

Chapter-5

Chief Controlling Officer based Audit

HOME AFFAIRS AND JUSTICE DEPARTMENT

5.1. Chief Controlling Officer based audit of Jails Department

Highlights

The Chief Controlling Officer (CCO) based audit is a comprehensive appraisal of the functioning of a department, identifying systemic issues that need to be addressed at various appropriate levels. The audit focuses on the internal control that has an impact and risks on the achievement of objectives for which the department was established. Apart from the regularity and compliance issues, all the important aspects of functioning of the department viz. financial management, execution, monitoring, internal controls and human resource management etc. are covered in this appraisal. The CCO based audit of the Jails Department disclosed deficiencies in budgeting, absence of classification of prisoners, inadequate reformatory and primitive rehabilitative activities, besides disproportionate lodging of convicts and deployment of available warders.

The major audit findings are as follows:

- *Inadequate time to field offices for preparation of budget estimates and considerable delay in its submission resulted in providing insufficient time for its analysis and compilation both at DGP and Finance Department's levels leading to preparation of unrealistic budget estimates.*
(Paragraph 5.1.7)
- *Absence of reception centres in jails led to non-segregation of prisoners and enhanced capacity of jails was not utilized in a scientific manner to ease out the overcrowding.*
(Paragraph 5.1.8)
- *Reformatory activities for prisoners were absent and most of the rehabilitation activities were also primitive.*
(Paragraph 5.1.9)
- *Procurement of dietary items was made in excess of the requirement. Medical and health care facilities were inadequate.*
(Paragraph 5.1.10)
- *There was shortage of Warders. The available Warders were not deployed in proportion to the number of inmates in the jails*

and the only Jail Training School available for capacity building lacked basic infrastructure.

(Paragraph 5.1.11)

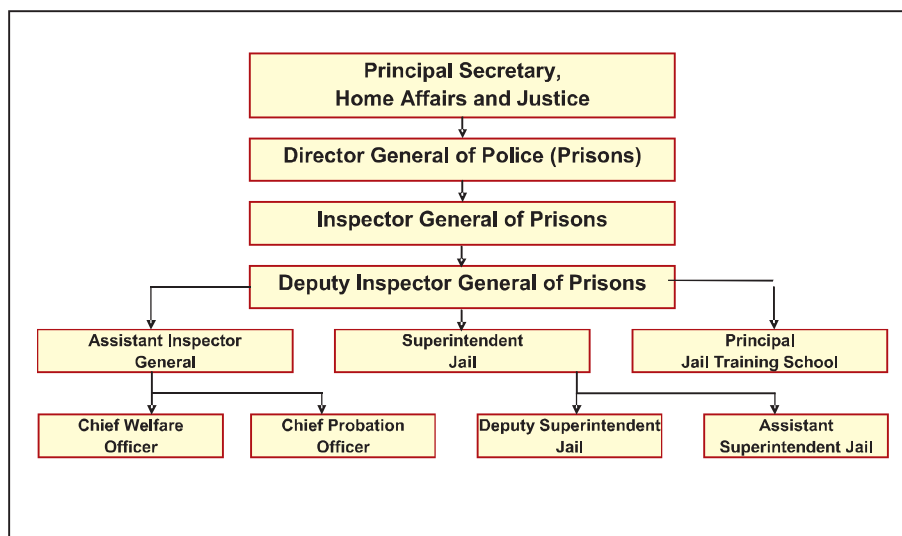
➤ *Inadequate inspections of the jails and non-submission of various prescribed periodical returns indicated the weak internal control management system in the department.*

(Paragraph 5.1.12)

5.1.1. Introduction

Prisons form part of the criminal justice system for isolating criminals and persons under trial from the society. The Jails Department seeks to protect society from criminals and also endeavor to reform and re-assimilate offenders in the social milieu by giving them appropriate correctional treatment.

5.1.2. Organizational set up



In the field, there are seven Central Jails¹, six District Jails², 10 Sub Jails³, one Borstal Jail and one Women Jail at Ludhiana, 12 District Probation Officers⁴ and a Jail Training School at Patiala. Each Central Jail was being managed by the Superintendent; District/Sub Jails by the Superintendents/Deputy Superintendents, while the Punjab Jail Training School was being headed by a Principal.

¹ Central Jails at 1)Amritsar, 2)Bathinda, 3)Ferozepur, 4)Gurdaspur, 5)Jalandhar, 6)Ludhiana and 7)Patiala.

² District Jails at 1)Faridkot, 2)Hoshiarpur, 3)Kapurthala, 4)Nabha, 5)Ropar and 6)Sangrur.

³ Sub Jails at 1)Barnala, 2)Dasuya, 3)Fazilka, 4)Malerkotla, 5)Mansa, 6)Moga, 7)Muktsar, 8)Pathankot, 9)Patti and 10)Phagwara.

⁴ District Probation Officers at 1)Amritsar, 2)Bathinda, 3)Faridkot, 4)Ferozepur, 5)Gurdaspur, 6)Hoshiarpur, 7)Jalandhar, 8)Kapurthala, 9)Ludhiana, 10)Patiala, 11)Ropar and 12)Sangrur.

5.1.3. Audit scope and methodology

Para 5.1 of the Comptroller and Auditor General of India's Audit Report (Civil) for the year ended 31 March 2007 regarding 'Internal Control System' in the Jails Department, Punjab was discussed (August 2011) in the Public Accounts Committee wherein the department assured the compliance.

In order to further assess the working of Jails Department, the CCO based audit was conducted by test-checking the records of the Director General of Police (Prisons) (DGP) and 28⁵ out of total 39 units⁶ covering the period from April 2010 to March 2012. An entry conference was held with the Principal Secretary, Home Affairs and Justice on 2 March 2012 wherein the objectives, methodology and criteria being adopted in CCO based audit were discussed. An exit conference was also held with the Secretary to Government of Punjab, Department of Jails (Secretary) in January 2013 wherein the audit findings and recommendations were discussed in detail and the response of the department has suitably been incorporated.

5.1.4. Acknowledgement

The office of the Accountant General (Audit), Punjab acknowledges the co-operation and assistance rendered by the State Government and the Jails Department during the course of audit.

5.1.5. Audit criteria

The audit findings were benchmarked against the various criteria derived from the following sources:

- Punjab Jail Manual, 1996,
- Punjab Financial Rules (PFRs),
- Punjab Budget Manual (PBM),
- Various instructions issued by Government/Department from time to time, and
- Prescribed monitoring mechanism.

5.1.6. Audit objectives

The CCO based audit was conducted with the audit objectives to ascertain whether:

- budgetary controls and financial management were adequate and financial resources were utilised effectively and efficiently;

⁵ **Central Jails** at Amritsar, Bathinda, Ferozepur, Gurdaspur, Jalandhar, Ludhiana, and Patiala; **District Jails** at Faridkot, Hoshiarpur, Nabha and Sangrur; Open Air Jails at Kapurthala (Now District Jail) and Nabha; Women Jail and Borstal Jail at Ludhiana and Jail Training School, Patiala. **Sub Jails** at Dasuya, Fazilka, Malerkotla, Muktsar, Phagwara and Ropar (Now District Jail). **District Probation Officers** at Amritsar, Ferozepur, Gurdaspur, Hoshiarpur, Ropar and Sangrur.

