



647. Power of Inspector General to transfer of P.R.T. prisoners outside the Province prisoners.

A P.R.T. prisoner who is not a resident of the Province where he is serving his sentence, may be removed by order of the Inspector General within two months of his release to the prison of the district to which he belongs or the prison nearest his home. The Inspector General of the Province to which the prisoner is being removed, shall be informed:

Provided that if the Government appoints any prison or prisons as receiving centres for the prisoners removed from other Provinces, orders made under this rule shall in each case direct that prisoners be removed to such prison.

648. Sanction of Administrative Department necessary for transfer of a prisoner to another province or territory.

The transfer of prisoners from a prison in one Province to a prison in another Province or territory for execution of sentence, for release or for production in a court requires the previous sanction of the Administrative Department. When such a transfer is rendered necessary by any general or special order, the Officer In-charge shall submit the descriptive roll in duplicate of the prison to the Inspector General, for transmission to Administrative Department.

649. Transfer of prisoners to other Provinces or territory on reciprocal basis.

Transfer of prisoners on administrative grounds from one Province to another Province or territory may be arranged mutually between the respective Inspectors General on reciprocal basis.

650. Transfer of condemned prisoners.

Transfer of prisoner under sentence of death from one prison to another shall be directed by the Inspector General subject to the control of the Administrative Department.

651. Prisoners to be transferred to undergo sentence.

- (1) The following classes of prisoner shall be transferred in the manner prescribed in the succeeding rules, when necessary, to undergo sentences:-
- (i) long term prisoners;
 - (ii) juvenile and women prisoners;

- (iii) prisoners detained under the Reformatory Schools Act, 1897, and the Borstal or Children Acts;
- (iv) Court Martial prisoners;
- (v) habitual prisoners;
- (vi) leper and tubercular prisoners;
- (vii) prisoners whose transfer is necessary to relieve overcrowding;
- (viii) prisoners with special qualifications whose services are required elsewhere;
- (ix) influential, violent or dangerous prisoners;
- (x) prisoners whose transfer is necessary in the interest of their health to another prison as and when determined by the Inspector General; and
- (xi) prisoners whose transfer is necessary or desirable for any other reason, e.g., insecurity of the prison, character of the prisoner, or his having friends or relatives amongst the staff.

(2) The Officer In-charge may transfer prisoners under clauses (i) to (v) without the sanction of Inspector General or Deputy Inspector General. Transfers under clauses (vi) to (xi) shall not be made without the previous sanction of the Inspector General or Deputy Inspector General.

(3) Subject to recommendation of Medical Officer, the prisoners referred to in clauses (vi) and (x) whose condition is serious may, however, be transferred in anticipation of sanction, but formal sanction for such transfers must be obtained.

652. Transfer of prisoners for local or disciplinary reasons.

The Officer In-charge may recommend to the Inspector General or Deputy Inspector General, as the case may be, transfer to another prison of any prisoner whose detention in the prison is considered to be inexpedient for local or disciplinary reasons or for any other sufficient cause. The reasons for transfer shall always be communicated to the Officer In-charge to which the prisoner is transferred and shall also be recorded on the history ticket of the prisoner.

653. Transfer of adolescent, habitual and other prisoners.

(1) All male prisoners under the age of 18 years shall on conviction be transferred to the Borstal Institution or Juvenile Prison.

(2) All women prisoners shall immediately on conviction be transferred to the women's prison. All adult habitual prisoners shall be transferred to the habitual prison.

(3) All Court Martial prisoners shall immediately on admission be transferred to prison situated near their homes and if long termers, to central prisons nearest their homes.

654. Transfer of Sick Prisoners whose association is risky to other healthy prisoners.

Any Prisoner wherein the event of any disease or sickness which could cause serious threat to other prisoners, such prisoners shall be transferred to those prisons especially reserved for them.

655. Transfer of local prisoners whose sentences exceed' five years.

Prisoners whose sentences exceed five year shall not be confined in a prison which is situated in the home district or which is close to their "homes.

656. Adult male prisoners where to be confined.

Subject to the limitation of the length of sentences, adult male prisoners shall ordinarily be confined in the prisons to which they are committed or transferred to other prisons in accordance with the policy of transfer of prisoners which shall be framed by the Inspector General.

657. Power of Inspector General or Deputy Inspector General as to detention and transfer.

Nothing contained in these rules regarding the confinement of prisoners in prisons, shall be deemed in any way to interfere with the powers of the Inspector General or Deputy Inspector General to direct, in his discretion, by general or special order, that any class or classes of prisoners shall be confined in or transferred to any prison or class of prisons; provided that in the case of an under trial prisoner who is transferred to another Prison, Court trying such prisoners shall forthwith be informed of such transfer.

