one internal auditor, three upper division assistants, eight lower division assistants, two typists, one stenographer and six peons. The establishment of the Jail Department at the headquarters is shown in the following chart:

Chart-1

(Establishment at headquarters)

Legislative Assembly
Minister for Jails
Home Secretary
I.G.P.
Joint I.G.P.

Special Officer, Jail Reforms.
Office Superintendent

Senior Accountant
Internal Auditor
Upper Division Assistants

Stenographer

Lower Division Assistants
Typists

Peon

The Inspector General of Prisons is responsible to the Home Department of the Government of Assam for the administration of jails. The Deputy Secretary, Home Department, is in charge of jail affairs. As the Chief Secretary to the Government of Assam is also the Home Secretary, he has a final voice over jail administration subject to the control of the Minister in charge of jails and the Chief Minister.

Regarding the reorganisation of jail administration at the headquarters, the Model Prison Manual, 1960, suggested as follows:

1. Inspector General of Prisons and Correctional Services.
2. Deputy Inspector General,
3. Deputy Inspector General (Health - physical and mental).
4. Director of Probation, Juvenile Delinquency, offences.
5. Superintendent of Industries.
6. Assistant to the I.G.P.
7. Chief Officer, Educational and Cultural Activities.
8. Chief Officer, Physical Education.
9. Chief Officer, Vocational Training Projects.
10. Chief Statistical officer.
12. Personal Assistant to D.I.G.
13. Chief Accountant and Budget officer.
14. Chief Audit officer.
15. Office Superintendents.
17. Stenographers.

18. Senior Assistants (selection grade).
19. Senior Assistants.

But the Government of Assam cannot afford to appoint all these officials for financial reasons. The recommendation of the Committee is still under the consideration of the Government.

Regarding the Prison establishment there is no major change since 1874. It is organised as follows.

Chart-2

(Prison establishment)

Superintendent

Jailer

Assistant Jailer

Chief Head Warder

Head Warder

Warder

Convict Warder

Convict Overseer

Convict Night-watchman

Medical Officer

Medical Subordinate

Compounder

The above jail establishment continues till today excepting the provision for a full-time Superintendent for each jail since 1966, which was suggested by the Assam Jail Enquiry Committee, 1956.

The Jail Commission Report, 1889, recommended that each jail should be organized as follows:

1. Superintendent.
2. Medical staff.
3. Deputy Superintendent.
4. Executive Superintendent.
5. Jailer.
6. Deputy Jailers.
7. Assistant Jailers.
8. Guards.

The Indian Jails Committee, 1919-20, also made a similar suggestion. But the Government of Assam did not make any change in the jail establishment.

The Model Prison Manual, 1960, suggested the organization of the administrative machinery of a jail as follows:

1. Executive -
   a) Superintendent (Grade I and II).
   b) Deputy Superintendent (Grades I and II).
   c) Assistant Superintendent.
   d) Lady Assistant Superintendent.
   e) Guarding personnel of various grades.
   f) Female guards.

2. Medical Personnel -
   a) Medical officer.
   b) Compounder.
   c) Nursing orderly.

3. Psychiatric, correctional and social work units:
   a) Psychiatrist.
   b) Psychologist.
   c) Correctional worker (may be on part-time basis).

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4. Educational personnel -
   a) Education Officer.
   b) Physical Education Officer.
   c) Teacher.

5. Technical personnel -
   a) Technical Instructor.
   b) Vocational Training Instructor.
   c) Foreman.
   d) Overseer.
   e) Electrician.
   f) Plumber.

6. Agricultural personnel -
   a) Agriculture Officer.
   b) Dairy Supervisor.
   c) Poultry Supervisor.
   d) Fieldman.

7. Office Administration -
   a) Accounts Officer, b) Steward, c) Head Accountant
   d) Office Superintendent, e) Store-keeper, f) Heads of branches, g) Senior Assistant (selection grade),
   h) Senior Assistant, i) Junior assistant, j) Record keeper, k) Stenographer, l) Typist and m) Office orderlies.

