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	Contents	Pages
Part - I	Acts	
	The Punjab Prisons and Correctional Services Act, 2026 (Punjab Act No. 9 of 2026)	...583-619
Part - II	Ordinances	
	<i>Nil</i>	
Part - III	Delegated Legislation	
	<i>Nil</i>	
Part - IV	Correction Slips, Republications and Replacements	
	<i>Nil</i>	

PART-I

GOVERNMENT OF PUNJAB

DEPARTMENT OF LEGAL AND LEGISLATIVE AFFAIRS, PUNJAB
NOTIFICATION

The 21st May, 2026

No.10-Leg./2026.- The following Act of the Legislature of the State of Punjab received the assent of the Governor of Punjab on the 15th day of May, 2026, is hereby published for general information :-

**THE PUNJAB PRISONS AND CORRECTIONAL SERVICES
ACT, 2026**

(Punjab Act No.9 of 2026)

AN

ACT

to provide for the detention of prisoners committed to prison custody, and for their reformation and rehabilitation, with a view to ensure safe detention and maintain minimum standards of treatment of prisoners consistent with the principles of individual dignity, and for matters connected therewith or incidental thereto.

BE it enacted by the Legislature of the State of Punjab in the Seventy-seventh Year of the Republic of India as follows:-

CHAPTER-I

PRELIMINARY

1. (1) This Act may be called the Punjab Prisons and Correctional Services Act, 2026.

Short title,
extent and
commencement.

(2) It shall extend to the whole of the State of Punjab.

(3) It shall come into force on such date as the Government may, by notification in the Official Gazette, appoint and different dates may be appointed for different provisions of this Act, and any reference in any such provision to the commencement of this Act shall be construed as a reference to the coming into force of that provision.

Definitions.

2. In this Act, unless the context otherwise requires,-

(1) "after-care service" means any activity aimed at financial rehabilitation and social integration of released prisoners into the main stream of society;

(2) "civil prisoner" means any prisoner who is not a criminal prisoner;

(3) "competent authority" means any officer having jurisdiction and due legal authority to deal with a particular matter in question;

(4) "convict" means any prisoner who has been sentenced for any term by a court of law or tribunal or court martial;

(5) "correctional service" means any service that is provided pursuant of this Act, and includes services related to the assessment, supervision, treatment, training, control, custody, reformation or rehabilitation of prisoners;

(6) "criminal prisoner" means any prisoner duly committed to custody under the writ, warrant or orders of any court exercising criminal jurisdiction or court martial and includes a person detained in prison under the provisions of chapter IX of the Bharatiya Nagarik Suraksha Sanhita, 2023 (Central Act No. 46 of 2023) and the Prisoners Act, 1900 (Central Act No. 3 of 1900);

(7) "Court" includes any officer lawfully exercising civil, criminal or revenue jurisdiction;

(8) "detenue" means any person detained in prison on the orders of the competent authority under the relevant laws providing for preventive detention;

(9) "Department" means the Department of Prisons and Correctional Services, Punjab;

(10) "Directorate" means the Directorate of Prisons and Correctional Services of the State of Punjab;

(11) "family" means the spouse, children including legally adopted children, parents, siblings, grandparents and grandchildren. In the absence

of these member(s), it shall include parents-in-law, siblings-in-law, children's spouse, parents' sibling of the prisoner. In the context of transgender prisoners, if there is no immediate family then, it shall include people related through socio-religious family system;

(12) "foreign prisoner" means any prisoner who is not a citizen of India;

(13) "geriatric prisoner" means a prisoner who is sixty-five years of age or above and medically unable to manage his daily affairs independently without assistance;

(14) "Government" means the Government of the State of Punjab in the Department of Prisons and Correctional Services;

(15) "Habitual Offender" shall have the same meaning as assigned to it in the Punjab Habitual Offenders (Control and Reform) Act, 1952 (Punjab Act No. 12 of 1952);

(16) "Head of Department" means the Director General, Prisons and Correctional Services, Punjab or such other officer, as may be notified by the Government, from time to time;

(17) "high-risk prisoner" means a prisoner with high propensity towards violence, escape, self-harm, disorderly behavior and likely to create unrest in the prison and threat to public order. It shall also include persons intermittently suffering from suicidal tendencies and persons with substance related and addictive disorders and those engaged in organized crime, major drug traffickers and smugglers, violent or religious fundamentalists, naxalites, extremists, hired assassins, contract killers, dacoits, serial killers, criminals involved in violent rape incidents, violent robberies, communal fanatics, prisoners prone to escape from prison, involved in organized contraband smuggling inside prison, offenders involved in attack on police or prison personnel, and terrorist activities or any other identifiable threat to other prisoners; or any prisoner having specific, identifiable threat to life;

(18) "history ticket" means the ticket, either in physical or electronic form, exhibiting all relevant information in respect of a prisoner;

(19) "Internee" means a foreigner prisoner who has completed

his sentence and is awaiting deportation to the home country;

(20) "Magistrate" means any person exercising all or any of the powers of a Magistrate under the Bharatiya Nagarik Suraksha Sanhita, 2023;

(21) "medical officer" means a qualified Government medical practitioner deputed as a medical officer of a prison;

(22) "medical subordinate staff" includes a qualified Medical Assistant, such as Pharmacist, Nurse, Lab Technician, counsellor or psychiatrist deputed in a prison;

(23) "measurements" includes physical, biological, medical and biometric samples and their analysis, but not limited to finger-impressions, palm-print impressions, foot-print impressions, photographs, iris scan, body fluid samples; and behavioural attributes including signatures, handwriting, voice sampling or any other examination referred to in sections 51 or 52 of the Bharatiya Nagarik Suraksha Sanhita, 2023;

(24) "offence" means any act of commission or omission made punishable by any law or under the rules made under this Act, for the time being in force;

(25) "officer in charge" means a prison officer appointed by the Government as in-charge of a prison, namely Superintendent or Deputy Superintendent or officers on deputation or such other officer of the Department, as may prescribed;

(26) "prescribed" means prescribed by rules made under this Act;

(27) "prison and correctional institution" means any place used permanently or temporarily under the general or special orders of the Government for the detention of persons including under-trial prisoners, preventive detainees, convicted prisoners, civil prisoners or any other person as ordered by a court or a competent authority, and for the aftercare and rehabilitation of convicted persons, and includes all lands and buildings appurtenant thereto, but does not include, -

(a) any place for the confinement of prisoners who are exclusively in the custody of the police;

(b) any place specially appointed by the Government under

section 457 of the Bharatiya Nagarik Suraksha Sanhita, 2023;

(c) any observation home, special home, children's home, shelter home, place of safety, under the Juvenile Justice (Care and Protection of Children) Act, 2015 (Central Act No. 2 of 2016) and protective home for women set up by the State Government;

(28) "prisoner" means any person confined under the order, writ or warrant of a competent authority;

(29) "prison officer" means an officer appointed by the Government and includes officer-in-charge and officers of any other security force or any other service deployed in the prison for assisting the prison administration for the safe custody of prisoners and providing correctional services to the prisoners;