658. Transfer of prisoners for purpose (s) of release.

Every P.R.T. prisoner shall be transferred to the prison of his home district thirty days to his release. Sanction of the Inspector General or Deputy Inspector General is not necessary for such transfers.

659. Procedure when P.R.T. prisoner is unfit to travel.

If a P.R.T. prisoner is unfit for transfer on account of illness thirty days before release, he shall be transferred if he recovers in time and is fit to undertake the journey. If he remains unfit till the date of his release, the Officer In-charge of Police of his district and the local Superintendent of Police shall be informed and the prisoner shall be released in the usual way.

660. Prisoner not ordinarily to be transferred.

Notwithstanding the provisions of rule 650, the prisoners shall not ordinarily be transferred to any other prison than that to which they were in the first instance committed

until the result of the appeal is known or if appeal is not preferred or time for appeal has elapsed.

(2) Prisoners confined in default of furnishing security or of payment of fines shall not also be ordinarily transferred.

661. Transfer of old, infirm and sick prisoners.

(1) Infirm and prisoners over sixty years of age shall not be transferred without the special sanction of the Inspector General or Deputy Inspector General.

(2) Sick prisoners shall not be transferred till they are fit to travel. In case their transfer is necessary for any reason, application for special sanction must be accompanied by a brief medical history of the case and the ground for desiring the transfer.

662. Medical examination of prisoners, before transfer.

Every prisoner shall be medically examined before transfer and unless certified fit to undertake the journey, shall not be removed from the prison.

663. Prisoners not to be transferred when epidemic prevail.

(1) No prisoner shall be transferred without the special sanction of the Inspector General or Deputy Inspector General from one prison to another when there is an outbreak of epidemic in either the transferring or the receiving prison and for two weeks after the prisons have been declared free from infection. Special precautions shall be taken to guard against infection when a transfer has to be made along a route where any infection is known to prevail.

(2) On the outbreak of an epidemic in a prison, the Officer In-charge shall immediately inform the Inspector General & Deputy Inspector General, who shall stop all transfer to and from that prison until the prison has been declared free from infection.

664. Descriptive roll to be submitted.

When applying for the transfer, of a prisoner to another prison, his descriptive roll shall be submitted to the Inspector General or Deputy Inspector General giving reasons for desiring the transfer. The roll shall, however, also be submitted in cases where transfer has been effected in anticipation of sanction.

665. Documents to be sent with a prisoner on transfer.

(1) The following documents shall be sent with each prisoner on transfer:-
(a) Warrant or warrants;
(b) Remission sheet.

- (c) List of prisoner's property;
 - (d) History ticket written up-to-date;
 - (e) Descriptive roll;
 - (f) List of prison property accompanying him.
- (2) All these documents shall be numbered serially and the number of warrants mentioned specially.

666. Action when a transfer ordered cannot be carried out.

When an order received for the transfer of any prisoner cannot be carried out owing to illness, release on appeal or other reasons, the descriptive roll conveying the sanction for transfer shall be returned to the Inspector General or Deputy Inspector General, as the case may be, stating the reason for not affecting the transfer.

667. Time of arrival of prisoner(s).

Prisoners shall be dispatched so as to reach the receiving prison during daytime. Night journeys shall be avoided as far as possible. Dates shall be so arranged that the prisoners do not arrive at their destination on Sundays or gazetted holidays.

668. Notice for requisition of Police escorts.

(1) Notice of the intended transfer of prisoners or the production of prisoners before a court shall be given in writing as soon as possible to the Officer In-charge of Police before the District Police guard is required.

(2) When transfer is to be effected immediately for special reasons, escort shall be requisitioned by telephone. Requisition for the Police escort shall state the number and class of prisoners to be guarded, whether men or women and if there are any violent or dangerous characters amongst them.

Note. Condemned prisoners, dacoits, lifers and those involved in heinous offences shall be mentioned as such and classed as dangerous prisoners.

669. Duty of Officer In-charge with regard to prisoners to be sent to court.

(1) Upon delivery of any order under section 45 of the Act or any other law for time being in force, the Officer In-charge of the Prison in which the prisoner named therein is confined, whether prisoner be confined in a prison located within the district other than in which court passing or counter-signing the order for attendance of the prisoner is located, that officer shall cause him to be taken to the court in which his attendance is required, so as to be present in such court at the time in such order mentioned and shall cause him to be detained in custody in or near the court until he has been examined or the Presiding Officer authorize him to be taken back to the prison in which he was confined.