⁶ All the Seven Central Jails (100 per cent), all the six District Jails (100 per cent), five Sub Jails out of 10 Sub Jails (50 per cent), six District Probation Officers out of 12 District Probation Officers (50 per cent), Open Air Jail at Nabha, Women Jail and Borstal Jail at Ludhiana, Punjab Jail Training School, Patiala being heterogeneous units.

- categorization and custody of the prisoners was done in a safe and secure manner;
- reformative and rehabilitative activities for prisoners were consistent with the objectives of the Punjab Jail Manual;
- diet, medical and health care was being provided to the prisoners as envisaged in the Rules;
- manpower provided for custodial care and training to jails staff was adequate; and
- the system of internal control and monitoring was adequate and effective.

Audit findings

5.1.7. BUDGETARY CONTROLS AND FINANCIAL MANAGEMENT

The details of budget allotment and expenditure incurred by the department during 2010-11 and 2011-12 are given in **Table 5.1**:

Table 5.1 : Position of budget allotment and expenditure

<i>(₹ in crore)</i>			
Year	Budget Allotment	Expenditure	Savings
2010-11	115.00	107.12	7.88
2011-12	151.84	131.97	19.87
Total	266.84	239.09	27.75

Source: Departmental data

5.1.7.1 Insufficient time for preparation of budget estimates

Para 3.1 of Punjab Budget Manual (PBM) requires that the FD calls for budget proposals (both original and revised) from all the Head of Departments of the State Government by 1 July of each year so as to reach the FD latest by 25 October. However, the FD revised the date for submission of the original and revised budget estimates as 1 November during 2010-12.

The details of time taken by the department for preparation of budget estimates during 2010-12 and its submission to FD are given in **Table 5.2**:

Table 5.2 : Position of preparation and submission of budget estimates

Budget estimates	Date on which the DGP initiated process of preparation of budget estimates	Due date fixed by the FD for submission of budget estimates	Prescribed days for preparation of budget estimates	Actual date of submission to FD by DGP	Days availed of by department in preparation of budget estimates	Delay in submission to FD (In days)	Days short availed of by the department as per PBM (117 days)
OEs 2010-11	08.09.2009	01.11.2009	54	16.12.2009	99	45	18
REs 2010-11	07.10.2010	01.11.2010	25	03.01.2011	88	63	29
OEs 2011-12	07.10.2010	01.11.2010	25	03.01.2011	88	63	29
REs 2011-12	05.09.2011	01.11.2011	57	09.01.2012	126	69	-9

Source: Departmental data

OEs = Original Estimates REs = Revised Estimates

As is evident from the above table, the department did not adhere to the dates fixed by the FD during 2010-12 and invariably delayed the submission of OEs/REs by 45 to 69 days. The department got lesser time,

ranging between 18 and 29 days for submission of OEs/REs, as compared to 117 days provided by PBM, thus not providing enough time for analysis and compilation of budget estimates both at DGP and FD's levels leading to preparation of unrealistic budget estimates, as discussed in the sub-paragraphs.

5.1.7.2 Unrealistic budget estimates

The Punjab Budget Manual prescribes that while framing the estimates of expenditure, it is necessary to exercise utmost foresight to see that the amount of provision is restricted to the absolute minimum necessity.

Audit scrutiny of budgetary process of the Jails Department for the period 2010-12 revealed that the budget estimates were not framed accurately, as discussed in the succeeding paragraphs:-

a) Inflated budget demands

Audit observed that during 2010-11 and 2011-12, the revised budget demands in 20 and 25 SOEs were found to be inflated by 86 and 26 *per cent* of the original budget allotment respectively, as detailed in **Table 5.3**:

Table 5.3 : Showing preparation of inflated revised budget estimates

(₹ in crore)					
Year	Original Budget Allotment(OBA)	Revised Budget Estimates(RBE)	Expenditure	Percentage of RBE to OBA	No. of SOEs
2010-11	9.44	17.54	8.15	86	20
2011-12	48.60	61.27	40.90	26	25
Total	58.04	78.81	49.05		

Source: Departmental data

The department could spend only ₹ 49.05 crore, which did not come up even to the level of original budget provisions of ₹ 58.04 crore (*Appendix-5.1*).

b) Irregular excess expenditure

In five SOEs, even the revised budget demands for the period 2010-12 were not found to be made after proper assessment of the anticipated expenditure, as was evident from the expenditure which exceeded by ₹ 1.88 crore from the approved revised budget (*Appendix-5.2*). Of this, ₹ 1.17 crore was due to excess purchase of dietary and toiletry items during 2011-12, as discussed in paragraph 5.1.10.1.

c) Non-surrendering of savings

As per Rule 17.20 of the PFR Volume-I, the department incurring expenditure should be responsible for seeing not only that the grant is not exceeded, but also that any anticipated savings therein are notified and surrendered in time.

Audit observed that the DGP did not surrender the unutilised budget of ₹ 26.07 crore during 2010-12, as detailed in **Table 5.4**:

Table 5.4 : Savings in comparison with revised budget allocations

(₹ in crore)

Year	Approved revised budget allocation	Expenditure	Savings	No. of SOEs having savings	Range of savings (per cent)
2010-11	13.48	9.76	3.81	45	10 to 100
2011-12	126.00	103.74	22.26	40	12 to 100
Total	139.48	113.41	26.07	85	

Source: Departmental data

Thus, the demand raised under as many as 85 SOEs during 2010-12 proved to be inflated during these years (*Appendix-5.3*).

On this being pointed out (September 2011), the DGP attributed (October 2011) the reduction in expenditure to non-clearance of bills by the treasury, but did not furnish any reasons thereof. It was further stated that the revised budget estimates were being proposed on the basis of the demands of the DDOs, which could not be ignored. The reply is not acceptable as the above shortcomings indicate that the budget estimates were framed unrealistically.

5.1.7.3 Short realization of estimated receipts

Chapter 4 of the Punjab Budget Manual dealing with estimates of revenue and receipts requires that the revised estimates should forecast, as accurately as it is possible to make at the time, what the actual receipts of the year will be.

Audit observed that the estimated receipts were realized to the extent of 20 per cent only during the period 2010-12, as detailed in **Table 5.5**:

Table 5.5 : Short realization of receipts

(₹ in crore)

Year	Revised budget estimated receipts	Actual realization	Short realization	Percentage (Short realization)
2010-11	14.00	2.78	11.22	80
2011-12	15.00	2.86	12.14	81

Source: Departmental data

In reply, the DGP stated (October 2011) that out of total short realization of ₹ 11.22 crore during 2010-11, ₹ 10.50 crore pertained to unrealized sale proceeds of finished goods manufactured by jail factories. The reply is not convincing as 59 per cent of the unrealized receipts pertained to the sale proceeds of more than five years old.

Thus, non-pursuance to realize the estimated receipts not only rendered the entire exercise of preparation of receipt budget estimates futile but also affected the ways and means of the State Government.

5.1.7.4 Non-reconciliation with treasury

The financial rules⁷ provide that each head of the office is required to prepare a list of amounts remitted into the treasury every month and reconcile these amounts of remittances with the records of treasury office. To ensure that all

⁷ Rule 2.2(v) and 2.31(a) of Punjab Financial Rules, Volume-I.

amounts drawn from the treasury have been entered in the Cash Book, he should obtain from the treasury officer by the 15th of every month a list of all bills drawn by him during the previous month and trace all the amounts in the cash book.