(30) "prison staff" means an employee appointed by the Directorate or the Government, other than a prison officer, who exercises powers or performs duties or functions related to prison administration or as may be assigned by the Government;

(31) "prohibited article" means an article, the introduction or removal of which into or out of a prison is prohibited by this Act or rules made under this Act or by any other law or by any notification issued by the Government;

(32) "recidivist" means an offender who has committed another crime after the first one;

(33) "State" means the State of Punjab;

(34) "under-trial prisoner" means a person who is not a convict and has been committed to judicial custody pending investigation by the police or a trial by a court of competent jurisdiction;

(35) "visitor" means any person, other than a prisoner, prison officer or prison staff, who is permitted by the Government or by such duly empowered authorities to visit the prison;

(36) "wireless communication device" includes mobile phone,

drone, wi-fi device, computer, laptop, palmtop, tablet, watches, satellite phone, portable radios and their use for communication like verbal, non-verbal, internet, General Packet Radio Service or any such device which is available for similar purpose or any such item duly notified as wireless communication device by the Government; and

(37) "young offender" means a prisoner who has attained the age of eighteen years and has not attained the age of twenty-one years.

CHAPTER-II

FUNCTIONS OF PRISONS AND CORRECTIONAL INSTITUTIONS

Functions of prisons and correctional institutions.

3. The functions of prisons and correctional institutions shall be as follows, namely:-
- (i) to keep prisoners in safe custody;
 - (ii) to take suitable measures for the safety and security of prisoners;
 - (iii) to provide the prisoners with food, clothing, accommodation, other necessities and medical treatment;
 - (iv) to provide correctional services to the prisoners with the objective of rehabilitating them in the society as law abiding citizens;
 - (v) to maintain discipline in the prison in accordance with the provisions of this Act and the rules made thereunder;
 - (vi) to adopt measures,-
 - (a) to put the prisoners sentenced to rigorous imprisonment to labour;
 - (b) to put the prisoners to vocation-oriented labour; and
 - (c) to put the prisoners on activities in prison like cooking, sanitary services, gardening, or any other job on a roster basis; and

-
- (vii) to provide such other facilities and amenities to the prisoners, as may be prescribed.

CHAPTER-III

PRISON ACCOMMODATION

4. The Government shall provide sufficient number of prisons and correctional institutions in the State of Punjab for accommodating the prisoners, which may be constructed and maintained in such manner so as to comply with the requirements of this Act.

Accommodation for prisoners.

5. (1) The Government may establish various categories of prisons and correctional institutions, such as,-

Categories of prisons and correctional institutions.

- (a) Central Prisons;
- (b) District Prisons;
- (c) Sub Prisons;
- (d) Open Correctional Institutions and Semi-Open Correctional Institutions;
- (e) High Security Prisons;
- (f) Exclusive Women Prisons;
- (g) Institution for Young Offenders.

(2) The Government may determine the number of prisons and correctional institutions of any category and the place at which these may be established.

(3) The Government may establish in each Central and District Prison, a separate Ward or Zone for High-Risk Prisoners and habitual offenders, where they may be lodged separately in cells without the scope of mingling with other prisoners so as to protect other prisoners from their negative influence and radicalized thought process. Wherever there is no provision of a stand-alone High Security Zone, high risk prisoners and habitual offenders shall be segregated and lodged in separate barracks or cells of the prison, which shall have a provision of keeping them away from mingling with other prisoners.

(4) Such separate accommodation as referred to in sub-section (3) shall have such appropriate advanced architecture, design and institutional pattern, as may be prescribed, for keeping prisoners in a safe and secure custody.

(5) Appropriate and advanced security infrastructure and procedures shall be in place for High Security Zone in all Central and District Prisons.

(6) High Security Prison shall be an independent self-sufficient prison complex with dynamic and strengthened security systems with provision for an independent Court complex and Video Conferencing facility to house convicted and under-trial prisoners, who need to be kept in a high security custody area.

Prison
architecture and
institutional
pattern.

6. (1) The pattern of construction of a prison, ground space, air space, ventilation of cells, barracks, bathing places, kitchen, work-sheds, hospitals or any other building shall conform to such standards and requirements, as may be prescribed.

(2) The standards of security for each prison shall be such, as may be prescribed.

(3) Prisons may be designed in such a manner so as to facilitate segregation and separate lodging, as practicable, for various categories of prisoners such as under-trial prisoners, convicted prisoners, high risk prisoners, habitual offenders, recidivist prisoners, young offenders, civil prisoners, detenues and for attending to special needs of vulnerable groups such as women, transgenders, persons with disabilities, persons suffering from contagious disease, persons suffering from mental illness, persons suffering from substance abuse, geriatric prisoners, and any other category, as may be prescribed.

(4) The setup of prisons and correctional institutions shall include accommodation and other facilities for the prison officers and other staff as per functional requirement.

Temporary
accommodation
for prisoners.

7. Whenever it appears to the Government that,-

(i) the number of prisoners in a prison is greater than that can conveniently or safely be kept therein, and it is not convenient to transfer the

excess number to any other prison, or

(ii) whenever due to the outbreak of any disease in any prison, or for any other reason, it is desirable to provide for temporary shelter and for the safe custody of prisoners,

appropriate provision for temporary prisons may be made, in such manner as the Government may direct, for the shelter and safe custody of as many prisoners that cannot be conveniently or safely kept in a prison.

CHAPTER-IV

ORGANISATIONAL SET UP

8. (1) There shall be a Directorate of Prisons and Correctional Services in the State of Punjab, which shall be responsible for implementing the prison policies laid down by the Government, and shall plan, organize, direct, coordinate and control various prisons and correctional services and matters connected therewith and incidental thereto. The Directorate shall consist of such number of prison officers and staff, as may be prescribed by the State Government from time to time.

Directorate of Prisons and Correctional Services.

(2) The institutional setup shall be decided in accordance with the need and requirement of accommodating the prisoners, the prisoner population, workload of prison officers and staff and the workforce may include executive, ministerial, technical, legal, intelligence, guarding staff, correctional officers and medical personnel, as may be prescribed.

9. (1) For the administration of Directorate of Prisons and Correctional Services, the Government shall appoint the Head of Prisons and Correctional Services who shall be the Head of Department. He shall exercise such administrative, financial, disciplinary powers and such other powers specifically conferred upon him by the State Government from time to time or as may be prescribed.

Head of Prisons and Correctional Services.

(2) The Head of Department shall exercise the powers and perform duties under this Act and other prison officers and staff of prisons shall work under the general supervision, control and direction of the Head of Department.

Other officers
of prisons.

10. (1) The State Government shall appoint as many prison officers as may be necessary to assist the Head of Department for performing such duties, as may be prescribed.

(2) The general administrative control and management of a prison unit shall vest with the officer-in-charge and other officers and staff shall exercise or perform such duties and functions under his direction, as may be prescribed.

Recruitment
and training.

11. (1) The qualifications, recruitment, appointment, conditions of service and training of the prison officers and prison staff shall be such, as may be prescribed.

(2) Salaries and other benefits of prison officers and prison staff shall be such, as may be prescribed.

(3) Every member of the prison officer and prison staff shall be provided basic induction training and periodic in-service training to enable them to perform their duties efficiently and professionally.