- (2) The Officer In-charge of the District police is responsible for providing escort and for the safe custody of prisoner till he is redelivered to the prison.
- (3) In case of the omission or commission of not providing the escort under sub-rule (2), the Officer Incharge of district police shall solely be answerable before the court.

670. Production of Prisoner in Video Trial.

The prisoners shall be produced before the court through video link trial in the designated place inside prison under the orders of court.

671. Inside Trial.

The Administrative Department shall, for the purpose of trial Inside Prison, notify the case or cases of prisoners or classes of prisoners to be produced at designated place for inside trial.

672. Intimation to the receiving prison.

When prisoners are transferred from one prison to another, the Officer In-charge shall send intimation to the Officer In-charge of the receiving prison by a letter or any electronic means as may be considered necessary, informing 'him of the date and the time 'of their arrival at destination.

673. Scale of Police escort for prisoners.

(1) The scale of police escort for prisoners is -

For one prisoner --	Two Constables.
From two to four prisoners --	One HC and Two PC's
From five to seven prisoners --	One HC and four PC's
From six to nine prisoners/ --	One HC and five PC's
From ten to twelve prisoners --	One ASI, One HC and five PC's

(2) If the prisoner or prisoners are desperate and dangerous or involved in heinous offences, the Officer In-charge of Police furnishing the escort may increase the strength at his discretion.

(3) Police escort shall be held responsible for the safe custody of prisoners until they are again made over to the prison.

674. Prisoners to be handcuffed before removal.

Male prisoners except Better Class prisoners and political detainees shall be handcuffed before removal from prison.

675. Imposition of restraint on transfer.

(1) The prisoners classified as better class shall not be restrained when travelling by rail or road or air unless The Officer In-charge of Police for reasons to be recorded in writing so requires.

(2) Prisoners confined for offences punishable under sections 224, 225-B, 302, 303, 304, 307, 308/392, to 402 of the Pakistan Penal Code, 1860 or any heinous offence, shall while traveling by rail or road shall be restrained by use of mechanical or electronic or plastic or nylon if the Officer In-charge of Police in the case of an un-sentenced prisoner and the Officer In-charge of Prison, in the case of a sentenced prisoner for reasons to be recorded in writing considers it necessary so requires.

(3) Condemned prisoners and escapee prisoners shall be restrained by use of restriction mentioned in sub-rule (2).

(4) When a prisoner transported by a Police van or other conveyance, he shall be restrained by use of restraint mentioned in sub-rule (3).

(5) Women prisoners and juvenile prisoners shall not be restrained.

(6) When the Medical Officer certifies in his report book that a prisoner, owing to age or infirmity, is unfit to be restrained, he shall not be restrained.

(7) The procedure for use of restrains mentioned above shall be laid down in accordance with regulations.

676. Food of prisoners on transfer.

(1) Prisoners on transfer or about to be sent to court shall be given cocked^[1] food before leaving the prison.

(2) If the journey is a short one and the prisoner will reach the prison before the next meal, he shall get his food from that prison on arrival.

(3) If the journey is such that the prisoner cannot reach the prison before meal time, the Officer-in-charge of the Police escort shall receive diet money for each prisoner at the rate as prescribed under the regulations.

(4) It is the duty of the Police escort to see that new prisoners get their food before they are taken to the prison if they are likely to arrive there too late for a meal.

[1]

to be read as "cocked"

677. Diet of prisoners removed from prison.

The Inspector General shall from time to time fix the rate of diet for prisoners removed under these rules. The Officer-in-charge of the Police escort shall provide and ensure that each prisoner receives diet in accordance with such rate. If the journey to court is such that the prisoner cannot reach the prison before meal time, the Officer-in-charge of the Police escort shall receive diet money for each prisoner at the rate prescribed under the regulations.

678. Money advance for road expenses and railway pass.

A sum of money, sufficient to meet all expenses together with a railway pass for the tickets required if the journey is to be performed by rail, shall be handed over to the Junior Prison Officer or the Officer-in-charge of the escort as the case may be, by the Officer In-charge of the dispatching prison.

679. Different kinds of conveyance.

(1) Subject to provision of these rules, the Prison or Police Authorities shall convey prisoners keeping in view of security and safety of prisoners by Train, Road or Air; provided that the prisoners shall preferably be transported by road.