Some gradations have been made by the Government in the case of Jail Superintendents. Medical staff is already there excepting nursing attendant. Other matters are still under the consideration of the Government of Assam. We think that there is not a single jail in Assam which requires such an elaborate administrative machinery.

Appointment - The Inspector General of Jails was appointed by the Governor General-in-Council, as long as Assam was a Chief Commissioner's Province. When Assam was constituted into a Governor's Province in 1920, the Governor of Assam appointed the Inspector General of Prisons. In the beginning, Commissioned Military Officers were appointed the Inspector General of Prisons. But later on under the instructions of the

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Government of India, Commissioned Medical Officers were appointed Inspector General of Prisons. When the Jail Department was merged with the Health Department, the Director of Health Services became the part-time Inspector General of Prisons. From 1966 onwards an officer belonging to the I.A.S. cadre is appointed the Inspector General of Prisons.

To assist the Inspector General of Prisons, a Joint Inspector General of Prisons has been appointed by the Government of Assam. He is a full-time officer. The Joint Inspector General of Prisons is appointed by the Government from among the members of the Assam Civil Service. This post did not exist prior to 1966.

The Special officer, Jail Reforms, is appointed by the Government on the recommendation of the Assam Public Service Commission. This post is now vacant.

In each jail, there is a Superintendent part-time or full time. Since the merger of the jail administration with the Health Department, Civil Surgeons were the part-time Superintendents of jails in the district headquarters and Sub-divisional Medical Officers were the Superintendents of jails in the Sub-divisional headquarters. Prior to that the D.C. or the S.D.O. or any other Magistrate was appointed the part-time Superintendent of a jail. In Assam, Commissioned Medical Officers were also appointed the Jail Superintendents in the major jails of Assam like Gauhati, Sylhet, Jorhat and Tezpur. In 1966, provision was made for a full-time Superintendent for each jail. Now, almost all jails in Assam have full-time Superintendents.

14. Resolution circulated by the Govt. of Assam, No. 72PS-858G dated 16.6.1901.
Superintendents. They are appointed by the Government of Assam on the recommendation of the Assam Public Service Commission. Before 1966, Superintendents were nominated by the Local Government. All Superintendents belong to the gazetted rank. Sometimes a senior jailer is promoted to the post of Superintendent.

In each jail, there is a Medical Officer, part-time or full-time. If a Medical Officer happens to be the part-time Jail Superintendent, there may not be a full-time Medical Officer for that jail. The posts of Medical Officers are gazetted. In the beginning, they were nominated by the Government. But at present they are appointed by the Government on the recommendation of the Assam Public Service Commission.

Medical Subordinates or qualified Hospital Assistants are appointed for each jail by the Inspector General of Prisons subject to the approval of the Government.

The Jailers and the Assistant Jailers are appointed by the Inspector General of Prisons. Earlier, they were nominated by the Inspector General of Prisons. But at present they are selected on the basis of merit. Candidates for these posts must sit for written examinations.

Warders are appointed by the Circle Superintendents subject to the control of the Inspector General of Prisons. The posts of Head Warders and Chief Head Warders are filled up from among the senior warders. The Jail Superintendent can also appoint warders temporarily.

Subordinate officials of the head office are appointed by the Inspector General of Prisons on the basis of merit. The vacancies are advertised.

17. Prisons Act, 1894, Section 3(8).
Compounders are appointed by the Jail Superintendent in consultation with the Medical Officer.

Qualification - The Inspector General of Prisons must be experienced in correctional administration. Generally, a senior officer of the Indian Administrative Service is selected for this post.

The Joint Inspector General of Prisons must have also experience in correctional administration.

The Special Officer, Jail Reforms, must be a graduate and trained in correctional services.

A Jail Superintendent must be a graduate. He should be experienced in correctional administration. Experienced and qualified Jailers are also selected for this post.

In the beginning a matriculate could be appointed a Jailer. At present, he must be a graduate. Qualified and experienced Assistant Jailers can be promoted to the posts of Jailers.

As regards Assistant Jailers, at first matriculates were appointed. Later on graduates or intermediates were preferred for the post.

