Every jail officer must discharge certain duties. He performs them under the control and supervision of his superiors. The efficiency of jail administration depends to a great extent upon the quality of its officials and their sense of responsibility. All of them are responsible for the safe custody, good treatment and reformation of the prisoners. Individually, they are responsible for the performance of their respective duties. Now, let us discuss the duties of the jail officials.

Inspector General of Prisons: - The Inspector General of Prisons is the administrative head of the Jail Department. He is responsible for the execution of policies formulated by the Government. He is also the Chief Executive Officer of the Head office of the Jail Department at Shillong. He must supervise and control the administration of different jails in the State. It is also his duty to give his sanction or approval where necessary. He can take disciplinary action against all officers who are appointed by him.

The Magistrates and jail officials must comply with his orders. He exercises the powers of a Magistrate of the First Class within the limits of every prison within his jurisdiction.

The Inspector General of Prisons controls all expenditure on jails. He submits a budget annually to the Government for the administration of jails in the State. The

The jail expenditures are submitted to and audited by him monthly. But some expenditures are not under his control, namely, charges for public works, which are regulated by the Public Works Department; charges for stationery supplied by the Stationery Department and charges for medical stores supplied by the Medical Store Department. 2

The I.G.P. is the authority to sanction all expenditures on jails provided there is budget provision. He can sanction expenditure for each item upto Rs. 2,500/-. In the case of public works in jails, the I.G.P. can sanction upto Rs. 5,000/- for each item within the limit of any allotment placed at his disposal in the P.W.D. budget. For any purchase exceeding Rs. 5,000/-, the sanction of the Government is necessary. He can sanction payment of rewards for the recapture of an escaped prisoner. The I.G.P. has been empowered to sanction temporary appointments and approve contracts for the supply of jail requirements.

The I.G.P. must inspect all jails at least once a year. He can appoint, transfer, punish or dismiss the subordinate jail officers. He has the power to transfer prisoners from one jail to another. 3

The I.G.P. is all in all in the administration of jails. He has been entrusted with enormous powers to supervise the administration. But it may be noted that as long as the I.G.P. was a part-time officer, he could not discharge his functions effectively. As a result, the jail administration was not efficient. But with the appointment of a Joint I.G.P.

3. Act III of 1900, Section 29(2).
there is a perceptible improvement in the administration of jails. Further, the I.G.P. is able to devote his time for the effective inspection of jails at regular intervals.

Joint Inspector General of Prisons:- The Joint Inspector General of Prisons looks after the secretarial work of the I.G.P.'s office. He discharges all functions which are delegated to him by the I.G.P. The Joint I.G.P. can pay his whole-time attention to the administration of jails.

Special Officer, Jail Reforms :- The Special Officer must look after the reformatory aspect of jail administration. The task of revising the Jail Manual should also be entrusted to him. As this post is vacant till now, his powers and functions have not been well-defined.

Jail Superintendent - The Superintendent is the hub on which the efficient administration of a jail depends. He works under the control of the I.G.P. He must report to the I.G.P. from time to time about the state of affairs of his jail. He must obey all orders issued by the District Magistrate in respect of his prison. He must communicate to the I.G.P. all the orders issued by the District Magistrate and the action taken thereon. When a Medical Officer is the Superintendent of Jail, he must discharge the functions of the Superintendent in addition to his medical duties.

The Jail Superintendent must have a sound knowledge of the rules relating to jails. He is responsible for the effective execution of all rules. He must maintain discipline in the jail. He must punish all those who commit prison offences.

An order book is maintained by the Superintendent in his own hand and all orders issued by him are noted therein.

It is the duty of the Jail Superintendent to visit the jail on all working days and if necessary on holidays also. When the Superintendents were part-time officers, they did not visit the jail regularly. The Jail Superintendent generally accompanies the I.G.P. when the latter visits the jail or other official visitors if they desire his presence.