In the test checked 16 jails⁸, the remittances amounting to ₹ 1.88 crore and withdrawal of ₹ 70.48 crore during the period between August 2007 and May 2012 had not been reconciled with the treasury (*Appendix-5.4*).

In reply, the Jail Superintendents stated (December 2011-June 2012) that they would ensure compliance in future. The reply was not acceptable as a mandatory check to safeguard the public money was not exercised.

The Secretary assured (January 2013) that budgetary/financial controls would be strengthened to avoid any lapses in future.

5.1.8 CATEGORIZATION AND CUSTODY OF PRISONERS

5.1.8.1 Non-categorization of prisoners due to non-existence of reception centre

Para 369 of the Punjab Jail Manual, 1996 (Manual) requires that each jail shall be equipped with a reception centre having five cells, open working shed and an office to receive newly admitted prisoners. The objective of the reception centre is to keep the newly admitted prisoners for a fortnight with a view to segregate them on the medical grounds, their age, sex, behaviour and mental health so that appropriate rehabilitation and reformation training could be imparted to them.

During audit of 15 jails⁹ requiring reception centre, it was noticed that there was no reception centre to receive newly admitted prisoners, as envisaged in the Manual. In the absence of which, 109134 under-trials and 45201 convicts admitted in these jails during 2010-12 were not segregated on medical grounds, age, sex, behaviour and mental health. Non-segregation of prisoners led to non-formulation of any plan for appropriate reforms and rehabilitation activities. As many as 142 newly admitted prisoners found to be suffering from Tuberculosis, and 386 from mental disorder were also not isolated and were detained along with other prisoners in the common barracks.

On this being pointed out, the Jail Superintendents while admitting the fact of having no reception centre in jails, assured that they would take up the matter with higher authorities. The Secretary also assured compliance with the provisions of the Jail Manual.

⁸ Central Jails at Amritsar, Bathinda, Ferozepur, Jalandhar, Ludhiana, and Patiala; District Jails at Faridkot, Nabha and Ropar; Open Air Jail Nabha; Women Jail and Borstal Jail at Ludhiana and Jail Training School, Patiala. Sub Jails at Fazilka, Malerkotla and Muktsar.

⁹ **Central Jails** at Amritsar, Bathinda, Ferozepur, Gurdaspur, Jalandhar, Ludhiana, and Patiala; **District Jails** at Faridkot, Hoshiarpur, Nabha, Ropar and Sangrur, Open Air Jail Kapurthala; Women Jail and Borstal Jail at Ludhiana.

5.1.8.2 Overcrowding in jails

Para 903 of the Manual prescribes that when the population of jail is approaching the maximum number for which there is accommodation, the Inspector General and Superintendent of Police should be informed, with a view to having some of the convicts transferred or arrangements made for their temporary shelter outside, as the case may be.

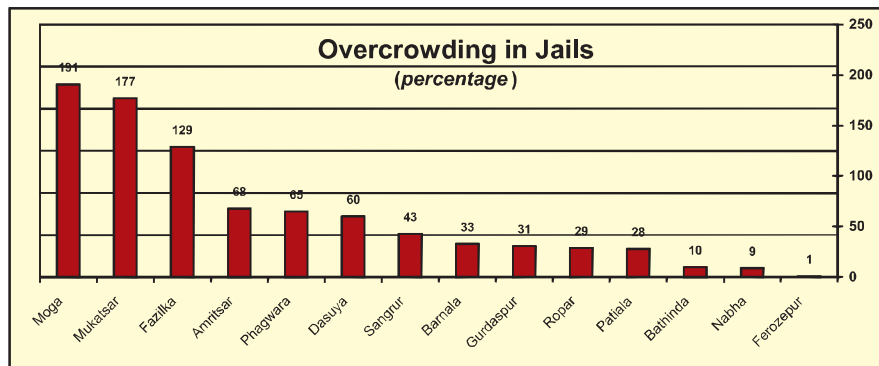
Audit of the office of the DGP and selected jails disclosed that at the beginning of 2010-11, there was an acute problem of over-crowding. The Jails administration created additional capacity to match the overall number of inmates as on 31 March 2012, as detailed in **Table 5.6**:

Table 5.6 : Comparison of inmates with authorized capacity of Jails

Period	Total inmates	Authorised capacity	Shortage	Per cent shortage
01 st April 2010	17510	11976	5534	46
31 st March 2011	18248	14161	4087	29
31 st March 2012	18254	18715	-461	-2

Source: Departmental data

Audit analysis of the additional created capacity taking into account the inmates housed therein revealed that though the problem of overcrowding was solved at certain jails, yet it remained unaddressed in 14 jails as the capacity was not utilised optimally in a scientific manner. The jails where the problem of overcrowding still persisted are depicted in the chart below-:



Had the jail administration considered the population statement received from Jail Superintendents each month and adjusted the convicts out of total inmates evenly in proportion to the capacity of the jails¹⁰, as given in **Table 5.7**, not only the problem of overcrowding would have been solved at large with the increase in capacity, but would have also resulted in better administration and implementation of schemes for the rehabilitation of the inmates.

¹⁰ Excluding i) Open Air jail at Nabha, ii) Women Jail at Ludhiana iii) Borstal Jail at Ludhiana and iv) Punjab Jail Training School at Patiala being heterogeneous units, v) Central Jail at Jalandhar merged with the Model Jail at Kapurthala.

Table 5.7 : Spreading of convicts according to capacity of Jails

S No	Name of jail	Inmates as on 31 March 2012	Capacity as on 31 March 2012	Over-crowding as on 31 March 2012	Convicts as on 31 March 2012	Convicts which could have been transferred
1.	CJ Jalandhar	1986	2990	-1004	--	--
2.	DJ Faridkot	1199	2072	-873	--	--
3.	New Jail Nabha	48	500	-452	--	--
4.	SJ Pathankot	42	280	-238	--	--
5.	DJ Mansa	251	433	-182	--	--
6.	SJ Patti	140	204	-64	--	--
7.	SJ Malerkotla	106	170	-64	--	--
8.	DJ Hoshiarpur	623	678	-55	--	--
9.	CJ Ludhiana	2553	2600	-47	--	--
	TOTAL			-2979		
1.	SJ Dasuya	32	20	12	2	2
2.	CJ Ferozepur	1249	1236	13	661	13
3.	SJ Phagwara	33	20	13	8	8
4.	DJ Nabha	509	462	47	257	47
5.	SJ Fazilka	110	48	62	6	6
6.	SJ Barnala	312	235	77	124	77
7.	SJ Moga	134	46	88	20	20
8.	DJ Ropar	420	325	95	188	95
9.	CJ Bathinda	1263	1146	117	709	117
10.	SJ Muktsar	191	69	122	46	46
11.	CJ Gurdaspur	982	750	232	322	232
12.	DJ Sangrur	932	650	282	454	282
13.	CJ Patiala	1788	1401	387	892	387
14.	CJ Amritsar	2705	1610	1095	1004	1004
	TOTAL					2336

Source: Departmental data

CJ = Central Jail, DJ = District Jail and SJ = Sub Jail

On this being pointed out, the DGP stated (October 2011) that since the undertrials were to be presented before the Court of respective district, they could not be spread out, as it would result into excess expenditure on their transportation. It was further assured that the problem of over-crowding would be solved on coming into existence of four new jails. The reply of the DGP is not acceptable as with the creation of additional capacity to the extent of available inmates, the problem of overcrowding still persisted in 14 jails, as detailed in the above table, which could have been resolved by shifting convicts in line with the provisions of the Manual.