As regards the qualifications of the Medical Officers, they differed from time to time. Grading of Medical Officers depended upon their qualifications. During the period 1874 to 1947, L.M.P. diploma holders were appointed as Medical Officers. At present, holders of M.B.B.S. degree are appointed Medical Officers.

Compounders must be duly qualified. Previously no emphasis was laid on their qualification. But at present, they must possess pharmacists' diploma.

As regards the qualifications of the accounts personnel, stenographers and typists, they must possess the necessary technical qualifications. They must also be at least Matriculates.
As regards warders, no educational qualification was insisted on. During the period, 1874 to 1900, only illiterate up-country people were recruited for these jobs. The local people did not aspire for them as they were unattractive. Although no educational qualifications were insisted on, the candidate for the post had to possess certain physical qualifications. The minimum height must be 5 ft. 8 inches and the minimum girth of chest must be 32 inches. The Jail Manual of 1934 laid down that men of better physique should be selected for these posts.

Probation: All subordinate officers, from the Jailer to warders must be on probation for six months, after which they are confirmed. The efficiency and capability of an officer is judged during this period. An officer is confirmed at an early date if he is appointed against a permanent post. Gazetted officers appointed against permanent vacancies are confirmed after a probationary period of two years. At present, the Government takes a lot of time in confirming officers which causes anxiety among them.

Promotion: Opportunities are provided at present for promotion. The lines of promotion are as follows. A warder can aspire to the Chief Head Wardership. An Assistant Jailer may become the Jail Superintendent. Certain number of posts of the Jail Superintendents are filled up by the Senior Jailers and most of the vacancies in the office of the Jailers are filled up by the Assistant Jailers. A clerk of the Inspector General of Prisons' office can aspire to the office of Superintendent. The scope for promotion of the Medical Officer is very limited. The Jailer's promotion to the Superintendentship of a jail is a recent scope for promotion of subordinate jail officers given in 1966.

Prior to that date an Assistant Jailer could aspire to Jailership only and the Jailers in their turn had no scope for promotion. It appears that the scope for promotion is very limited. As a consequence the jail service is not attractive and efficient.

Training - The Jailers and the Assistant Jailers are trained in correctional services. Since there is no institutional arrangement in the State for training, the jail officers are sent to other States where these institutions exist. Recently many officers have been trained in the Lucknow Jail Training School and in the Tata School of Sociology. The Jailers, the Assistant Jailers and the whole Warder-force undergo training in squad and company drill and in the use of arms provided for them. The Warders are drilled in jails by the Jailer or by the Assistant Jailer. Warders take an annual course of musketry practice at the Police Training Centres.

The Jail Manual Committee, 1957-59, recommended that the I.G.P., the Joint I.G.P. and the Superintendents should be trained in correctional services so that the reformation of the prisoners might be effective. So far, this recommendation has not been implemented. They no doubt gain some knowledge on the subject by attending conferences, seminars and symposia. But that is not significant enough. Systematic training of the I.G.P. and the Joint I.G.P. is essential.

Transfer - All subordinate jail officers may be transferred from jail to jail. Generally, a jail official is kept in a particular jail for a period of three years only. He may be transferred before the completion of three years in the interest of administration. The jail officials are transferred frequently, because their long stay in a particular jail may encourage them to indulge in corrupt practices.
Pension: - All posts in the Jail Department are pensionable. The jail officials retire at the age of 55. Their retirement age can be extended up to 58 at the discretion of the Government. Gazetted officers belonging to the Central Services retire at the age of 58, but such officers belonging to the State Services retire at the age of 55.

Punishment: - Subordinate jail officials may be punished for the violation of prison rules. They may be dismissed by their respective appointing authorities after an enquiry. Every officer must be given a chance to defend himself. Gazetted officers may be punished or dismissed after making an enquiry into their fault in consultation with the Public Service Commission. It is the duty of the Jail Administration to decide when a person should be prosecuted. In case of a prosecution, the officer concerned is suspended. When a jail official is acquitted of a charge by a criminal court he is reinstated in his post unless the Inspector General of Prisons directs otherwise.