All jail expenditures are regulated by the Superintendent. He must see that the Manufacturing Department is working efficiently. He is also responsible for the proper maintainence of all jail property and office-records.

Cases of epidemics, unusual sicknesses, escapes, recaptures, suicides or deaths must be reported immediately to the I.G.P. by the Superintendent.

When officers, appointed by the I.G.P. or the Inspector General of Civil Hospitals violate jail rules they may be suspended by the Superintendent. All such suspensions must be reported to the I.G.P. Officers, who are appointed by the Jail Superintendent may be suspended, reduced, dismissed or punished otherwise by him.

The Superintendent must prevent smoking in the jail. Nobody should be allowed to smoke. The Superintendent himself should set an example.

It is desirable that the Superintendent should be able to understand the language of the district in which the jail is situated, so that he can converse with the prisoners.

6. Ibid., Rule 73.
It is also the duty of the Superintendent to transact all business connected with the jail within its precincts. The Jail Superintendent must submit annually confidential reports about the Subordinate officials.

From the above it is clear that the Jail Superintendent is the centre of all activities. Everything depends on him. Everything is done under his control and supervision. So long the Jail Superintendents were part-time officers, they had no time to look after jail problems and activities in detail. Sometimes they visited the jail and looked into files. After the appointment of full-time Superintendents, they are now in a position to do justice to their office and take active interest in jail matters.

Medical Officer: - The duties of the Medical Officer are laid down in general terms in the Prisons Act, 1894. He must act according to rules made by the Local Government. He must inform the Superintendent of any special case of serious illness. He must notify the death of a prisoner.

The Medical Officer accompanies the I.G.P. when the latter inspects the jail. He must be present at the weekly inspection of the jail by the Superintendent. He must treat all subordinate jail officers and their families residing in the jail premises. He must maintain a Minute Book in which he must note any defect in the food served, clothing or bedding provided for the prisoners, any important event in the hospital administration and any recommendation regarding individual prisoners. He must submit periodical reports to the I.G.P.

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It must however be noted that the Medical Officer is more or less independent so far as medical administration is concerned. All subordinate medical officers work under his control.

Jailer: - The Jailer must reside within the jail compound. But he may stay outside with the written permission of the Superintendent.

The Jailer is the Chief Executive Officer of the jail. It is his duty to see that all rules and orders are observed in the jail by all concerned. He is expected to see every prisoner and every part of the jail at least once in 24 hours. He must search the prisoners once a week and distribute work among them. He is also responsible for the maintenance of the jail garden and supply of good food to the prisoners.

The Jailer is held responsible for the custody and enforcement of warrants. Though it is the primary duty of the Jailer to control the prisoners, he also exercises general supervision over the work of the jail officers. The Jailer maintains a Report Book and enters therein connected matters regarding the daily administration of the jails. The Report is submitted to the Superintendent for his perusal and comment.

The Jailer's report generally deals with the hour of locking and unlocking of the barracks and the officer responsible for that, the number of prisoners admitted, discharged and locked up for the day, misbehaviour of the upper subordinates, use of force against the prisoners and the reasons thereof, absence of subordinate officer, request for the sanction of unusual expenditure, request for the special employment of prisoners, any representations and recommendations, any

10. Prisons Act, 1894, Section 16.
unusual occurrence and matter requiring orders.  

The daily report must be serially numbered, dated and signed by the Jailer.

The Jailer carries out all urgent directions of the Medical Officer regarding sick prisoners. On the death of a convict, the Jailer informs the Superintendent and the Medical Officer of the jail and also the Municipal Chairman and the District Magistrate.

It is also the duty of the Jailer to keep the Warders efficient, drilled and neat and clean. He is also responsible for the watch and ward of the jail. When a Jailer resigns or is transferred or discharged he must submit an inventory of jail property, while handing over charge to his successor. It is the duty of the Jailer to draw the attention of his successor to all special rules and orders relating to the jail.