(4) Notwithstanding anything contained in this Act, the Head of Department may, if he so deems appropriate, hire or engage the services of specialized and technical agencies or any professional expert, whether a person or body for running the department efficiently, on such terms and conditions, as may be prescribed.

(5) In case the departmental officers are not eligible or in shortage for certain ranks and for smooth and effective functioning of the department, the Government may depute officers or staff by transfer or on deputation from other departments, as it may deem fit.

CHAPTER-V

DUTIES OF PRISON OFFICERS AND STAFF

Functions and
duties of
officer-in-
charge.

12. (1) Subject to the provisions of this Act and the rules made thereunder or under orders and directions of the Head of Department, the officer- in-charge shall manage the prison in all matters related to prison administration.

(2) The officer-in-charge shall be responsible for the proper upkeep of the prison and all equipment and machinery of the prison under his charge.

(3) The officer-in-charge shall be responsible for the safe custody of all documents, records, including records in electronic format, in his care and for the money and other articles taken from prisoners, and perform such other duties and discharge such other functions as may be prescribed.

(4) The officer-in-charge shall exercise such disciplinary powers as assigned to him under this Act or the rules made thereunder, for regulation of prisoners, maintaining prison discipline and proper management of the prison, including high security wards and zones.

13. (1) In every prison there shall be a hospital or a proper place for reception and treatment of sick prisoners.

Prison hospital and medical officer and staff.

(2) There shall be sufficient number of medical officer(s) and medical subordinate staff in consonance with the population of the prison, as may be prescribed.

14. All prison officers and staff shall discharge their duties based on the functions and responsibilities, as may be prescribed.

Duties of prison officers and staff.

15. Services rendered by the employees of the department shall be regulated under the East Punjab Essential Services (Maintenance) Act, 1947 (Punjab Act No. 13 of 1947).

Essential services.

16. All or any of the powers and duties of an officer-in-charge shall, in his absence, be exercised and performed by such other officer(s), as may be prescribed.

Exercise of powers of officer-in-charge in his absence.

17. No prison officer or staff shall have any business dealing with any prisoner or any relative or friend of a prisoner, directly or indirectly, nor shall he have any business dealings with any prison or correctional institution or have any interest, direct or indirect, in any contract for supply of provisions or any other articles to the prison nor shall he derive any benefit, directly or indirectly, from the sale or purchase of any such provisions or articles. He shall be bound by the conduct rules of the service, as may be prescribed.

Prison officers and staff not to have business dealings with prisoners and interest in prison contracts.

Staff Welfare.

18. (1) The Head of Department shall establish a staff welfare wing to be headed by the Chief Welfare Officer, to aid and advise the Government in the implementation of welfare measures for prison officers and staff.

(2) The prison officers and prison staff may be rewarded as per the rules for outstanding work done by them in discharge of their duties.

CHAPTER-VI

USE OF TECHNOLOGY IN PRISON ADMINISTRATION

Use of
technology in
prison
administration.

19. (1) The State shall ensure integration and embedding of appropriate technology for the effective management and superintendence of prisons and for the safety and security of prisons and the prisoners, which may include Artificial Intelligence based technology, Closed Circuit Television surveillance, jammers, Full Body Scanners, X-ray based Scanners (Large and Small), Body Worn Cameras, Walkie-talkie sets, Non linear junction detectors, Biometric and aadhaar authentication devices, Radio Frequency Identification Devices, Video Conference facilities, and any other modern technology.

(2) The State shall computerize the entire prison administration and integrate the database with the Interoperable Criminal Justice System. The State shall also develop suitable interfaces for seamless sharing of information and facilitate the Prison and Prisoner Management System.

(3) The State shall use advanced technologies to check and prohibit use and misuse of wireless communication devices.

(4) Research Analysis and Intelligence (RAI) wing of the department shall gather, process and work on actionable intelligence related to prisons of the State of Punjab. It shall be provided with required intelligence tools, resources and funds for its smooth and effective functioning.

(5) The State may use electronic monitoring technology on prisoners under temporary release from prison, by making use of prisoner tracking devices.

(6) The Department shall obtain from the competent authorities, a declaration notifying a “No-Fly Zone” in respect of any aerial object,

including but not limited to drones or similar surveillance devices, which may pose a threat to the security of any prison establishment. The said “No-Fly Zone” shall encompass the entire area of the prison complex and extend up to a radius of 500 (five hundred) meters beyond the outer perimeter of the prison complex.

CHAPTER-VII

ADMISSION, TRANSFER AND DISCHARGE OF PRISONERS

20. (1) The officer-in-charge shall receive and detain a prisoner duly committed to his custody, under this Act or otherwise, by any Court or any competent authority, according to the exigency of any writ, warrant or order by which such prisoner has been committed to the prison until such prisoner is discharged or removed in due course of law. Admission of prisoners.

(2) The officer-in-charge shall, after the execution of such writ, warrant or order or after discharge of the prisoner committed thereby, return the same to the court by which it was issued, with a duly signed certificate, showing how the same has been executed or why the prisoner committed thereby has been discharged from custody before execution thereof.

(3) The Officer-in-charge shall give effect to any sentence or order or warrant for the detention of any person, passed or issued by any court or competent authority, under the provisions of any law for the time being in force.

(4) Where an officer-in-charge doubts the legality of a warrant or order sent to him for execution, he shall refer the matter to the concerned Court or any other competent authority for confirmation.

(5) Pending a reference made under sub-section (4) above, the prisoner shall be detained in such manner and with such restrictions or mitigations, as may be specified in the warrant or order.

(6) No person shall be admitted into a prison for detention otherwise than under the production of a lawful warrant or under any order of commitment addressed to the officer-in-charge by a Court or any other competent authority.

Transfer of a prisoner to another State or Union Territory.

21. (1) Where any prisoner is confined in a prison in the State of Punjab under a sentence of imprisonment or under sentence of death or in default of payment of a fine or in default of giving security for keeping peace or for maintaining good behaviour, the Government may, with the mutual consent of the Government of other State, by order, provide for the transfer of the prisoner from that prison to any prison in the State of Punjab or vice versa.

(2) In the interest of security of the State, maintenance of law and order, or public interest, the transfer of under-trial prisoners from the State to another State shall be carried out with the consent of both the States, where the under-trial prisoners are currently lodged and other State to which they are to be transferred, and, the approval of the trial court shall be obtained.

Prisoners to be searched and examined on admission, exit and re-entry.

22. (1) Whenever a prisoner is admitted into a prison, he shall be searched and all cash, jewellery, weapons and prohibited articles or any other article which a prisoner cannot retain with him shall be taken from him and retained in safe custody of the officer-in-charge of the prison or an officer authorized by him:

Provided that a woman prisoner or a transgender prisoner shall be searched in an appropriate manner, as may be prescribed.

(2) Every such prisoner shall be examined, on the same day but not later than twenty four hours, by the medical officer, who shall enter in a record, the health status of the prisoner, including any illness, present or past.

(3) Every prisoner who leaves a prison or re-enters a prison shall also undergo search and physical and biometric identification upon each such exit from or entry into prison.