A subordinate jail official may be judicially prosecuted for the following offences:

1. Wilfully or negligently permitting an escape.
2. Committing an offence punishable under Section 42 of the Prisons Act, 1894.
3. Immoral conduct with regard to any prisoner.
4. Any offence punishable under charter IX of the Indian Penal Code.

For the following offences, an official can be dismissed or given a milder punishment if he is a man of good character.

a) Appearing on duty in a state of intoxication.
b) Sleeping while on duty.
c) Striking a prisoner.

21. Prisons Act, 1894, Section 54.
22. A.J.H., 1934, Rule 111.
d) For entering female enclosure.

e) Committing or conniving at irregularities in the supply or distribution of food.

f) Materially interested in a jail contract directly or indirectly.

g) Unauthorised dealing with any prisoner.

h) Insubordination towards any superior officer.

The Jail Superintendent has the power to punish subordinate officers with fine or suspension. The Assam Jail Manual of 1934 says that the Jailer and the Assistant Jailer should not be punished by fine except in special circumstances. Suspension as a punishment should be avoided as far as possible. While imposing fines, very heavy fines should be avoided.

Before inflicting punishments the procedure laid down in the Assam Jail Manual, 1934 must be observed. A written chargesheet must be drawn against the official concerned. Punishments inflicted must always be recorded. An officer, who is punished, must be furnished with a copy of the order.

An appeal may be preferred against all punishments. The appellate authority is as follows.

Appellate Authority

Table - 13

<table>
<thead>
<tr>
<th>class of subordinate officers</th>
<th>By whom censured</th>
<th>By whom promotion withheld or suspended</th>
<th>By whom reduced or dismissed</th>
<th>Appellate authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jailers and Assistant Jailers</td>
<td>I.G. of Prisons</td>
<td>I.G. of Prisons</td>
<td>I.G. of Prisons</td>
<td>Local Government</td>
</tr>
<tr>
<td>Warders and Compounders of Jail</td>
<td>Circle Superintendent or Superintendents of Hill Jails</td>
<td>Circle Superintendent of Hill Jails</td>
<td>I.G. of Prisons</td>
<td></td>
</tr>
</tbody>
</table>
Persons on probation or holding temporary jobs have no right of appeal. Every appeal must be preferred within two months from the date on which the order of punishment was issued.

When an officer is discharged, he must quit the office and the quarters occupied by him. A dismissed officer cannot be re-employed without the sanction of the Inspector General of Prisons. A person, convicted judicially, is not employed without the special sanction of the Inspector General of Prisons.

From the above we may arrive at the conclusion that in course of time the administrative machinery has been perfected. In the beginning, there was no classification of services. There were also no promotional opportunities. There were no adequately qualified personnel. Vacancies were filled up without advertisement. Today, the situation is different. The services have been classified. The lines of promotion are indicated. There is periodical transfer of jail personnel. There is a whole-time Joint Inspector General of Prisons to bestow adequate attention on jail administration. The jail service which was at one time unattractive has become attractive. Certain improvements may be introduced to render the service more attractive. First, there should be an attractive jail service. Second, the post of jailer should be a gazetted one. Finally, there should be more scope for promotion.

Ex-officio Visitors: The Jail Manual, 1899, declared some officials as ex-officio visitors. Similarly, the Jail Manual of 1934 also declared some officers of the Government of Assam as ex-officio jail visitors. They are - the Chief Engineer.

the Director of Public Instructions, the Inspector General of Police, the Director of Public Health, the Director of Agriculture, the Director of Industries, the Commissioner of Divisions and the District and Sessions Judges. The District Civil Surgeon and the District Magistrate are also the ex-officio visitors of all jails within the district. The ex-officio visitors play an important part in the administration of jails.

**Boards of Visitors** :- Besides the ex-officio visitors, there is the Board of Visitors for every jail consisting of official and non-official members. The Board is necessary to obtain public opinion on the treatment of prisoners.

The Indian Jail Commission, 1889, recommended that selected non-official visitors should be appointed in all Provinces for visiting jails. Because, public opinion in most countries demanded that treatment of prisoners in jails should be subject to enquiry by non-official visitors. The recommendation of the Commission was accepted by the Government of Assam and the Board of Visitors was appointed.