Assistant Jailer - When the Jailer is on leave, his duties must be discharged by the Assistant Jailer. He must discharge the functions assigned to him by the Jailer. When the number of Assistant Jailers is more than one in a jail, work is distributed among them by the Jailer with the approval of the Superintendent.

Medical Subordinate - The Medical Officer is assisted by the Medical Subordinate in the medical administration of the jail. In the absence of the Medical Officer, the Medical Subordinate is responsible for the treatment of prisoners. He must discharge all functions which are assigned to him by the Medical Officer.

Compounder - The compounder must obey the lawful orders of the Medical officer and the Medical Subordinate. He must help the Medical officer in the maintenance of the health of the staff and the prisoners by compounding and distributing medicines. He must also assist the Medical Officer by vaccinating and weighing prisoners, performing clerical work, maintaining order and discipline in the hospital.

Duties of the Subordinate Staff - Subordinate Officers must know the rules and regulations of prison administration. Every subordinate officer must obey his superior officer and pay respects to him. He cannot remain absent without the permission of the Superintendent or Jailer. These officers must wear their respective uniforms and keep their person and clothing clean. A subordinate officer cannot receive any visitor within the jail without the sanction of the Superintendent. These officers must stay in the residential quarters kept for them. All disputes between them must be referred to the Jailer or Superintendent. Subordinate Officers should not loiter about jail but must stay in their respective post. Every jail official is expected to prevent escapes and the smuggling of goods from outside. All Jail officials are authorised to arrest any person who has committed an offence.

All subordinate officers must protect the property of the jail. They must treat the prisoners with kindness. Prisoners must not be beaten except in self-defence. Officers should not be friendly with the prisoners. They should not talk with them unnecessarily. They should not have intercourse with discharged prisoners. They should not be interested in contracts, or in any trade. If they are related to any prisoner they must inform the Superintendent or the Jailer of the fact.

Chief Head Warder - The Chief Head Warder is the head of the warder-establishment and responsible for its working. He is responsible for the guarding of the jail. He assists the Jailer in locking and unlocking the barracks and cells. He also visits the guards and sentries frequently.

Head Warder - If there is no Chief Head Warder in a jail, the Head Warder is the head of the warder-establishment and he discharges all the duties which are performed by the Chief Head Warder.

Warder - It is the duty of the Warder to see that convicts sentenced to labour work properly and keep order. He must prevent unnecessary talking. Illegal communication among the prisoners should not be allowed. The Warder must bring to the notice of the Jailer or the Superintendent any case of sickness and wilful injury by the prisoners. He must examine wards, cells and bedding and clothing of the prisoners frequently and see whether any prohibited article is brought into the jail. He must also see that the cooks supply each prisoner with a proper quantity of food.

Duties of the Board of Visitors: - The Board of Visitors pays joint visit to the jail once in three months. Individual visitors may pay visits once a fortnight. It is expected that the visitors should not visit a jail after it has been locked up or on Sundays. In the quarterly meetings, the Chairman of the Board makes a roster of fortnightly visits by non-official members.

A jail visitor must see that prison laws and rules are duly carried out. He must visit all parts of the jail.

and enquire of all prisoners. He may also hear complaints from prisoners. Visitors may also call for any book or other jail records. But the Superintendent may refuse to show a record if its production is not in public interest. The Board meets in the jail and scrutinises every details of administration. The Board as a whole and the individual visitors note their inspection report in the Visitor's Note Book. Visitors are escorted by a warder armed with a baton. Lady visitors visit the female barrack and they have all the powers of a male visitor.\textsuperscript{16}

The District Magistrate: The District Magistrate is the ex-officio visitor of any jail within the district. He must visit the district jail once a month when he is in the district headquarters. The District Magistrate has the power to issue orders regarding the administration of the district jail, but he issues the orders through the Superintendent so that the latter's position is not weakened.\textsuperscript{17} It is the duty of the District Magistrate to help the Jail Superintendent in the case of outbreak of violence. He takes charge of the jail in the absence of the Superintendent. He must visit the jail at Subdivisional headquarters twice a year.