Audit analysis further disclosed that in five jails, as detailed in **Table 5.8**, the department while creating additional capacity did not take cognizance of having 106 *per cent* insufficient capacity to accommodate the under-trials too.

Table 5.8 : Jails having insufficient capacity even to accommodate under-trials

Name of jail	Inmates as on 31 March 2012	Capacity as on 31 March 2012	Over-crowding as on 31 March 2012	Convicts as on 31 March 2012	Under-trials for whom additional capacity was required to be created	Percentage
SJ Dasuya	32	20	12	2	10	50
SJ Phagwara	33	20	13	8	5	25
SJ Fazilka	110	48	62	6	56	117
SJ Moga	134	46	88	20	68	148
SJ Muktsar	191	69	122	46	76	110
TOTAL	500	203	297	82	215	106

Source: Departmental data

However, the Secretary informed (January 2013) that the problem of over-crowding was likely to be resolved in 1-2 years time as the process of construction of four new jails was underway.

5.1.8.3 Under-utilization of Video Conferencing System

With a view to producing the prisoners before the Courts (*peshis*) through Video Conferencing in order to mitigate the problem of arranging police escorts, escape of prisoners during transit, smuggling of prohibited things into jails, besides, speedy disposal of cases and saving of Government money required for ferrying the prisoners to and from the courts, the Jails Department got the Video Conferencing System (VCS) installed in 10 jails and 32 connected Courts between October 2009 and December 2009 by incurring an expenditure of ₹ 1.59 crore.

Audit observed (September 2011 – June 2012) that of the ten jails, the VCS equipment was functional in all six¹¹ test-checked jails. But, against 2.32 lakh *peshis* becoming due during 2010-12, only 0.17 lakh *peshis* (7 per cent) could be attended through VCS due to poor quality of service of VCS owing to faulty ISDN-BRI connectivity, inadequate technical manpower, IT infrastructure, training, etc. Due to underutilization of VCS, 2.65 lakh *peshis* becoming due during 2010-12 had to be attended manually, thereby defeating the very purpose of video conferencing. Fifty one prisoners escaped while ferrying them to and from the Courts for *peshi* and 532 cases of smuggling of unauthorized articles were also detected, as discussed in paragraph 5.1.11.5(a).

The Jail Superintendents stated (October 2011 – June 2012) that in future the *peshis* would be disposed of through VCS. The Secretary informed (January 2013) that the problem of poor connectivity would be resolved by having coordination meeting with BSNL very shortly and at regular durations thereafter.

¹¹ Central Jails Amritsar, Ludhiana and Patiala; District Jails Hoshiarpur, Sangrur and Ropar.

5.1.9 REFORMS AND REHABILITATION

I. Reformation of prisoners

Preface and Para 4 of the Manual has laid emphasis on transforming the prisons into correctional homes by providing reforms and rehabilitative treatment to the prisoners rather than punishing them by merely detaining in the jails. The prime objective of the jails department was to make arrangements to reform and re-assimilate offenders in the social milieu by giving them appropriate correctional treatment.

5.1.9.1 Non-formation of classification committee

Para 369 of the Manual requires that a classification committee of correctional officers/social workers/educational officers in each Central/District Jail be formed with concerned Superintendent as its Chairman. The committee was required to meet at regular intervals to classify newly admitted prisoners (sentenced for one year or more) within a week and interview them for treatment/training/solving problems/adjustment.

Audit of the 15 jails¹² requiring classification committee revealed that the classification committee was not formed in any of these jails, thereby 154335 prisoners admitted there during 2010-12 could not be provided with proper counseling and advice from professionals for treatment/training/solving problems/adjustment.

On this being pointed out, the Jail Superintendents did not offer (December 2011-June 2012) any justification for the lapse. However, the Secretary emphasized (January 2013) upon formation of committees consisting of correctional officers/social workers/educational officers as early as possible duly notified to be reviewed every three years to work as per provisions of the Manual.

5.1.9.2 Absence of reforms activities

Para 815 of the Manual prescribes that the religious¹³ festivals be celebrated by distributing *halwa* to all the prisoners. Audit observed that in 15 jails, only two national festivals were being celebrated on the instructions of the DGP, but none of the other religious festival was being celebrated by preparing and distributing *halwa*. No other scheme for the reform of the prisoners was operational during 2010-12.

Though the jail inmates were stated to be given *langar* etc. on the occasion of *gurparbs* by the local religious bodies, yet the Secretary advised (January 2013) the IG (Prisons) during the exit conference to come up with all the

¹² **Central Jails** at Amritsar, Bathinda, Ferozepur, Gurdaspur, Jalandhar, Ludhiana, and Patiala; **District Jails** at Faridkot, Hoshiarpur, Nabha, Ropar, Sangrur, and Kapurthala; Women Jail and Borstal Jail at Ludhiana.

¹³ Easter Sunday, Baisakhi, Id-ul-fittar, Dussehra, Id-ul-Zuha, Guru Nanak Dev's Birthday, Christmas and Guru Gobind Singh's Birthday.

measures required to bring about reforms among the prisoners and enable their rehabilitation.

II. Rehabilitation of the prisoners

The Manual reflects the present approach to jail administration with its high stress on rehabilitation.

5.1.9.3 Insufficient rehabilitation opportunities in prisons

Of the 15 test checked jails with the provision of a factory, 11 jails were having the operational factories with various trades¹⁴, but trained masters were available in seven jails¹⁵ only. Audit observed that against the detention of 5831 prisoners, on an average, 3668 prisoners (63 *per cent*) were not engaged in any of the existing trades rather they were detained without coming into contact with any of the rehabilitation activity during 2010-11. Similarly, during 2011-12, only 38 *per cent* of the prisoners could be engaged into any of the operational trades. Non-engaging the prisoners in the rehabilitative activities was mainly due to non-availability of trained masters and lack of demand of jail goods, which was also substantiated with the fact that in seven jails¹⁶, not only the finished goods valuing ₹ 1.38 crore were awaiting disposal but the raw material valuing ₹ 2.37 crore was also lying unutilized.

It was further noticed that 450 prisoners released in June 2010 and June 2011 were not trained in any of the available trades. Thus, the much needed envisaged chance of successful reintegration of these prisoners by securing a job on their release was not provided.

5.1.9.4 Failure to introduce modern trades in jail factories

Para 615 of the Manual prescribes that trades such as book binding, cotton factory, phenyl, soap, tent, *razai* making besides tailoring, *atta* flour mill and black smithy be practiced in the jail factories.

Audit observed that these were not sufficiently modern trades as compared to the modern trades being run in Tihar Jail, New Delhi such as power loom, handmade paper, commercial art, bakery etc. As such, the prisoners trained in these outdated trades may not be in a position to find a productive employment after their release.

In reply, Jail Superintendents assured (December 2011-June 2012) that the matter would be taken up with the higher authorities, but did not furnish any justification for having no reformatory activities.

The Secretary agreed (January 2013) with the audit contention that jail factories with primitive trades had limited utilities and asked the IG (Prisons)

¹⁴ Book binding, cotton factory, phenyl, soap, tent, *razai* making besides tailoring, *atta* flour mill and black-smithy.