Search of prisoners.

23. Every prisoner shall be liable to be searched at any time for detection of any prohibited article.

Taking measurements of prisoners for the purpose of identification.

24. Any person, who has been,-

(a) convicted of an offence punishable under any law for the time being in force; or

-
- (b) ordered to give security for his good behaviour or maintaining peace under section 136 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for a proceeding under sections 126 or 127 or 128 or 129 of the said Sanhita; or
 - (c) arrested in connection with an offence punishable under any law for the time being in force or detained under any preventive detention law, shall, if so required, allow his measurement to be taken by a prison officer in such manner, as may be prescribed by the Central Government or the State Government.

25. The Department may utilize Aadhaar authentication, on a voluntary basis, at the time of admission, transfer, release, or during custody in prison, in accordance with the provisions of the Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016 (Central Act No. 18 of 2016) and the rules made thereunder and the notification(s) issued by the Government of India in this behalf, from time to time. Use of Aadhaar.
26. Every prisoner shall be examined medically by the medical officer stating general health conditions of the prisoner and such tests, including Tuberculosis, Human Immuno Deficiency Virus, Hepatitis C Virus, substance use disorder and such other chronic diseases shall be conducted to know about his past sickness and whether he suffers from any chronic health problems. Prisoner to be medically examined.
27. All valuable articles of a prisoner, in respect whereof no order of a competent court has been made, and which, under the rules, may, be brought into a prison by any prisoner or sent to the prison for his use, shall be placed in the custody of the officer authorized by the officer-in-charge in this behalf. Articles of prisoners.
28. The information of admission of a foreign prisoner in a prison shall be sent by the officer-in-charge forthwith to the Directorate and forwarded to the Ministry of External Affairs, Government of India, or any other agency, as may be specified by the Central Government. Admission, transfer and repatriation of foreign prisoners including internees.

CHAPTER-VIII**CLASSIFICATION OF PRISONERS**

Composition of
Classification
and security
Assessment
Committee.

29. A Committee shall be constituted for classification and security assessment of prisoners, comprising such officers, as may be prescribed.

Grounds of
classification
and categories.

30. (1) The Classification and Security Assessment Committee may classify the prisoners admitted into a prison according to their age, gender, length of sentence, criminal history, conduct in prison, safety and security requirements, physical and mental health needs, and correctional needs, as may be prescribed.

(2) The prisoners shall be classified under the following broad categories, namely:-

- (a) civil prisoners;
- (b) criminal prisoners;
- (c) convicted prisoners;
- (d) undertrial prisoners;
- (e) detenués;
- (f) habitual offenders;
- (g) recidivists;
- (h) high risk prisoners.

(3) The prisoners classified into different categories as above, as practicable, may be lodged in separate barracks or enclosures or cells with a view to protect other prisoners from negative influence and radicalized thought process of the habitual or high risk prisoners.

(4) The prisoners shall be segregated gender-wise male, female and transgender, and lodged separately.

(5) The prisoners classified in sub-section (2) may be further classified under the following sub-categories, namely:-

- (a) drug addicts and alcoholic offenders;

-
- (b) first time offenders;
 - (c) foreign prisoners;
 - (d) geriatric prisoners;
 - (e) prisoners suffering from infectious or chronic diseases or terminal illness;
 - (f) prisoners suffering from mental illness;
 - (g) prisoners sentenced to death;
 - (h) internees;
 - (i) women prisoners with children;
 - (j) young offenders;
 - (k) political Prisoners;
 - (l) public servants.

(6) High-risk prisoners shall be accommodated in High Security Zone, special cells or High Security Prisons.

(7) The officer-in-charge shall take special care and caution for ensuring safe and secure custody of high-risk prisoners, as may be prescribed:

Provided that there shall be no discrimination, classification and segregation of prisoners on the basis of caste, religion, race and place of birth.

CHAPTER-IX

PROTECTION OF SOCIETY FROM CRIMINAL ACTIVITIES OF HIGH- RISK PRISONERS, HABITUAL OFFENDERS AND HARDENED CRIMINALS

31. (1) It shall be the responsibility of the department to take all appropriate measures for protecting the society from criminal activities of high-risk prisoners, habitual offenders and hardened criminals.

(2) Based on the details of the crime committed by the prisoner, available background record and history ticket, prisoners shall be suitably classified, assessed for their propensity and potential to negatively influence

Taking appropriate measures against criminal activities of prisoners.

other prisoners and be housed in separate barracks or cells, as may be appropriate.

Special provisions for security, intelligence gathering, surveillance and rotation of prison staff on duty.

32. (1) Prisons and Correctional Institutions shall ensure special watch and surveillance on such prisoners for preventing organized crime and continued criminal activities.

(2) For ensuring dynamic security, preventing escapes, instances of disorder and criminal activity in prisons, appropriate provision for intelligence gathering from prisoners, careful observation, monitoring of prisoners and analysis of the relevant information may be done by the department through its Research Analysis and Intelligence (RAI) Wing and in coordination with the State and Central Intelligence agencies.

(3) The prison and other security staff deployed in such sensitive barracks and cells shall be rotated at periodic intervals to prevent any nexus and complacency in security.

CHAPTER-X

WOMEN PRISONERS AND THEIR CHILDREN

Separate accommodation for women prisoners.

33. (1) The Government shall establish such number of exclusive prisons for women prisoners, as it may consider necessary, to accommodate women prisoners. In a prison, housing both women and men prisoners, women prisoners shall be kept in a separate building or a separate part of the same building, with a separate entrance, in such a manner that they do not come into contact with men prisoners. All basic facilities as provided in the prison for men, may also be provided to women prisoners, along with such other facilities that meet their gender specific needs.

(2) A separate female ward in the prison hospital may be created for women prisoners.

(3) In case of exclusive women prison and women enclosure or female ward, only women prison officers and staff shall be deputed. Exception shall be made for the officer-in-charge. Male prison officers and prison staff may be deployed for duties outside such prison enclosure and may be called inside by the officer-in-charge or the officer- on duty, only in case of any situation of emergency.

(4) Women prisoners may be provided access to correctional service and activities which take into account their gender specific needs.

34. When a woman prisoner is found to be pregnant at the time of admission or later, the medical officer shall report the fact to the officer-in-charge. Necessary arrangements shall be made for providing her medical care and diet, as may be prescribed.

Pregnant women prisoners.

35. (1) Women prisoners may keep their children inside the prison until the child attains the age of six years.

Women prisoners with children.

(2) A child living with his mother in prison may be provided with health-care and such other facilities, as may be prescribed.

CHAPTER-XI

CUSTODY AND SECURITY OF PRISONERS

36. (1) The officer-in-charge of the prison shall be responsible to undertake effective measures for ensuring safe custody and security of prisoners.

Safe custody and security of prisoners.

(2) The Head of Department shall be empowered to transfer a prisoner to any other prison in the State in such manner, as may be prescribed.

(3) On the request of the officer-in-charge, the local police authorities shall provide necessary assistance to the prison authorities, for escorting a prisoner to a court or for visit to hospital or for custody parole.