Convict Night-watchman: It is the duty of the convict night-watchman to prevent all irregularities and attempts to escape. He must maintain order during his watch. He must also keep a watch at night inside a sleeping ward. It is his duty to draw the attention of a jail officer if the light in the ward has gone out. When a prisoner is ill or has left his bed or is misbehaving in any way, the convict-nightwatchman must report the matter to a jail officer.\textsuperscript{18}

\textsuperscript{16} A.J.M., 1934, Rule 25.  
\textsuperscript{17} Ibid, Rule 30.  
\textsuperscript{18} Ibid, Rule 358(c).
Convict Overseer: A convict overseer watches his ward at night and maintains order and discipline among the prisoners. He supervises the labour of the convicts. He must pay attention to the cleanliness of the person and clothes of the prisoners. He must bring to the notice of the prison officials any breach of the rule by a convict.

Convict Warder: It is the duty of a convict warder to relieve the paid warders in exceptional circumstances within the main walls of the jail. He must report all violations of prison rules by convicts. He must maintain order and discipline among the prisoners.

This brief survey of the functions of the jail officers enables us to come to the conclusion that the Jailer is the main person responsible for the administration of the jail. The efficiency of jail administration depends on him. The main function of the Jailer is the safe custody of the prisoners. As a consequence the reformation of the prisoners occupies a secondary position.

It is also said that the jail administration provides plenty of opportunities for corruption. Corruption was partly due to low scales of pay. The cheapest man is the most inefficient and the most corrupt man. It is true that corruption cannot be eliminated. But better conditions of service may reduce the tendency for corruption.

Regarding the role of the Board of visitors, it can be noted that before 1947, non-official visitors were the supporters of the Government. They did not bother about the affairs of the jail. Even today they are not very effective.

19A. Budget speech, Sarbeswar Barua, Assam Gazette (Part VI) May 6, 1931.
Ram Bilas Khemani Case - Khemani was imprisoned
and suggestive. Yet it must be said that the visitors have rendered some service to the prisoners. If right type of persons are selected and their suggestions are taken into consideration, there would be great improvement in prison administration. Jail visitors constitute a healthy check on the activities of the jail officers.

**PRIVILEGES**

Jail officials have been granted certain privileges so that they may discharge their duties efficiently. Without these privileges we cannot expect better services from them. If they are given some more privileges, their contribution to jail administration may be more effective. Let us now discuss the privileges enjoyed by the jail officers.

**Uniform** — All jail officials, except the Superintendent and the Medical officer must wear while on duty the uniform prescribed by rules. The following uniforms have been provided for the different categories of officers:

a) **Jailer** : Jacket, trousers, shirt, tie, head-dress, badge, cap, boots, whistle and belt.

   **Shoulder badge** : Cross keys with the word 'Jailer'.

   **Working dress** : Khaki shirt with turn down collar and shoulder straps. Khaki shorts with khaki stockings and shoes or khaki knickers with khaki puttis and boots.

b) **Assistant Jailer** : The uniform of an Assistant Jailer is that of the Jailer. He cannot wear a sword except when acting as Jailer.

imprisoned in the Dibrugarh Jail. The Jailer received a cow from one of the relatives of Khemani with a view to supplying him milk in jail which he never did. On release, Khemani lodged a complaint against the Jailer. The Jailer denied the allegation.

There was another allegation against the Jailer that he supplied insufficient quantity of meat to the prisoners but he made a wrong entry in the Diet Register.
The Jailers and the Assistant Jailers must provide themselves with the uniforms at their own cost. Swords, scabbards and slings are supplied by the Government.

c) Chief Head Warder and Head Warder: Tunic, shorts, head-dress, boots, waist belt, great coat, jersy and baton frogs.

d) Warder: The Warder also wears the same uniform as the Head Warder. The 'pugree' shall not have silver edging.

c) Female Warder: Two suits (4 saris and 2 jackets). 2 long kurtas and one warm jacket.