¹⁵ Central Jails Amritsar, Bathinda, Ferozepur, Gurdaspur, Ludhiana, Patiala, and Women Jail, Ludhiana.

¹⁶ Central Jails Amritsar, Bathinda, Ferozepur, Gurdaspur, Ludhiana, Patiala, and Borstal Jail, Ludhiana.

to form a committee for looking into the modalities to introduce feasible modern trades on the analogy of model prisons, which would make the jails a correctional home in the real sense.

5.1.10 DIET, MEDICAL AND HEALTH CARE FACILITIES

I. Shortcomings in purchase of dietary items

The financial rules¹⁷ provide that purchases must be made in the most economical manner and in accordance with the definite requirement of the public service. Para 840 of the Manual stipulates norms of diet for each category of prisoners and also prescribes that the dietary items should be procured for 15 months i.e. for a year in advance and a reserve for three months.

Audit observed that for the purchase of dietary¹⁸ and toiletry¹⁹ items for consumption of prisoners during 2011-12, the DGP called for (February 2011) demand from all the Jail Superintendents in the State. The shortcomings noticed in the procurement process are discussed in the succeeding paragraphs.

5.1.10.1 Procurement in excess of requirement

Audit of the office of the DGP disclosed that for consumption of dietary and toiletry items in jails during 2011-12, purchases were made (February 2011-June 2011) without evaluating the demands of Jail Superintendents. The DGP did not formulate any demand evaluation committee to assess the correctness of quantities of various dietary items demanded by the Jail Superintendents. The demands were found to be based on inflated number of prisoners instead of average prisoners housed during the previous year as per population statement being received each month from Jail Superintendents. This resulted into excess purchases valuing ₹ 1.17 crore as detailed in the **Table 5.9** and also caused the expenditure to exceed the approved revised budget under the respective SOE.

¹⁷ Rule 15.2(b) of Punjab Financial Rules (Volume-I).

¹⁸ Black Gram (60 gram per day), Massar Whole (85 gram per day), Iodized Salt (15 gram per day), Haldi Whole (2 gram per day), Red Chilli whole (2 gram per day), Dhania whole (2 gram per day), Mustard Oil (30 gram per day), Gur (60 gram per day), Soda Ash (20 gram per day) and Tea (3 gram per day).

¹⁹ Tooth brush, tooth paste and toilet soap.

Table 5.9 : Detail of excess purchase of dietary and toiletry items during 2011-12

<i>Quantity in grams and rate in ₹ per gram (including taxes)</i>							
S.No.	Item	Qty required as per norms	Qty actually purchased	Excess purchase	Rate	Amount of excess purchase	Closing balances
DIETARY ITEMS							
1	Black gram	356613408	505700000	149086593	0.03491	5204612.94	149183245
2	Massar whole	134689295	176300000	41610705	0.05451	2268199.54	67980380
3	Iodized salt	76863820	95200000	18336180	0.00764	140088.42	43764850
4	Haldi whole	10220293	13300000	3079707	0.17900	551267.63	6501600
5	Red chilli whole	10289487	13300000	3010513	0.09800	295030.31	6424750
6	Dhania whole	9480440	12700000	3219560	0.07920	254989.19	6609100
7	Mustard oil	20728617	34900000	14171383	0.08149	1154826.00	14543564
8	Soda ash	15629481	17500000	1870519	0.03104	58060.90	5133484
9	Tea	16416775	20300000	3883225	0.14000	543651.45	8727502
Total		650931616	889200000	238268385		10470726.38	
TOILETRY ITEMS							
10	Toilet soap	160589	198737	38158	12.99	472390.00	105847
11	Tooth brush	10381	43263	32882	6.97	229188.00	35864
12	Tooth paste	225381	283383	58002	8.49	492441.00	118995
Total		396351	525383	129042		1194019.00	
GRAND TOTAL						11664745.38	

Source: Departmental data

In reply, the DGP stated (October 2011) that the demands of various items were being furnished by the Jail Superintendents according to their experience, but nothing was stated with regard to non-adherence to the norms. However, the Secretary assured (January 2013) that the demand for procurement would be prepared strictly as per norms prescribed in the Manual.

5.1.10.2 Irregularities in acceptance of tenders

The tenders invited (March 2011) by the DGP for procurement of dietary and toiletry items were scheduled to be opened on 11 April 2011. The tenders were opened by the tender opening committee in the presence of representatives of the suppliers on the scheduled date.

(a) As per clause 12 of the terms and condition of notice inviting tenders, all the documents forming part of the tender were required to be signed by the tenderer and as per Central Vigilance Commission's (CVC) instructions all the documents were required to be signed by the members of the tender opening committee as well.

Audit observed (September 2011) that neither the bidders signed all the documents forming part of the tender including the test-reports submitted by the bidders nor were all the documents found to be signed by all the members of the tender opening committee. The DGP, while admitting the lapse, ensured (October 2011) that in future all the documents would be got signed from the concerned persons.

(b) As per Para 841 of the Manual, before opening the tenders, the Superintendents should ascertain by local enquiries, by reference to official price lists or other means, the ruling prices. Audit observed that nothing as regards ascertaining the local market rates before finalizing the tenders was found to be done. The DGP stated (October 2011) that the departmental purchase committee, while approving the tender rates, kept the market rates also in view, but furnished no documentary evidence in support thereof nor was it found on the records produced to audit.

5.1.10.3 Premature release of earnest money deposits

As per tender notice for the purchase of dietary items²⁰, earnest money at the rate of two *per cent* and security equal to 10 *per cent* of the approximate value of the estimated supply deposited by the successful bidder was to be refunded only after the successful execution of the entire order placed.

Audit observed (September 2011) that earnest money/security deposits of ₹ 9.50 lakh in ten cases were released prior (ranging between 16 and 63 days) to the receipt of last consignment (*Appendix-5.5*).

In reply, while admitting the omission, the DGP (October 2011) and the Secretary stated (January 2013) that in the ensuing tenders, compliance would be ensured.

II. Medical facilities in jails

Para 934 of the Manual provides for a hospital or proper place for reception of sick prisoners in every prison. Para 142 of the Manual requires that there shall be at least one whole time Medical Officer (MO) for every jail which has a population of 500 and in case it exceeds 500, additional medical staff may be provided.

5.1.10.4 Inadequate medical infrastructure

Audit observed that in test checked 15 jails²¹ having hospitals, there was a shortage of 24 MOs (66 *per cent*) in 2010-11 and 14 MOs (39 *per cent*) in 2011-12 (*Appendix-5.6*) which clearly indicated that the jail inmates were not provided with adequate medical attendance during 2010-12. It was further observed that even the basic medical facilities²² required as per Indian Public

²⁰ Black Gram, Massar Whole, Iodized Salt, Haldi Whole, Red Chilli whole, Dhania whole, Mustard Oil, Gur, Soda Ash and Tea.

²¹ **Central Jails** Amritsar, Bathinda, Ferozepur, Gurdaspur, Jalandhar, Ludhiana, and Patiala; **District Jails** Faridkot, Hoshiarpur, Nabha, Ropar and Sangrur, Open Air Jail Kapurthala; Women and Borstal Jails at Ludhiana.

²² Diagnostic lab, x-ray machine, ECG machine, dental unit, autoclave etc.