The Commission also suggested that the non-official members should limit their remarks to a fair criticism of the actual facts which they notice while visiting jails. They can make suggestions which the Superintendent can consider. This condition was laid down because the remarks of the visitors very often offended the Jail Superintendent. That is why, the Superintendents opposed the appointment of non-official Board of Visitors.

The Assam Jail Manual, 1899, provided that there should be Board of Visitors. Under this Manual the Board of visitors could visit jails periodically. Some Boards were

appointed but they were not very effective. They did not present a real picture of jails. Most of the members tried to please the Government.

The matter was again dealt with by the Indian Jails Committee, 1919-20. It recommended that the powers and duties of official and non-official visitors should be laid down clearly. The Committee also pointed out that the visits of official and non-official members to jails should be welcome and encouraged and both classes of members should be given the same treatment. The Committee further recommended that while visiting a jail, every visitor should be provided with a warder-escort for his safety. These recommendations were accepted by the Government of Assam.

Members of the Board of Visitors are appointed by the Commissioner of the Division for all jails under his jurisdiction. A Board consists of the District Magistrate, the Senior Extra-Assistant Commissioner and four non-official members in the case of a jail in the district headquarters. The Board for sub-divisional jail consists of the Subdivisional Officer, an Extra-Assistant Commissioner and two non-official members. The Deputy Commissioner is the chairman of the Board for the district jail. In the case of the sub-divisional jail, the sub-divisional officer is the Chairman of the Board. The non-official members are appointed for two years, but they may be re-appointed.

The following changes were made in the constitutional structure of the Board of Visitors.

27. Indian Jail Committee Report, para. 521.
Table 14

Non - official Members of the Board of Visitors

<table>
<thead>
<tr>
<th>Classes of Jails</th>
<th>Number of non-official visitors to be appointed for each class of jail</th>
<th>Appointing authority</th>
<th>Period for which employed</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. District Jail at District Headquarters except Tura</td>
<td>Five, of whom one must be a lady.</td>
<td>Provincial Government</td>
<td>2 years</td>
</tr>
<tr>
<td>2. District Jail at Tura.</td>
<td>Three, of whom one must be a lady.</td>
<td>- Do -</td>
<td>- Do -</td>
</tr>
<tr>
<td>3. District Jail at Sub-divisional Headquarters</td>
<td>Three, of whom one must be a lady.</td>
<td>- Do -</td>
<td>- Do -</td>
</tr>
</tbody>
</table>

The number of official members of the Boards remains the same as laid down in the Jail Manual, 1934.

Convict officers - In addition to the Government officials, the Prisons Act, 1894, empowered the Local Government to make rules for the appointment of prisoners as prison officers. Prisons are appointed as convict officers for the encouragement of good conduct and industry on the part of convicts. They are employed for the convenience of the jail administration also. In appointing such officers, preference is given to casual convicts sentenced to rigorous imprisonment and to casual convicts sentenced to simple imprisonment who elect to labour.

The convict officers are regarded as public servants within the meaning of the Indian Penal Code.

Convict officers are not allowed to use force against prisoners unless it is absolutely necessary.

30. Prisons Act, 1934, Section 60(m).
They may be punished for the introduction of prohibited articles in jails. The maximum number of convict officers should not exceed 10 per-cent of the daily average of prisoners in any jail. Both males and females may be appointed convict officers for their respective wards.

There are three classes of convict officers - (1) Convict Night-watchmen, (2) Convict Overseers and (3) Convict Warders. No convict officer is placed independently in charge of any file or gang or other body of prisoners. Convict officers are not required to wear identification tickets. They are also not required to shave heads and clip beards.

**Convict Night-watchman**: A convict night-watchman is appointed by the Jail Superintendent subject to the condition that he has completed one quarter of his sentence; that he is of good behaviour and industry and that he is physically fit to undertake two hours' night duty in addition to his day-labour.