(4) The prison official may use handcuff while producing such person, who is a habitual or repeat offender, or who escaped or attempted to escape from custody, or who has committed offence of organized crime, terrorist act, drug related crime, or illegal possession of arms and ammunition, or offence against the State, before the court, to the hospital for medical treatment or any other place, as the case may be.

(5) Any prison officer may use requisite equipment, including anti-riot equipment or firearms, against any prisoner, in such manner, as may be prescribed, when the prisoner is found to be,-

(a) engaged in any combined outbreak or attempt to force or break open the outer gate or enclosure wall of the prison

individually or collectively provided that he may use the weapon only if such a combined outbreak or attempt continues; or

- (b) using violence against prison officer or staff or other person provided that there is reasonable ground to believe that the prison officer or any other person is in danger of loss of life or limb or that serious injury is likely to be caused to them; or
- (c) escaping or attempting to escape and the prison officer or staff has reasonable cause to believe so.

Search of visitors, prison officers and staff.

37. (1) All visitors to prisoners shall be searched in such manner, as may be prescribed.

(2) In case any visitor refuses to get searched, the visitor shall be denied admission to the prison and such decision shall be entered into record.

(3) Appropriate provisions for search of visitors who are women, transgender or persons with disabilities shall be such, as may be prescribed.

(4) All prison officers and staff shall be searched upon each entry to the prison and each exit from the prison.

CHAPTER-XII

DISCIPLINE IN PRISONS

Discipline in prisons.

38. (1) The officer-in-charge shall have the authority and shall be responsible for maintaining discipline in the prison and amongst the prisoners, prison officers and staff, in accordance with the provisions of this Act and the rules made thereunder.

(2) The manner of enforcing discipline in the prisons shall be such, as may be prescribed.

(3) It shall be the duty of every prisoner to obey the orders and instructions of a prison officer and to abide by the provisions of this Act and to comply with such other directions, as may be prescribed.

39. (1) Prison offences shall be classified into minor and serious Prison offences.
prison offences.

(2) Following acts of the prisoners shall constitute minor prison offences, namely:-

- (i) failing to assist in maintenance of prison discipline;
- (ii) doing any act with the aim to create unnecessary alarm in the minds of other prisoners;
- (iii) omitting to report the commission of any prison offence;
- (iv) committing nuisance or mischief of any sort;
- (v) sending messages surreptitiously by writing or verbally;
- (vi) eating or apportioning any food not assigned to him or taking from or adding to the portions assigned to another prisoner, disobeying any order as to the issue and distribution of food and drink;
- (vii) being idle, careless or negligent at work, contumaciously refusing to work, malingering, disturbing other prisoners at work, or in barracks;
- (viii) performing any portion of the task allotted to another prisoner or obtaining unauthorized assistance of another prisoner in the performance of one's own task;
- (ix) apportioning to any prisoner any part of the task to be performed by him;
- (x) soiling or befouling any place or article;
- (xi) loitering or lingering, leaving the appointed area, ward, place in the file or work-group without permission;
- (xii) omitting or refusing to keep clean his clothing, blankets, bedding or disobeying any orders as to the arrangement or disposition of such articles;
- (xiii) damaging the trees and vegetables in the garden of the prison, or maltreating the prison cattle;

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- (xiv) omitting or refusing to wear the clothing given to him, or exchanging any portion of it for the clothing of other prisoners or losing, discarding, damaging, or altering any part of it;
 - (xv) omitting or refusing to keep oneself or his clothing, blankets, bedding or other personal articles, in a clean and hygienic condition, or disobeying any order regulating the cleanliness, hygiene of body and material goods;
 - (xvi) removing, defacing, or altering any distinctive number, mark or badge attached to, or worn on the clothing or person; and
 - (xvii) unauthorized cooking.

(3) Following acts of the prisoners shall constitute serious prison offences, namely:-

- (i) endangering the security of the prison in any way, by a willful or negligent act and shall include tampering in any way with the prison walls, building, bars, locks and keys, lamps or lights or with any other security and custody measure;
- (ii) doing or omitting to do any act with an intent to cause to oneself any illness, injury or disability, including attempt to suicide;
- (iii) obstructing in maintaining law and order and prison discipline;
- (iv) planning, instigating and abetting, directly or indirectly, the commission of any prison offence;
- (v) refusing, omitting to abide by standards of behaviour, rules and regulations and lawful instructions and orders;
- (vi) failing to give assistance to a prison officer and prison staff when called to do so, or answering untruthfully any question put up by a prison officer or a visitor;
- (vii) making false, malicious and groundless, written or verbal, complaints against prison officers and staff;
- (viii) quarrelling with other prisoners, creating an environment of fear amongst the prisoners;

- (ix) attacking, assaulting, and causing injuries to others, use of criminal force against prison officers or others;
- (x) participating in a riot or mutiny, abetting another prisoner to do the same;
- (xi) escaping or attempting to escape from prison or legal custody or failing to report to prison officers about attempted escapes;
- (xii) possessing any object or material removed from any larger object or from a building, which has been altered in such a manner that it can be used for damaging prison property or as a weapon of offence or as an implement to assist in escape from prison;
- (xiii) possessing, hiding, smuggling, attempting to smuggle, obtaining, giving or receiving and bartering contraband or prohibited articles;
- (xiv) failing to report to prison officials about contraband or prohibited articles;
- (xv) stealing, damaging, destroying, disfiguring or misappropriating any Government property or another prisoner's articles and property;
- (xvi) failing to report at once, any loss, breakage or injury, which the prisoner may accidentally have caused to prison property or implements;
- (xvii) tampering with or defacing identity cards, records or documents of the prison;
- (xviii) breach of conditions of leave and emergency release;
- (xix) refusing to eat food or going on a hunger-strike;
- (xx) willfully or negligently destroying or spoiling food, or throwing it away without orders;
- (xxi) introducing into food or drink anything likely to render it unpalatable, unwholesome, or dangerous for human consumption;

- (xxii) tampering with scale of food;
- (xxiii) violating rules and regulations framed for systematic running of the canteen and bartering canteen articles;
- (xxiv) manufacturing any article without the knowledge or permission of prison officials or causing adulteration during manufacturing;
- (xxv) mixing or adding a foreign substance to the materials issued for work;
- (xxvi) willfully disabling from labour;
- (xxvii) converting, or attempting to convert, a prisoner to a different religious faith;
- (xxviii) willfully hurting other's religious feelings, beliefs, practices, and faiths;
- (xxix) agitating or acting on the basis of caste or religious prejudices;
- (xxx) having any communication, in writing or by word or by signs, without permission, with any outsider, an under-trial prisoner, detenus, civil prisoners, and approvers;
- (xxxi) participating in or organizing, unauthorized activities like gambling and betting;
- (xxxii) using indecent, abusive, insolent, threatening or improper language; being disrespectful, making indecent or vulgar acts or gestures;
- (xxxiii) failing to assist, or preventing another person from assisting, prison officers in case of an attempted escape or suppressing violence, assault, riot, mutiny, attack, gross personal violence or any other emergencies;
- (xxxiv) omitting or refusing to report, as soon as it comes to his knowledge, the occurrence of any fire, plot or conspiracy for any escape, attempt or preparation to escape, and any attack, or preparation for attack, upon any prison officer or prisoner;

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- (xxxv) indulging in or assisting in any unauthorised financial transaction, whether within the premises of the prison or without;
 - (xxxvi) stealing, damaging, destroying, disfiguring, misappropriating or making dysfunctional any government property, whether movable or immovable, on the prison premises or while in custody outside the prison;
 - (xxxvii) stealing, damaging, destroying, disfiguring, misappropriating or making dysfunctional any government property or property of any prison officer or staff, whether movable or immovable, by a prisoner in association/conspiracy with other prisoners with intent to cause disorder or disturbance inside the prison or with intent to escape from prison; and
 - (xxxviii) in case a minor offence is committed more than twice.