Health Standards for the primary level hospital were not available in all these jail hospitals. Due to inadequacy of medical officers in jails coupled with non-availability of basic medical facilities, the bed occupancy rate remained as low as ranging between 0.03 and 11, and 14964 prisoners had to be referred to hospitals outside the jail complex during 2010-12, whereupon the jail administration had to incur an additional expenditure of ₹ 1.44 crore at the place of their admission.

5.1.10.5 Procurement of insufficient medicines

The DGP, before the commencement of a financial year, invites the demand of medicines from all jails in the State of Punjab for placing bulk order on the Central Public Sector Enterprises (CPSEs).

Audit observed that in 15 test checked jails, the DGP, as against the demand of 359 and 275 allopathic medicines, procured only 120 and 182 medicines during 2010-11 and 2011-12 respectively, thereby resulting in short supply of medicines to the extent of 67 per cent (2010-11) and 34 percent (2011-12). Further, most of the medicines procured by the DGP from the CPSEs were received so late that the requisite medicines remained out of stock for days ranging between 24 and 365 days. Even the short supply of medicines was not met with through local procurement by the indenting jails.

Thus, due to inadequate medical infrastructure and medicines, the inmates were deprived of the health care facility in jails.

On this being pointed out, the Jail Superintendents stated (December 2011-June 2012) that the points had been noted for future compliance and assured to take up the matter with the higher authorities. The Secretary assured (January 2013) the posting of required number of Medical Officers and formation of a committee for providing adequate medical facilities as early as possible.

5.1.10.6 Purchase of medicines at higher rates

The DGP placed supply orders for procurement of medical stores amounting to ₹ 26.99 lakh and ₹ 23.75 lakh with a CPSE - M/s HLL Life Care Limited (HLL) during the year 2010-11 and 2011-12, respectively. As per clause 2 of the supply order, in case of any subsequent reduction in prices guaranteed by the supplier to the DGS&D, DHS/ESI or to any other State Government or State Government Undertaking, the reduced rates would also be equally applicable to the supply order in question.

Audit observed that the dealer (M/s Uday Agencies, Ludhiana) of HLL supplied (March 2011) gloves and IV Sets to Jan Aushdhi Store, Bathinda (State Government undertaking) at the prices lower than those supplied to the Jails Department, resulting into procurement of medical stores at higher rates to the extent of ₹ 4.49 lakh (*Appendix-5.7*).

The Secretary assured (January 2013) that the matter would be looked into and recovery would be effected wherever necessary and intimated to audit.

5.1.10.7 Supply of untested drinking water

Para 914 of the Manual provides that the water of all jail wells/tubewells which is used or likely to be used at any time for drinking or culinary purposes, shall be analysed qualitatively by the Chemical examiner on or about the 5th January of each year.

Audit observed that out of 15 test-checked jails, the water samples of only five jails²³ were got tested once in two years i.e. 2010-12 and that too for bacteriological tests only. None of the Central Jails and District Jails got the source of drinking water chemically analysed²⁴, as prescribed in the Manual. Non-testing of water led to supply of contaminated water to inmates, as 1757 inmates were found to be suffering from water borne diseases²⁵ during 2010-12.

The Jail Superintendents, while agreeing to the audit observation, assured to get the complete testing of water done in future, which was reassured by the Secretary (January 2013).

5.1.11. HUMAN RESOURCE MANAGEMENT

I. Shortage of Warder staff

As per the Model Prison Manual²⁶ (MPM) the strength of custodial/guarding staff will be determined keeping in view the requirements of security, discipline, programme emphasis, duty posts, workload and distribution of functions.

The position of the overall sanctioned strength and men-in-position of warder staff during 2010-12 is given in **Table 5.10**:

Table 5.10 : Position of sanctioned strength and men-in-position of warder staff

Name of cadre	2010-11			2011-12		
	Sanctioned strength	Men in position	Excess (+) Short (-)	Sanctioned strength	Men in position	Excess (+) Short (-)
Head Warder	362	313	(-)49	479	296	(-)183
Head Matron	11	9	(-)2	22	9	(-)13
Warder	1561	1526	(-)35	2088	1516	(-)572
Matron	58	64	(+)6	94	58	(-)36
	1992	1912	(-)80	2683	1879	(-)804

Source: Departmental data

It was observed that the sanctioned strength of warder staff was increased by

²³ Central Jails Amritsar, Jalandhar, Ludhiana and Patiala and District Jail Faridkot.

²⁴ 1) Turbidity, 2) Colour, 3) Odour, 4) Conductivity, 5) Alkalinity, 6) Residual chlorine, 7) pH, 8) Iron, 9) Chloride, 10) Hardness, 11) Total solids, 12) Suspended solids, 13) Nitrogen (ammonia), 14) Nitrites, 15) Nitrates, 16) Fluorides, 17) Metal, viz., Arsenic, Aluminum, Lead, Manganese, 18) Chlorine demand, 19) Additional parameters, viz., BOD, COD, TOC, oil and grease, pesticides, mercury etc.

²⁵ Dysentery (608), Vomiting (201) and abdomen pain (948).

²⁶ Para 4.02 of the Model Prison Manual (2003) of the Bureau of Police Research and Development, Ministry of Home Affairs, Government of India.

35 per cent, whereas men-in-position decreased from 96 per cent in 2010-11 to 70 per cent during 2011-12. It was further seen that the available warder staff was also not deployed proportionately, as discussed below:

5.1.11.1 Disproportionate deployment of watch and ward staff

As per Para 222(1) read with para 222(3) of the Manual, there shall be three circles namely Patiala, Ferozpur and Amritsar for the purpose of appointment, transfer and promotion of Warders and better organisation of the warder establishment. The Superintendent of the Headquarters of the circle is required to manage the Warder establishment of each jail falling under his jurisdiction. Further, Para 276 of the Manual dealing with the Warders *inter alia* prescribes that the strength of the guards and all matters relating to the protection of the jail and the prisoners be regulated by the Superintendent in accordance with any general or special orders from time to time issued by the Inspector General.

The position of sanctioned strength of warder staff vis-à-vis authorized capacity of the jails and men-in position vis-à-vis number of prisoners in the 19 test checked jails as on 31st March 2012 is given in **Table 5.11**:

Table 5.11 : Position of prisoners and warder staff sanctioned/actually in position

Name of Jails	Authorised capacity of the jail	Total sanctioned posts of watch and ward staff	Prisoner Warder ratio	Inmates as on 31 March 2012	Men-in-position as on 31 March 2012	Prisoner Warder ratio
Central Jail Amritsar	1610	214	8:1	2705	212	13:1
Central Jail Bathinda	1146	131	9:1	1263	119	11:1
Central Jail Ferozpur	1236	183	7:1	1249	167	7:1
Central Jail Gurdaspur	750	124	6:1	982	101	10:1
Central Jail Jalandhar	2990	248	12:1	1986	117	17:1
Central Jail Ludhiana	2600	196	13:1	2553	140	18:1
Central Jail Patiala	1401	225	6:1	1788	156	11:1
Central Jails (Average)	11733	1321	9:1	12526	1012	12:1
District Jail Faridkot	2072	215	10:1	1199	96	12:1
District Jail Hoshiarpur	678	88	8:1	623	58	11:1
District Jail Ropar	325	107	3:1	420	54	8:1
District Jail Nabha	462	200	2:1	509	95	5:1
District Jail Sangrur	650	138	5:1	932	98	10:1
Borstal Jail Ludhiana	500	82	6:1	391	79	5:1
Women Jail Ludhiana	220	46	5:1	208	25	8:1
District Jails (Average)	4907	876	6:1	4282	495	9:1
Sub Jail Muktsar	69	24	3:1	191	35	5:1
Sub Jail Fazilka	48	22	2:1	110	24	5:1
Sub Jail Malerkotla	170	21	8:1	106	19	6:1
Sub Jail Phagwara	20	15	1:1	33	13	3:1
Sub Jail Dasuya	20	21	1:1	32	18	2:1
Sub Jails (Average)	327	103	3:1	472	109	4:1
Grand Total	16967	2300	7:1	17908	1732	10:1