(2) Better class prisoners may be allowed to travel by Air if he pays the fare both for himself and for the Police escort.

680. Adjustment of travelling expenses.

The expenses for the Police escort and transfer of prisoners shall be paid by the Police Department.

681. Police Department to defray conveyance of under-trial prisoners.

The Police Department shall defray all charges of every kind relating to the conveyance of all under-trials to and from courts.

682. Classes to be kept separate on transfer.

Women prisoners shall, when on transfer, be kept completely apart from male prisoners and male juveniles from adult males. Further separation of the various classes should be carried out as far as practicable.

683. Prisoners to be searched before transfer Receipt to be taken.

(1) Before the transfer the prisoners shall be paraded inside the prison, the Assistant Superintendent shall satisfy himself that all the prisoners have sufficient clothing and are properly dressed.

(2) Prisoners shall ordinarily wear their own clothes while on transfer. Those who have no clothes of their own or whose clothes have been disposed of otherwise, shall wear prison clothes as may be prescribed by the regulations. They shall be carefully searched in the presence of the Assistant Superintendent incharge of transfers and of the Officer-in-charge of the Police escort, from whom a receipt shall be taken for the prisoners property and documents handed over to him. They must thoroughly satisfy themselves that necessary restraints are fastened properly.

(3) A receipt shall be obtained from the officer in charge of the escort for the prisoners sent to courts and such officer shall certify in the gate keeper's register that he has searched the prisoners. All prisoners shall be searched again at main gate on return from the court before their being taken over from the officer in charge of Police escort.

684. Junior Prison Officer to accompany prisoners on transfer.

(1) A Junior Prison officer shall accompany prisoners on transfer when their number exceeds twenty-five. He shall be incharge of the Government property, documents and private effects of the prisoners.

(2) The Deputy Superintendent must satisfy himself, before the prisoners leave the prison, that all necessary arrangements have been made to provide them with the means if water-supply, food, etc enroute and that the Junior Prison Officer accompanying them understands his duties in this connection.

685. Duties of Junior Prison Officer or Police Officer incharge of prisoners.

The presence of a Junior Prison Officer does not affect the responsibility of the Police escort for the safe custody of the prisoners on transfer. The duties of the Junior Prison Officer shall be:-

- (a) to arrange and provide the prisoners with food and water when necessary;
- (b) to preserve carefully and be responsible for the safe custody and safe delivery of the documents and property of all sorts sent with the prisoners;
- (c) to return safely to the prison from which the party was dispatched, the clothing and other Government property sent with the prisoners;
- (d) to obtain receipts from the Assistant Superintendents incharge of admissions of the receiving prison for the prisoners' property and documents made over to him;
- (e) to take every precaution to secure the immunity of the prisoners from

686. Documents etc. to be examined on arrival.

On the arrival of the prisoners at their destination, the Assistant Superintendent in-charge of admission shall examine carefully, the warrants, history tickets, the lists of property both Government and private, compare these with the property actually received, and shall furnish the necessary receipts.

687. Receipts for prisoners, etc., Government property to be returned.

The receiving prison shall duly acknowledge the receipt of the prisoners and of the documents and property relating to them. One copy shall be made over to the Prison Officer and the other sent to the dispatching prison. Identical articles of clothing and other Government property sent with the prisoners shall be returned to the dispatching prison.

688. Procedure when property is retained by receiving prison.

If it is necessary to retain any of the property in the receiving prison, a report of the fact shall be made to the Officer In-charge of the transferring prison. Property so retained shall be accounted for in the registers of both the prisons and in the indents for such articles subsequently submitted.

689. Procedure when property is missing.

If it be found on the arrival of the prisoners at their destination that the property received does not correspond with the lists, immediate notice of the fact shall be given to the Officer In-charge of the transferring prison, who shall institute an enquiry in the matter.

690. Illness of a prisoner on transfer Ultimate disposal.

When a prisoner on transfer becomes ill as to be unable to complete the journey, he shall be left at the nearest Police Station and taken when sufficiently well to be moved, to the nearest prison where he shall be received. His warrant, property and other papers connected with him shall be made over to the Officer In-charge of the prison where he is detained who shall inform the Officer In-charge of the prisons from which to which the prisoner was proceeding, of the occurrence. On recovery the prisoner shall be forwarded with his papers, etc., to his destination. In the case of death, the fact, with date, shall be noted on his warrant, which with the other papers and property accompanying him shall be returned to the prison from where he came.