40. (1) The officer-in-charge may, after conducting an inquiry in such manner, as may be prescribed, impose any punishment with respect to the prison offences and record the same in the prisoner's history ticket. Besides, in cases which constitute an offence under the Bharatiya Nyaya Sanhita, 2023 or any other special and/or local laws, the officer-in-charge shall initiate legal action. Punishment for prison offences.

(2) The following punishments shall be considered as minor punishments, namely:-

- (i) formal warning, which shall mean a warning personally addressed to a prisoner;
- (ii) forfeiture of remission earned, not exceeding fifteen days;
- (iii) forfeiture of earning from wages upto three days in a calendar month;
- (iv) punishment of drill or work for a period not exceeding one hour a day up to fifteen days subject to the prisoner's physical fitness, as may be certified by the medical officer;
- (v) loss of privileges given to the prisoner in detention for a maximum period of ninety days;

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- (vi) change of form of labour to severe form for fifteen days;
 - (vii) change of accommodation to another barrack, cell or any other prison accommodation for such period, as deemed necessary by the officer-in-charge;
 - (viii) separate confinement for a period upto sixty days;
 - (ix) transfer to other prisons with the approval of the Head of Department; and
 - (x) a combination of two or more minor punishments.

(3) The following punishments shall be considered as major punishments, namely:-

- (i) forfeiture of remission earned, exceeding fifteen days;
- (ii) forfeiture of earnings from wages beyond three days and upto seven days in a calendar month;
- (iii) forfeiture of privileges beyond ninety days but not exceeding one hundred eight days;
- (iv) separate confinement beyond sixty days but not more than ninety days;
- (v) cellular confinement for a period of up to thirty days;
- (vi) exclusion of parole facility for upto one year;
- (vii) exclusion from remission system for a period of one hundred eighty days; and
- (viii) any combination of major and minor punishments.

(4) The officer-in-charge may award major punishment(s) only upon judicial appraisal. No officer subordinate to the officer-in-charge shall have the power to award major punishment.

(5) Notwithstanding the punishments specified in sections 42 to 48 the officer-in-charge may also award any punishment for the offences committed under the said sections, to the prisoner, as specified in this section, to maintain discipline in the prison.

Explanation.-Cellular confinement means the confinement of a prisoner in a

cell in such a manner that the prisoner is permitted to communicate and associate with other prisoners confined in separate cells, including the sharing of meals and other interactions, during a half-day period of lockout.

41. The procedure for award of punishment for prison offence shall be such, as may be prescribed.

Procedure for award of punishment.

42. (1) Notwithstanding anything contained in this Act, whoever, being a prisoner or a visitor or a prison officer or prison staff, in contravention of any provisions of this Act or rules made thereunder, is found guilty of possessing, operating or using a wired or wireless communication device or its components like sim card, memory card, battery or charger or headphone or dongle or any other component of such a device or if the prisoner or any other person assists or abets or instigates in the supply thereof, shall be punished on first conviction with imprisonment of either description for a term which shall not be less than one year but which may extend to three years, and shall also be liable to fine which may extend to one lakh rupees; and be punished on second or subsequent conviction with imprisonment of either description for a term which shall not be less than three years but which may extend to five years, and shall also be liable to fine which may extend to five lakh rupees.

Punishment for possessing or using wired or wireless communication device or its components

(2) If the prisoner is found using the wired or wireless communication device for attempting, abetting, conspiring or committing an offence inside or outside the jail premises and as a consequence thereof an offence is committed, he shall be punished with imprisonment provided in the Bharatiya Nyaya Sanhita, 2023 for the offence so committed.

(3) The prisoner shall undergo the sentence awarded under sub-section (1) on completion of any sentence if already undergoing.

(4) The offences mentioned in sub-section (1) above, shall be cognizable and non-bailable.

43. Any prisoner who is found guilty of rioting inside the premises of a prison, shall be punished with imprisonment of either description for a term which shall not be less than one year but which may extend to five years, and shall also be liable to fine which may extend to one lakh rupees.

Punishment for rioting.

Punishment for assault or criminal force.

44. (1) Any prisoner who assaults or uses criminal force to any prison officer or staff in execution of his duty or with intent to prevent or deter the prison officer or staff from discharging his duty, shall be punished with imprisonment of either description for a term which shall not be less than one year but which may extend to three years and shall also be liable to fine which may extend to fifty thousand rupees.

(2) Any prisoner who assaults or uses criminal force to any person in the prison premises, shall be punished with imprisonment of either description for a term which shall not be less than one year but which may extend to three years, and shall also be liable to fine which may extend to fifty thousand rupees.

Punishment for escaping from a prison.

45. Any prisoner who escapes, or attempts to escape, or aids or assists any prisoner in escaping from lawful custody in the prison premises, or harbours or conceals any such prisoner who has escaped from lawful custody of a prison, or offers or attempts to offer any resistance to the recapture of such prisoner while escaping, shall be punished with imprisonment of either description for a term which shall not be less than two years but which may extend to ten years, and shall also be liable to fine which may extend to five lakh rupees.

Punishment for mischief causing damage to prison property.

46. Any prisoner, who, with the intent to cause or knowing that he is likely to cause wrongful loss or damage to any prison property, or causes the destruction of any prison property or any such change in any prison property or in the situation thereof as destroys or diminishes its value or utility or affects it injuriously, commits mischief causing damage to prison property, shall be punished with imprisonment of either description for a term which shall not be less than one year but which may extend to five years, and shall also be liable to fine which may extend to ten lakh rupees.

Punishment for criminal intimidation of a prison officer or staff etc.

47. (1) Any prisoner who commits the offence of criminal intimidation on a prison officer or staff or their family inside and outside the prison premises shall be punished with imprisonment of either description for a term which shall not be less than one year but which may extend to three years, and with fine which may extend to two lakh rupees.

(2) Any prisoner who commits the offence of criminal intimidation by threatening to cause death or grievous hurt to a prison officer or staff or

their family, or to cause the destruction of any property by fire, or to cause an offence punishable with death or imprisonment for life, or with imprisonment for a term which may extend to seven years, shall be punished with imprisonment of either description for a term which shall not be less than one year but which may extend to ten years, and shall also be liable to fine which may extend to five lakh rupees.