While selecting such an officer preference is given to that prisoner who comes under remission rules. A convict night-watchman wears a band of blue cloth sewn on the right sleeve.

**Convict Overseers**: Convict overseers are selected from among the convict night-watchmen by the Superintendent subject to the condition that they must have served as night-watchman for at least three months; that they had already served half of their sentence and that their conduct has been uniformly good throughout their stay in the prison. However, a prisoner who does not satisfy these conditions may be appointed convict overseer with the sanction of the Inspector General of Prisons.

A convict overseer may be exempted from labour. He wears a brass badge with the description 'Overseer'.

Convict Warders: The Inspector General of Prisons fixes the number of convict warders in each jail. But the maximum strength of convict warders cannot exceed the proportion of one to eight paid Head Warders and warders. The Jail Superintendent makes the initial selection of convict warders and submits the list to the Inspector General of Prisons for his sanction. The Superintendent may remove a convict warder from his office. But all such removals must be confirmed by the Inspector General of Prisons.

The convict warders are selected from among the Convict Overseers provided they satisfy certain conditions, namely that they must have worked as Convict overseers for at least one year; that they have merit and intelligence and that they have antecedents of good repute. A convict warder is provided with a brass badge marked 'Convict Warder' with a brown leather belt, a whistle and chain and a baton.

The institution of convict officers provides an incentive to prisoners to cultivate good conduct and industry. Convict officers have done a tremendous job and industry. Convict officers have done a tremendous job in the efficient administration of jails. Therefore, convict officers constitute an important part of the administration of jails.

Daily administration of jails: The Superintendent is responsible for the administration of a jail. All subordinate officials work under him. He is the channel of communication.
between the subordinate jail officials and the Inspector General of Prisons.

The Jailer is immediately next to the Superintendent in administrative matters. When the Superintendent is a part-time officer, the Jailer is all in all in the administration of jail. The Assistant Jailers assist the Jailer in the routine works of the jail. They must perform those functions which are allotted to them.

The Medical Administration of the jail is under the control of the Medical Officer. But the Medical Officer is subject to the control of the Superintendent in non-medical matters.

Prisoners must remain under the custody of a jail officer by day and by night. All officials of a jail are responsible for the safe custody of the prisoners. They run the daily administration of a jail according to prison rules.

Before opening the barracks and cells at day break the Jailer with his assistants and all Head Warders and Warders who are on duty must be present. The barracks and cells are unlocked in their presence. The Prisoners are counted. Each officer performs his allotted task. Prisoners are also counted when they are locked up.

For guarding the prisoners there are two separate squads of Warders, Head Warders and Convict officers. The first squad takes up duty when the wards are opened. It is relieved at noon. The second squad remains on duty until the prisoners are counted and locked up in the wards in the evening in the presence of the first night patrol.
In larger jails the night is divided into five periods for guarding the prisoners, viz.,

1) 6 P.M. to 9 P.M.
2) 9 P.M. to 11 P.M.
3) 11 P.M. to 1 A.M.
4) 1 A.M. to 3 A.M., and
5) 3 A.M. to 6 A.M.

In smaller jails the night is divided into four periods, viz.,

1) 6 P.M. to 9 P.M.
2) 9 P.M. to 12 midnight.
3) 12 midnight to 3 A.M., and
4) 3 A.M. to opening of wards.

A patrol party is put on duty at each period. In the first night watch convict officers participate. At 9 P.M. they are locked up in a separate ward. No warder or convict warder is allowed to leave his post until he is relieved. Their duty-roster is prepared by the Jailer in consultation with the Chief Head Warder or Head Warder once a week and posted in the guard-room.

Walls are well-lighted. Inside the wards there are dim lights. The Head Warder or senior warder on patrol duty supervises the work of the warders. There is night sentry in between the two main gates to meet any surprise attack. The keys of the second lock of the inner and outer gates are kept in his possession. He allows only those persons who are legally authorised to come in and go out of the jail.

The Jailer and the Assistant Jailers make surprise visits at night at different hours at least once a week and move round the jail to see whether guards are performing their duties.