691. Death of a Prisoner before he can be received in any prison.

If a prisoner dies on transfer and before he can be received in any prison en-route, the Officer in-charge of the police escort shall report the fact to the District and Sessions Judge or the nearest Magistrate as the case may be, in which the death takes place with a view to an enquiry being held into the circumstances attending it. A copy of the

proceedings, together with the warrant, documents and property accompanying the prisoner shall be forwarded to the Officer In-charge of the prison from where he came, who shall submit a copy of the proceedings of the inquiry to the concerned court, Deputy Inspector General and Inspector General.

692. Escape en-route.

If an escape occurs en-route, intimation of the same shall be given as soon as possible to the nearest authorities and to the Officer In-charge of the prison from which the prisoner came, with a view to his recapture. If he is not immediately recaptured, his property and other documents shall be returned to the prison from which he was dispatched.

693. Recapture of a prisoner who escapes on transfer

A prisoner who escapes on transfer shall, recaptured, be sent to the prison from which he was dispatched. A report of the recapture of a prisoner shall be sent to the concerned court, Deputy Inspector General and Inspector-General.

694. Transfer of prisoners to Civil Hospitals in case of serious illness.

(1) Where it is necessary to remove a sentenced or un-sentenced prisoner to hospital outside the prison for operative or other special treatment which cannot conveniently be given in the prison itself -

(a) where the Medical officer or specialist thinks it emergent that a prisoner is to be admitted to the outside hospital, the Officer In-charge is authorized to allow authorized absence in anticipation of the sanction of Deputy Inspector General or Inspector General as the case may be and if he does so, he shall make an immediate report to the Deputy Inspector General or Inspector General; provided that in the normal course of admission at outside hospital, previous sanction of authorized absence from Deputy Inspector General or Inspector General shall be obtained;

(b) where a Court directs that an un-sentenced or a sentenced prisoner is to be taken to a hospital as an outdoor patient or for an X-Ray examination, the Officer In-charge shall as soon as possible arrange for such prisoners to be taken to the hospital for such purpose and if the Medical Superintendent of the Hospital or the Civil Surgeon Certifies that it is necessary to admit such of the such prisoner in the Hospital, the Officer In-charge shall authorize the admission Deputy Inspector General and Inspector General; and make an immediate report to the

(c) if the prisoner is transferred to outside hospital under clause (a) and (b), the Medical Superintendent or Civil Surgeon of the outside hospital certifies that proper treatment cannot be conveniently provided at their hospital and subsequently on their recommendation, the prisoner shall be referred to another district, necessary post facto as soon as possible from

(d) in cases in which a sentenced or un-sentenced prisoner is taken to hospital for treatment as an out-patient only or for X-ray examination or Medical Treatment the Officer In-charge of the prison is empowered to authorize this with his own authorized absence himself.

Explanation. In this rule the term "outside hospital" means the medical facility outside the prison whether government or private.

- (2) In all cases in which a prisoner is removed to a hospital for the purpose of an operation, the removal shall take place as close as possible to the time fixed for operation by Hospital Administration and the prisoner shall be brought back to the prison hospital as soon as this can conveniently be done.
- (3) Police Escort shall be provided by Police Department whenever prisoners are required to remove from Prison for the purpose under this rule.
- (4) Whenever on emergency basis, prisoner is to be taken to outside hospital, Head of District Police shall cause to immediately supply the Police escort on Telephone requisition.
- (5) If Police escort is not received immediately then the Officer In-charge shall cause to send the prisoner through Junior Prison Officer (s) in their own vehicles up to nearest hospital where Police escort shall reach as soon as possible. Subsequently prisoners custody shall be handed over to Police escort.
- (6) Prisoner admitted or under treatment in hospital outside the prison shall always be guarded by the District Police.
- (7) As far as possible, such number of jail / prison wards shall be established in hospitals by the Government as may be recommended by Inspector General.
- (8) Health Department or Hospital administration shall extend necessary facilities to Police Officer or Prison Officer to prevent escape of prisoner.
- (9) All expenses incurred by the hospital authorities in connection with the treatment of prisoners from prison shall be borne by the Health Department provided that if the prisoner opts to be treated at private medical facility in which event, the prisoner shall be liable for the cost of any such consultation, examination, service or treatment.
- (10) Where a prisoner is removed to hospital from prison, his family shall be informed forthwith.

695. Prisoner deemed to be in prison when removed or transferred.

Whenever a prisoner is removed or transferred from the prison where he is confined for any purpose as provided under the Act, rules or regulations, he shall be deemed to be in prison and shall be deemed to be subject to the provisions of the Act, rules and regulations.