48. Whoever introduces into the prison, or removes from any prison, or supplies to any prisoner outside the limits of any prison, or receives or possesses or transfers any of the following prohibited articles, namely:-

- (i) spirituous liquors of every description; or
- (ii) tobacco and all its preparations which are, or may be, intended to be used for the purpose of smoking, chewing or snuffing; or

(iii) any intoxicant or poisonous substance in any form not covered under the Narcotic Drugs and Psychotropic Substances Act, 1985 (Central Act No. 61 of 1985) or the Poisons Act, 1919 (Central Act No. 12 of 1919),

shall be punished on first conviction with imprisonment of either description for a term which may extend to three years, and shall also be liable to fine; and be punished on second or subsequent conviction with imprisonment of either description for a term which shall not be less than five years but which may extend to seven years, and shall also be liable to fine which may extend to five lakh rupees.

49. (1) All offences under sections 43, 44, 45, 46, 47, and 48 shall be cognizable and non-bailable.

(2) The prisoner shall undergo the sentence awarded under sections 43, 44, 45, 46, 47, and 48 after the completion of the sentence he is already undergoing.

(3) The offences referred to in sections 43, 44, 45, 46 and 47 insofar as they are not defined in this Act, shall have the same meaning as assigned to them in the Bharatiya Nayaya Sanhita, 2023.

50. If any person in the prison premises is guilty of a serious prison offence, which by reason of his having committed more than three times and such offence or otherwise, in the opinion of the officer-in-charge, is not adequately

Punishment for introducing, removing of spirituous liquor, tobacco or any other intoxicant or poisonous substance.

Offences to be cognizable and non-bailable.

Procedure on repeated committal of a prison offence.

punishable by the infliction of any punishment which he has the power to inflict under this Act, the officer-in-charge shall forward the case of such prisoner to the competent Magistrate having jurisdiction, together with a statement of the circumstances, and such Magistrate shall thereupon try the charge so brought against the prisoner, and upon conviction, may sentence him to imprisonment for a term which may extend to three years. Such term shall be in addition to any other term which such prisoner may be already undergoing.

Display of
prison offences
and penalties.

51. The officer-in-charge shall cause to be affixed, at a conspicuous place inside the prison, a notice in English and in the vernacular language, setting forth the acts prohibited under this Act and the penalties incurred by their commission, for the information of the prisoners and prison officer and prison staff.

CHAPTER-XIII

HEALTHCARE FACILITIES

Prisoners health
care.

52. All prisoners shall have access to adequate, gender-responsive health care facilities, as may be prescribed.

Mental health.

53. (1) The Government may, by a general or special order, direct the transfer of any prisoner with mental illness from the place of detention to any mental health establishment in the State with prior permission of the Board mentioned in section 103 of the Mental Healthcare Act, 2017 (Central Act No. 10 of 2017).

(2) The method, modalities and procedure by which transfer of a prisoner under this section is to be effected shall be such, as may be prescribed.

Report on the
death of a
prisoner.

54. On the death of any prisoner, the medical officer shall forthwith record all relevant details and particulars of the case, as may be prescribed and send the report to the officer-in-charge of the prison who shall further submit the same to the Head of Department and such other authorities, as may be prescribed.

CHAPTER-XIV

WELFARE-PROGRAMMES FOR PRISONERS

55. (1) The prisoners shall be provided appropriate opportunity for enhancing their educational qualification, and for library facilities in a prison, in such manner, as may be prescribed. Vocational training, skill development, education and recreation facilities.
- (2) Vocational training and skill development programs shall be provided to prisoners as part of correctional service. These programmes may be diverse in nature to facilitate rehabilitation of the prisoners, as may be prescribed.
- (3) The officer-in-charge may organize spiritual, cultural, and recreational programmes for the prisoners, as may be prescribed.
56. (1) All able-bodied prisoners, who are not otherwise engaged in prison services, shall be allotted work in workshops and prison factories. Prison factories and employment of prisoners.
- (2) Provisions for all kinds of prison labour, allotment of work and management of prison industries shall be such, as may be prescribed.
57. Canteens and sales outlets may be established in a prison for the sale of products, including jail products to the prisoners, prison officer, prison staff and the public, as may be prescribed. Establishment of canteens and sales outlets.

CHAPTER-XV

SENTENCE PLANNING

58. (1) A sentence plan setting out the programme of treatment shall be prepared by the officer-in-charge, which shall help in the rehabilitation and social reintegration of the prisoner, as may be prescribed. Individual sentence planning.
- (2) The individual sentence plans shall be entered and updated in the record of the prisoner, from time to time.
59. (1) Every prisoner, including undertrial prisoner or civil prisoner or prisoner sentenced to simple imprisonment, while in custody, may be provided the opportunity of work, if available, and be paid commensurate wages, as may be prescribed. The wages of the prisoners based upon the skill shall be set by the Government, from time to time. Work programme and wages.

(2) The record of wages earned and spent by any prisoner, particulars of deferred wages and matters incidental thereto shall be maintained by the officer-in-charge.

(3) The officer-in-charge shall ensure that there is no discrimination of prisoners in allotment of any duty or work in prisons on the basis of their caste.

(4) The provisions of the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013 (Central Act No. 25 of 2013) shall have a binding effect in prisons. Manual Scavenging or hazardous cleaning of a sewer or septic tank inside a prison shall not be permitted.

CHAPTER-XVI

OPEN AND SEMI OPEN CORRECTIONAL INSTITUTIONS

Open and semi
open
correctional
institutions.

60. (1) The Government shall establish and maintain as many open and semi-open correctional institutions for prisoners, as may be required.

(2) The Government shall allow such facilities or concessions in such open or semi-open correctional institution which may assist the prisoner in his rehabilitation into the society, as may be prescribed.

(3) The rules for management of open and semi-open institutions, including the procedure and eligibility of prisoners who can be transferred to such correctional institutions, dealing with prisoners who violate any condition of transfer to an open or semi open correctional institution, shall be such, as may be prescribed.

CHAPTER-XVII

PRISON LEAVE, REMISSION AND PRE-MATURE RELEASE

Parole and
Furlough.

61. Prison leave shall be granted to eligible convicted prisoners, in accordance with the provisions of the Punjab Good Conduct Prisoners (Temporary Release) Act, 1962 (Punjab Act No. 11 of 1962) and the rules, namely the Punjab Good Conduct Prisoners (Temporary Release) Rules, 1963 made under the said Act.

62. The remission may be granted to the eligible convicted prisoner by the competent authority, as may be prescribed. Remission to prisoners.
63. The Government shall frame rules for premature release of life convicts under the provisions of the Bharatiya Nyaya Suraksha Sanhita, 2023. Pre-mature release.

CHAPTER-XVIII

INTERVIEWS AND COMMUNICATIONS

64. (1) Prisoners may communicate with their visitors, namely family members, relatives, and legal counsel through physical or virtual mode, under proper supervision and monitoring of prison officer(s) and prison staff. Under special circumstances, the officer-in-charge of prison may allow any other person, whose name is not mentioned in the initial list submitted by the prisoner. Visitors to prisoners shall be verified or authenticated through documentary and biometric identification. Interviews and communications.
- (2) The name, address, photograph, Aadhaar authentication and biometric identification of each visitor to the prisoner shall be entered into record, as may be prescribed.
- (3) Foreign prisoners may communicate with their family members, legal counsel and consular representatives, as may be prescribed.