Source: Departmental data

Audit analysis revealed that ratio of authorized capacity of jails to sanctioned strength of warder staff varied from 1:1 to 13:1 and that of actual prisoner population to warder staff in position from 2:1 to 18:1. The warder staff sanctioned for a jail did not bear any relation to the authorized capacity of the jail. Similarly, the warder staff in position did not bear any relation to the actual population of the prisoners. The problem of disproportionate deployment of warders for uniform watch and ward was not taken into consideration by the department, as prescribing and maintaining an optimum ratio of warder staff to prisoners would help in proper discharge of custodial duties. MPM also recommends in principle one warder staff for every six prisoners. Thus, the disproportionate deployment of watch and ward staff ended up the Central jails to be poorly guarded as against the sub jails.

On this being asked, the Secretary intimated (January 2013) that the process to recruit more warders was expected to be finalized by May 2013 and a committee had been formed to study the deployment of warders optimally.

II. TRAINING

Punjab Jail Training School, Patiala (PJTS) was established in 1988 to meet the needs of training of the jail personnel in Northern India. The school is equipped with 30 rooms to accommodate 60 officers and spacious barracks for 150 personnel.

Audit of records (March 2012) of the Principal, PJTS revealed the following shortcomings:-

5.1.11.2 Underutilization of training capacity

The school had a capacity of 10920 training week slots to impart training to 210 jail personnel for 52 weeks in a year which remained grossly underutilized at 58 per cent (2010-11) and 92 per cent (2011-12), as given in **Table 5.12**:

Table 5.12 : Underutilization of training capacity

Year	Available training capacity (210 x 52 weeks)	Training capacity actually utilized	Percentage of under-utilization
2010-11	10920	4488	58
2011-12	10920	826	92

Source: Departmental data

The underutilization was mainly due to the fact that the PJTS did neither circulate the calendar of training to other States nor to the jail authorities within State of Punjab and inadequate training facilities as discussed in the succeeding paragraphs, rendering the training school as under utilized during 2010-12.

On this being pointed out, the Principal, PJTS stated (March 2012) that the calendar of training courses for the year 2012-13 had been prepared and was under approval of the DGP (Prisons) for circulation to all the concerned quarters, but did not furnish any justification for under utilization of training capacity.

5.1.11.3 Non-maintenance of training database

As per para 236 of the Manual, every Warder is required to undergo such instructions and practice in the nature of military training as may be necessary to keep him acquainted with squad and company drill and to render him thoroughly efficient in the use of arms at any time prescribed for the use of Warders.

Audit observed that in 20 test checked jails²⁷, neither the Jail Superintendents, (except for the Central Jail, Bathinda) nor the PJTS maintained any database to ensure that available training was imparted to all Warders at least once in the entire service career. In the absence of database, the possibility of imparting same training to same warder again and again could not be ruled out.

On this being enquired, the Jail Superintendents assured maintenance of the training database. However, the Principal, PJTS stated (March 2012) that digital database was under preparation and assured that the same would be submitted within a day or two, which was awaited (September 2012).

5.1.11.4 Lack of training facilities

a) Non-providing of human resources and infrastructure

The Principal, PJTS demanded (December 2007) new instructors for specialized courses²⁸, furniture/fixtures and repairs²⁹ for the smooth running of the training school. Further, the Principal requested (July 2011) for provision of a firing range at the available land with new jail at Nabha, as the PJTS did not possess its own firing range for imparting training in firing to the jail personnel, but the same were not provided (December 2012), thereby affecting the performance of the training school adversely.

b) Antiquated weapons

Arms and ammunition being used for training to the watch and ward staff in PJTS were outdated and not in tune with the current security needs. Audit observed that out of 243 weapons available with the PJTS, 236³⁰ (97 per cent) were outdated.

Though the demand for the introduction of new weapons, in line with the present needs, was made by the PJTS several times between August 2006 and December 2010, but the antiquated arms and ammunition had not been replaced (December 2012).

²⁷ Central Jails at Amritsar, Bathinda, Ferozpur, Gurdaspur, Jalandhar, Ludhiana, and Patiala; District Jails Faridkot, Hoshiarpur, Nabha and Ropar, Sangrur, Kapurthala; Open Air Jail Nabha; Women Jail and Borstal Jail Ludhiana. Sub Jails at Fazilka, Malerkotla, Muktsar, Phagwara.

²⁸ Tear gas squad, dog squad and martial arts.

²⁹ Fourteen double beds, chairs, study tables, mattresses, bed sheets, pillows, pillow covers, blankets for officers' hostel, besides minor/special repairs, sanitary works, white wash and electrical repairs; special repair of Warder's hostel.

³⁰ 136 Musket Rifles .410 already weaned out of army before 1942 and 100 rifles 303 received by the jail department prior to the year 1947.

c) Non-providing/idle office automation and training equipment

Against the requirement (December 2010-August 2011) of office automation equipment for imparting training in PJTS, only computers were provided by the DGP, Chandigarh as given in **Table 5.13**:

Table 5.13 : Position of non-availability of infrastructure at Punjab Jail Training School

Equipment requisitioned	Number required	Date of requisition	Date of reminder	Purpose	Date of receipt
Computer	15	28.12.2010	16.02.2011	Training	11.03.2011 (10 computers)
Computer	04	28.12.2010	16.02.2011	Office use	NR
Photostat machine	01	24.08.2011	--	Office use	NR
Projector	01	12.08.2011	--	Training	NR
Laptop	02	12.08.2011	--	Training	NR

Source: Departmental data

NR = Not received

Though the DGP provided 10 computers for training purpose in March 2011, yet the computer instructor to impart training to the jail personnel was not provided, thereby not only rendering the computers involving ₹ 3.89 lakh idle but also denying the intended computer training to the participants. Remaining equipment required for imparting training in audio-visual mode were also awaited (December 2012).

On this being pointed out, the Principal stated (March 2012) that the vigorous efforts would be made to get the requisite human resource and infrastructure.

Lack of seriousness on the part of department to provide human resource, infrastructure, modern weapons and office automation equipment for training purpose caused the training ineffective ultimately endangering the security of jails.

The Secretary, while admitting the audit observations, assured (January 2013) that the shortcomings with regard to appointment of sufficient training staff, providing infrastructure etc. at the Punjab Jail Training School, Patiala would be met with on top priority.

III. Security equipment, arms and ammunition

5.1.11.5 Lack of modern equipment, arms and ammunition

Para 23.18 of MPM recommends of having modern security equipment like jammers, metal detectors, screening machines and other electronic devices for maintaining security in prisons. The MPM also suggests that the armoury of the prisons should be well equipped with all types of sophisticated and automatic weapons.

