

No.V-17013/4/98-GPA-IV
GOVERNMENT OF INDIA/BHARAT SARKAR
MINISTRY OF HOME AFFAIRS/GRINH MANTRALAYA

Dated the 21st September, 1998

To

The Secretary,
Home Department,
All States/UTs.

Subject : Strengthening of Security arrangements in Jails.

Sir,

As you are aware the Central Govt. has from time to time, been interacting with the State Govts. through advisories, conferences and personal discussions, etc., on various aspects of functioning of prison related administration including appropriate security measures in prisons. Information made available to the Ministry during the recent past indicates a certain laxity in the prison security arrangements. Specific instances have come to the notice of this Ministry about prohibited items like weapons, explosives, narcotics and Cellular Phones having been recovered in various Jails of the country, where the militants, extremists and underworld elements have been lodged. In some cases the detainees are also reportedly meeting their associates inside the jails. Further it has come to the notice of this Ministry that journalists of all shades are allowed to interview criminals in jails and in the process glamorize crime and criminals.

2. Needless to say entry of these prohibited items into the jails and the visiting of unauthorized persons in the jail is a matter of grave concern as it facilitates interaction between extremists/ militants/ underworld detainees and their associates. These instances suggest not only negligence on the part of Prison administration, but even smacks of connivance on the part of some jail staff. You may also be aware that the issues relating to smuggling of narcotics, Cellular Phones, explosives and weapons etc. in prisons have been raised in Parliament, Press and other media reports. You would, therefore, agree that the use and availability of such things to prisoners is a matter of serious concern and needs to be kept under constant check by the State Governments.

3. While the Ministry is aware that the State Governments are equally concerned with the issue of use of Mobile Phones, drugs in the jails as well as the availability of explosives/weapons to militants/extremists/underworld detainees etc., and, therefore, should consider immediate gearing up of security and also consider evolving a regular mechanism which may include the following procedure:

(i) Relatives and friends visiting inmates of jail and bringing food and other articles for them are frisked carefully outside and mulaqat/visitors' room ;

(ii) If the food and other items are allowed in jails they should be allowed only in transparent packs. Subsequent surprise checks be also carried out in the jail premises;

(iii) Regular checks may be conducted of all inmates after their return from courts/hospitals;

(iv) Surprise checks of staff members including guards going outside the jail on duty may be conducted by the Duty Officers/Night duty officers and the Superintendents/Dy. Superintendents at odd hours;

(v) Senior officers should be instructed to make a round at least once a week of the jail during night to avoid/detect any untoward incident;

(vi) The entry of staff who are found to be involved in the drug supply, mobile phones etc. to the jail inmates should strictly be banned in the jail premises even after the concerned officers are transferred/suspend or departmental action is being taken;

(vii) Visits of Press/Media persons in jails to meet/interview criminals may be restrained tactfully.

5. The aforesaid measures are only indicative in nature and it would be appreciated if the State Governments could let us know any special measure/mechanism has been introduced in their States so that the same can be circulated to other States for adoption.

Yours faithfully,

Sd/-

(V.K.Malhotra)

Joint Secretary to the Govt. of India