CHAPTER-XIX

INSPECTION OF PRISONS

65. (1) The Government shall, by notification, constitute a Board of Visitors comprising of official and non-official members at district and sub-divisional level with the purpose of visiting and inspecting prisons. Inspection of prisons.
- (2) The Head of Department shall, as far as possible, visit and inspect the prisons atleast once in two years and he may have a prison inspected by an officer of appropriate rank at periodic intervals, as may be prescribed.
- (3) It shall be the duty of the Magistrate of the District to visit and inspect every prison situated within the limits of his district.

(4) The Government may authorize any other officer to visit and inspect the prisons.

(5) The duties of visitors and appointed officers for inspection shall be such, as may be prescribed.

CHAPTER-XX

AFTER-CARE AND REHABILITATION SERVICES

After-care and rehabilitation services.

66. The Government may endeavor to provide after-care services to all needy prisoners released from a prison with a view to ensure their rehabilitation and reintegration into the society.

CHAPTER-XXI

TRANSGENDER PRISONERS

Special provisions for transgender prisoners.

67. Special provisions shall be made to ensure the welfare and advancement of transgender prisoners, including both trans men and trans women, in such manner, as may be prescribed.

CHAPTER-XXII

MISCELLANEOUS

Execution of sentence.

68. The procedure for executing the sentence of a prisoner shall be such, as may be prescribed.

Appeals, revisions and petitions.

69. Facilities shall be provided to all the prisoners, desiring to file an appeal or revision or petition. The procedure for the same shall be such, as may be prescribed.

Sanitation and hygiene.

70. The Officer-in-charge of the prison shall ensure all necessary measures to maintain proper sanitation and hygiene of a prison, in such manner, as may be prescribed.

Utilization of prison land.

71. The Officer-in-charge of the prison shall utilize the available land within the perimeter security walls of the prison as well as prison land outside the security walls, in such manner, as may be prescribed.

72. The Officer-in-charge of the prison shall be responsible for maintaining the relevant prison registers and records in digital and physical format and shall adopt every procedure for effective management of the prison, as may be prescribed. Prison registers, office procedure and management.
73. (1) Every prison officer and prison staff shall wear a proper uniform and badges as specified by the State Government from time to time or as may be prescribed. Uniform, accoutrements and ordinance supplies.
- (2) The supply of arms and ammunition and its maintenance, including repair, shall be in such manner, as may be prescribed.
74. The State Government shall make rules under this Act for keeping the prisoners, condemned to death, in the prisons and the subsequent execution of their death sentence. Prisoners condemned to death.
75. The Government shall provide the facility of free legal aid to the prisoners in accordance with the provisions of the Legal Services Authorities Act, 1987 (Central Act No. 39 of 1987) and the Standard Operating Procedure prescribed by the National Legal Services Authority or State Legal Services Authority or District Legal Services Authority or as may be prescribed. Legal aid.
76. There shall be an Under Trial Review Committee for every district to be headed by the concerned District and Sessions Judge, and comprising of such other members and for carrying out such functions, as may be prescribed. Constitution of Under Trial Review Committee for every district.
77. There shall be an appropriate mechanism for redressal of the grievances of the prisoners, prison officer and prison staff, as may be prescribed. Grievance redressal mechanism.
78. The officer-in-charge may utilize the services of prisoners for the day-to-day administration and management of the prisons, in such manner, as may be prescribed. Utilization of services of prisoners.
79. No prisoner, visitor or any person employed in the prison, shall have any right to strike or start or continue any agitation inside the prison for achieving any request or demand. Prohibition of strike and agitation.

- Emergency. 80. The officer-in-charge shall take all appropriate measures, including the procurement of necessary equipment and preparation of a contingency plan, for preventing and controlling any emergency situation in the prisons, including ensuring availability of Quick Reaction Team, and any other provision in conformity with the Punjab Transparency in Public Procurement Act, 2019 (Punjab Act No. 12 of 2019), Disaster Management Act, 2005 (Central Act No. 53 of 2005) or any other relevant Act and orders or instructions issued by any competent authority.
- Extramural custody, control and employment of prisoners. 81. A prisoner, when being taken to or from any prison, in which he may be lawfully confined, or to a court for production or to a hospital for medical treatment, or whenever he is working outside or is otherwise beyond the limits of any such prison in or under the lawful custody or control of a prison officer or prison staff belonging to such prison, or any other officer deployed for such duty, shall be deemed to be in prison and shall be subject to all directions and discipline, as if he were actually in prison.
- Prison Development Board. 82. (1) The State may set up a Prison Development Board with the objective of modernizing prison infrastructure and facilities for better prison management, correctional and reformatory activities for prisoners and welfare of the prison officer and prison staff.
- (2) The composition of such Board, its responsibilities, manner of governance and other provisions shall be such, as may be prescribed.
- Delegation of powers. 83. Any of the powers conferred by this Act may be exercised and performed by such officers as the Government may designate in this regard.
- Accounts and audit. 84. The accounts of every prison shall be maintained and audited in such manner, as may be prescribed.
- Rights and facilities for prisoners with disabilities. 85. (1) No prisoner shall be discriminated against on ground of disability. All prisoners with disabilities shall be entitled to equality, dignity and respect for their integrity on an equal basis with others.
- (2) All prison infrastructure, including cells, toilets, medical units, educational and vocational training centers, and grievance redressal systems, shall be made accessible in accordance with such standards, as may be prescribed.

(3) Persons with Disabilities shall be provided with appropriate healthcare, including psychiatric and psychological services, as well as access to rehabilitation programmes and therapies.

(4) All incoming prisoners shall be screened for disabilities at the time of admission. Relevant prison records must reflect their specific needs to ensure suitable accommodations and assistance.

86. No suit, prosecution or other legal proceeding shall lie against the Government or any functionary of the Government in respect of anything which is done or intended to be done in good faith in pursuance of this Act or the rules made or orders or directions issued there under. Protection of action taken in good faith.

87. The Government may, by notification in the Official Gazette, make rules consistent with this Act. Power to make rules.

88. (1) The Prisons Act, 1894 (Central Act No. 9 of 1894) and the Prisoners Act, 1900 (Central Act No. 3 of 1900), as applicable to the State of Punjab, are hereby repealed. Repeal and saving.

(2) Notwithstanding this Act, all the rules, regulations, orders, directions, notifications relating to prisons made under these Acts and in force immediately before the commencement of this Act shall, except where and so far, as they are inconsistent with or repugnant to the provisions of this Act, continue to be in force until altered, amended or repealed by rules made under this Act.

89. (1) If any difficulty arises in giving effect to any of the provisions of this Act, the State Government may, by order published in the Official Gazette, make such provisions or take such measures, not inconsistent with the provisions of this Act, as may appear to be necessary or expedient for removing the difficulty. Power to remove difficulties.

(2) The State Government may make an order under sub-section (1) to have effect from any date not earlier than the date of commencement of this Act.

Sd/-

B.B.S. TEJI,

Principal Secretary to Government of Punjab,
Department of Legal and Legislative Affairs.