It was, however, observed that the test checked 14 Jails³¹ having armoury, were lacking modern gadgets and equipment required for security,

³¹ Central Jail Amritsar, Bathinda, Ferozepur, Gurdaspur, Jalandhar, Ludhiana and Patiala; District Jails Faridkot, Hoshiarpur, Nabha, Ropar, Sangrur, Borstal Jail Ludhiana and Kapurthala.

surveillance and search, as discussed below.

a) Modern equipment

Audit observed that none of the test checked jails was having the facilities of screening (X-ray), metal detection, explosive detection, mobile phone jamming to prevent entry of prohibited articles into the prisons. In the absence of modern search and security devices, the prisoners were being searched manually while admitting into the jail premises. As a result thereof, 445 cases of seizure of mobile phones including accessories and 87 cases of seizure of prohibited drugs from the prisoners within the jail premises were registered during 2010-12. Besides, cash amounting to ₹ 15,730 on six occasions was also recovered from the inmates during 2010-12.

On this being asked, the Jail Superintendents stated that the matter would be taken up with the higher authorities.

b) Arms and ammunition

The Manual prescribes issue of pistols/revolver for officers and Muskets .410 rifles for Jail Warders with prescribed rounds of ammunition. Further, as per para 308(1) of the Manual, 40 rounds ball, 50 rounds blank and 30 rounds of buckshot were to be allotted to individual official.

In test checked 14 jails having armoury, it was noticed that instead of having modern sophisticated weapons in the armoury, there were antiquated Musket .410 rifles in the stock for the Warders though the officers were provided with comparatively modern arms. The compatible ammunition was also not found to be kept matching with the norms, as the balls, blanks and buckshots were short by 75, 25 and 38 *per cent*, respectively as given in **Table 5.14**:

Table 5.14 : Position of shortage of ammunition for available Musket .410 rifles

For Musket .410	Balls (as per norms of 40 rounds)	Blanks (as per norms of 50 rounds)	Buckshots (as per norms of 30 rounds)
Required	20520	25650	15390
Available	5098	19325	9569
Shortage	15422	6325	5821
Percentage shortage	75	25	38

Source: Departmental data

Audit further observed that despite the lack of modern arms and shortage of ammunition, indents, required to be raised on 15 March each year as per the provisions of the Manual, were not raised by any of the Jail Superintendents. Thus, the much needed security practices being followed in the jails were out of date and not in tune with the modern security and surveillance needs.

The Secretary stated (January 2013) that whole body scanners, mobile jammers and metal/explosive detectors would be installed shortly to stop infiltration of unauthorized material in the jail premises. As regards

replacement of old arms and ammunition, a committee was stated to have now been formed to replace them with modern weapons.

5.1.12 INTERNAL CONTROL MANAGEMENT SYSTEM

5.1.12.1 Inadequate inspection of jails

As per paragraph 25 to 27 of the Manual, the Inspector General has been entrusted with the duty of visiting and inspecting every jail, as far as possible, at least once in each year with a view to satisfying himself that the provisions of the Prison Act, 1894 and all rules, regulations, directions and orders made or issued there under, applicable to such jail are duly obeyed and enforced and that the management of each jail is in all respects efficient and satisfactory. Further, a copy of the minutes required under para 25 and 26 with matters which should, in the opinion of the Inspector General, be brought to the notice of Government shall be forwarded by the Inspector General to the State Government.

Audit observed that out of the test checked 22 jails, IG/DGP visited 13 jails in 2010-11 and 14 jails in 2011-12 but no report with regard to their visits was either sent to the concerned jail or to the State Government. Thus, in the absence of inspection in the remaining jails and non-submission of inspection reports, adherence to the rules, regulations and management in these jails could not be ensured.

On this being enquired, the Secretary while agreeing to the audit observation assured (January 2013) that in future this aspect would be taken care of and written reports of the inspection would also be prepared so as to keep a watch on its compliance.

5.1.12.2 Non-revision of jail manual

On the directions of the Hon'ble Supreme Court, the Manual for the superintendence and management of prisons in the Punjab State was revised to bring it in line with the current needs of 1996 and the Government of Punjab after obtaining the approval of the Council of Ministers on 20 July 1996 prescribed the same.

It was seen in Audit that the manual prescribed in 1996 was not further revised to match with the present needs and to incorporate the departmental orders and instructions issued from time to time since 1996.

In reply, the Secretary informed (January 2013) that the Prisons Act was under revision and was with the Legal Remembrance for vetting. As soon as the revised Act is approved, the process to revise the manual would be initiated.

5.1.12.3 Non-submission of periodical returns

Paragraphs 987 and 988 of the Manual require submission of 53 periodical returns by the Jail Superintendents and Medical Officers to the headquarters office.

Audit observed (December 2011-June 2012) that in the test-checked 22 jails, returns ranging between 4 and 30 were only being submitted to the headquarters office, thereby having shortfall in submission of periodical returns ranging between 43 and 91 *per cent*. It was further seen that the returns being received at the headquarters office were also not being consolidated, analysed and used by the management in decision making as is evident from the point discussed in paragraphs 5.1.8.2 and 5.1.10.1.

Thus, inadequate evaluation of the performance of jails, non-revision of manual and non-submission of requisite returns to the headquarter office are indicative of poor monitoring, which reflects adversely on the effective and efficient working of the jail administration.

The Secretary was of the opinion (January 2013) that many of the returns prescribed in the manual had become redundant with the passage of time and as regards the remaining, it was assured that those would be considered in decision making at apex level.

CONCLUSIONS

Budget estimates were found to have been prepared unrealistically. Non-creation of reception centres in jails required for segregation of prisoners led to lodging of prisoners suffering from Tuberculosis and mental disorder with other prisoners and the health care facilities were also found to be inadequate. Video conferencing system was under-utilized. During 2010-12, fifty one prisoners escaped while ferrying them to courts for *peshis*. Enhanced capacity of jails was not utilized in a scientific manner to ease out the overcrowding. Reformative activities for prisoners were absent and most of the rehabilitation activities were also primitive. There was shortage of Warders and the available Warders were also not deployed in proportion to the number of inmates. The only Jail Training School in Punjab was lacking basic infrastructure. Inadequate inspections of the jails and non submission of various envisaged periodical returns indicated the weak internal control management system in the department.

RECOMMENDATIONS

The State Government may like to consider the following:

- *Budget estimates may be prepared as accurately as possible.*
- *Reception centres should be made functional for designing correctional path for the prisoners. Video conferencing facilities be optimally utilized to save time, money and unnecessary ferrying of prisoners. Capacity creation needs to be planned considering average number of convicts and under-trials separately.*
- *Reforms of the prisoners should be made the main concern of correctional homes and sufficiently modern viable trades be introduced to enable the prisoners to secure reasonable livelihood on their release.*

- *The purchase of dietary items must conform to the norms. Jail hospitals need to be well equipped and supply of safe drinking water be also ensured.*
- *The department should prioritize deployment of sufficient Warder staff and that too in right proportion for the safe custody of the prisoners and the security of jails. The gaps in the field of training should be filled in urgently to impart effective training to augment security efficiency.*
- *The authorities should inspect the jails regularly to ensure adherence to the rules/instructions. Receipt of periodical returns be given importance and these should invariably be analyzed and considered in decision making on various issues.*



CHANDIGARH
The 13 March 2013

(AMANDEEP CHATHA)
Accountant General (Audit), Punjab

Countersigned



NEW DELHI
The 14 March 2013

(VINOD RAI)
Comptroller and Auditor General of India