Head Warders and warders are supplied with uniform at Government expense. They may be required to supply themselves with extra uniform at their own expense. Medical Subordinates are not required to wear any uniform.

Leave: Leave is granted to jail officials under the Fundamental Rules and the Assam Subsidiary Rules. Only, for disability leave, the sanction of the Government is necessary. Other leaves are granted to the officers by I.G.P. in the case of those officers who are appointed by him and by the Circle Superintendent concerned in the case of Head Warders and ordinary grade warders.

The Superintendent of Jail grants casual leave to any subordinate Officer. The total amount of casual leave in a year is 15 days excluding Sundays and holidays.

22. Ibid, Rule 81.
The Superintendent of a jail is allowed to grant casual leave to the Chief Head Warders, the Head Warders and the warders as follows -

1. To natives of the district in which they are serving - 10 days.
2. To natives of the Province serving outside their native district - 12 days.
3. To natives of Bengal - 14 days.
4. To natives of other Provinces - 16 days.

Supply of rice and vegetables: - The Jailer, the Assistant Jailer and the Subordinate Officers may be allowed a reasonable supply of vegetables for their own consumption from the jail garden free of charge with the permission of the Superintendent. The Superintendent must not give such permission if the entire supply of vegetables required for jail-use cannot be obtained from the garden.  

Rice, wheat, oil and dal, prepared in jail can be purchased by the subordinate officials provided sufficient quantities remain for jail consumption. It must be noted that under no circumstances these things should be sold to public. It should also be noted that no jail official should supply these articles to outsiders. At present most of the jails are not self-sufficient in vegetables and in other articles and hence the officials should not be allowed to take these things.

Services of prisoners: The jail officials may also get the services of prison labour, but never for domestic or household work. Convicts may supply water to the residential quarters of the subordinate officials. They may be employed in gardening

and fencing works. The Jail Superintendent cannot make use of convict labour.

**Residential quarters:** All jail officials excepting the Superintendent are provided with residential quarters. They must pay a nominal rent for it. In the beginning, warders were not given any quarter as a result of which they had to face a lot of difficulties. Even now, accommodation in the warder's quarter is very poor. They are also not provided with modern amenities. Earlier, most of the jail officials were not given quarters. The Indian Jails Committee, 1919-20, recommended that the warders should be given suitable quarters. So far, the quarters meant for the warders are not fit for families to live.

**Pay:** The Jail officials are paid monthly salaries by the Government as determined from time to time. In the beginning, the scale of pay of jail officers was very low and as such the service was unattractive. But at present, the scales of pay have been raised. It has been made at par with other departments of the Government. The scales of pay have a minimum and a maximum. One reaches the maximum in scale through annual increments. Increments are given subject to the efficiency of the officers.

**Privilege of the convict officers:** If a convict night-watchman discharges his duties properly, he must be granted five days' remission monthly. He must be granted a gratuity payable on release at the rate of two annas monthly.
A convict overseer may earn a monthly remission of six days for good service. He is also granted a gratuity of four annas per month. He is allowed to write and receive one letter every two months. A convict overseer is granted one interview every two months.

The convict warders are given certain privileges. They must be allowed to live and sleep apart from ordinary prisoners. They may be allowed to cook their own food. They can wear shoes. Convict warders may smoke tobacco at their own expense in such places as determined by the Superintendent. They are allowed to write and receive a letter and to have an interview with friends once a month. They must be given 8 days' ordinary remission per month and a gratuity of 8 annas monthly.

We may now say that the jail officials get many amenities in their service. By enjoying these amenities they can take active part in the task of the reformation of prisoners. Jail officials are in a better position to render valuable services for the cause of correctional prison administration. If they discharge their duties efficiently, there is no doubt about the success of the prison administration.