33. A.J.M. 1934, Rule 582.
34. Ibid, Rule 597.
The Superintendent visits the jail at night at least once a month.

In case of emergency, additional guards may be procured from the Superintendent of Police.

Earlier, the jails were guarded by the police personnel, Civil or Military. The Inspector General of Prisons determined the number of police guards in consultation with the Inspector General of Police. This arrangement was found to be cumbersome. So, it was abolished. At present, only the escorting of the prisoners is entrusted to the police. The jail is guarded by the warders.

In each jail, a special room near the main gate is set apart for storing arms and ammunition. It is called the armoury. Sometimes, arms and ammunition are kept in guard room. A Head Warder is generally held responsible for the safe custody of all arms and ammunition. The key of the armoury is kept with the Jailer. An officer can use a fire arm which is allotted to him.

In each jail there is a secretariat headed by the Jail Superintendent. It has no clerks. The clerical work is performed by the Assistant Jailers. Every jail maintains a number of registers. The registers are maintained by the Jailer and the Assistant Jailers. In larger jails works is distributed among the Jailer and the Assistant Jailers by the Superintendent.

The Superintendent records all orders and minutes in the Order Book for the guidance and management of the jail.

The Gate Keeper: - The Prison Act, 1894, provides that there should be a gate keeper in every jail. He can

35A. Prisons Act, 1894, Section 12 - Prison Registers - A Register of Prisoners admitted, a book showing when each prisoner is to be released, a punishment register, a visitors' book and a record of the money and other articles.
examine anything carried into or out of the prison. A literate Head Warder or Warder is placed on duty as gate-keeper. The gate-keeper is responsible for keeping the main gate properly.

**Preservation and destruction of records:** Records, registers, returns and letters are classified under seven heads for their destruction and preservation. The records are arranged in such a manner that they can be destroyed easily when the duration of their preservation is over.

The Jail Superintendent must submit some reports and returns to the Inspector General of Prisons. An annual administration report is also submitted for each jail by the Superintendent to the Inspector General of Prisons who in turn submits a general annual report to the Government on the administration of jails.

**Administration of subsidiary jails:** The subsidiary jails existed in Assam in subdivisional headquarters till 1930. The subsidiary jails were administered under the Jail Manual, 1899. These jails were established for the confinement of criminal prisoners, both convicted and unconvicted. The administration of subsidiary jails was by and large regulated by rules framed for the district jails.

A subsidiary jail was under the control and supervision of the Sub-divisional Officer. He was guided by the District Magistrate. He visited the subsidiary jail daily when he was at headquarters. He was responsible for the administration of the jail. He submitted an annual report to the Inspector General of Prisons through the District Magistrate regarding the administration of jails.

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36. Prisons Act, 1894, Section 21.
37. AJM, 1934, Rule 1074. (classes of records - those to be preserved permanently, those to be kept for 35 years,
The subsidiary jail was placed in charge of the most capable Police Head Constable whose monthly salary was not less than Rs. 20/-.

The Inspector General of Police could transfer the Jail Head Constable in consultation with the Sub-divisional Officer and with the sanction of the Inspector General of Prisons. Later on, an Assistant Jailor was put in charge of a subsidiary jail.

Prisoners sentenced up to a term of six months were confined in the subsidiary jails. Every jail except those at Tura and Hailakandi had a paid warder attached to it. A native doctor was also attached to the subsidiary jail for the medical treatment of prisoners.

The subsidiary jails were guarded by Civil or Military police. The police guards in charge of the jail were also to assist the jail authority in enforcing orderly behaviour and discipline among the prisoners and in supervising the work of the convicts. Police guards were replaced by jail warders in 1922.

We may conclude that the administration was mainly concerned with the safe custody of the prisoners. No attempt was made at the reformation of prisoners. The entire administration was mainly concerned with the maintenance of prison discipline and enforcement of jail rules. Further, the warders were not adequately qualified.

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Again in the subsidiary jails the prisoners were neither well-treated nor provided with all amenities. It was suggested very often that these jails should be abolished as there was no justification for keeping the prisoners under police custody. But the Government of Assam did not implement the suggestion immediately.