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17
R.O.C.NO.1741/96/PL

CIRCULAR

P.DIS.NO.77 OF 1996

24.14.6.1996

Sub:- Constitution of Board of visitors to visit Police lock-ups - Instructions - Issued.

-:0:-

The All India Committee on Prison Reforms has made recommendation to the effect that a Board of visitors should be appointed in each District to visit regularly all Police lock-ups in the District and report on their conditions. The Government, after getting the views of the Director General of Police, have issued orders in G.O.Ns. No.1151, Police (Law and Order) Department, dated 6.12.95, authorising the Collectors of all the Districts to constitute a Board of visitors to visit the Police lock-ups at District level and Taluk level, with the District Revenue Officer, Chief Judicial Magistrate and District Medical Officer as District level members and Tahsildar in the Revenue Taluk, Judicial Magistrate in Taluk and Chief Medical Officer in Taluk concerned, as Taluk level members, respectively. The Government have also authorised the said Board of visitors to visit the Police lock-ups in their jurisdiction frequently, at least once in a month without fail and also to make surprise checks in the Police lock-ups in their jurisdiction. The Government have also authorised the Collectors to monitor the functions of the Board periodically and to rectify the defects, if any, according to Rules.

(contd.....)

Based on the said Orders of the Government, the Collectors of South Arcot Vallalar District and Coimbatore, while communicating the aforesaid Government Order, requested the Additional District Judge-cum-Chief Judicial Magistrates and Judicial Magistrates of the said Districts to make surprise checks in the Police lock-ups and send monthly periodical report to them, in the matter.

On receipt of the proceedings from the said Collectors of the South Arcot Vallalar District and Coimbatore Districts, the Additional District Judge-cum-Chief Judicial Magistrates of the said Districts sought instructions from the High Court as to the compliance of the instructions of the Collectors of South Arcot Vallalar and Coimbatore Districts.

The High Court, after considering the requests of the Additional District Judge-cum-Chief Judicial Magistrates of Cuddalore and Coimbatore, issue the following instructions, to all the Additional District Judge-cum-Chief Judicial Magistrates and the Judicial Magistrates, in the matter:

"G.O.Ms.No.1151, Howe, dated 6.12.95 and the Order of the Collectors of South Arcot at Cuddalore in 04/190492/95 dated 31.12.95 having been issued without the concurrence of the High Court is not binding on the Judiciary. Further, the Chief Judicial

(contd.....)

-: 3 :-

Magistrate now is in the cadre of District Judge, cannot be ranked below the District Revenue Officer and the Collector cannot have such a power to include a Judicial Officer in any committee he constitutes much less the Board of visitors. Further, the Chief Judicial Magistrate, as per para 506, Chapter XXVI of the Tamil Nadu Prison Manual, Volume II, is one of the visitors. As such, the Additional District Judge-cum-Chief Judicial Magistrate can independently visit the Prison and report to the High Court for taking proper action in the matter. Hence, it is not necessary for the Additional District Judge-cum-Chief Judicial Magistrates and the Judicial Magistrates to submit any report to the Collectors in the matter."

The receipt of the Circular is required to be acknowledged immediately.

HIGH COURT, MADRAS.
DATED : 14.6.1996.

Sd/-M. SUBRAMANIAM,
REGISTRAR.

/True copy/Forwarded/By Order/

[Signature]
ASSISTANT REGISTRAR (JULIES)

To
All the Additional District Judges-cum-Chief Judicial Magistrates.
(with a request to communicate Circular to all the Judicial Magistrates under their control)

csr/25.6.

R.O.C.No.1342/99/PL

C I R C U L A R

Sub: Constitution of Board of visitors to
visit Police Lock-ups-Instructions-
Issued.

Ref: High Court Circular in P.Dis.No.77/96,
dt. 14-6-96.

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The All India Committee on Prison Reforms. has
made recommendation to the effect that a Board of visitors
should be appointed in each District to visit regularly
all Police Lock-ups in the District and report on their
conditions.

The High Court, considers the said recommendation
of the All India Committee as Prison Reforms and issue the
following instructions, in the matter:-

"All the Additional District Judge-cum-Chief
Judicial Magistrate in the District level and
the Judicial Magistrate in the Taluk level are
hereby directed that they should inspect the Police
lock-ups in their respective Jurisdiction
atleast once in a month, independently, and submit
their report to the High Court, with copy to
the District Collector concerned".

The receipt of the Circular is required to
be acknowledged immediately.

HIGH COURT: MADRAS;

SD/- T.V. MASILAMANI,

DATED: 24-08-99.

REGISTRAR.

/True copy/ forwarded/ by order/

ASSISTANT REGISTRAR (ROLES)

To
All the Principal District Judges including the
Principal Judge, Chennai.

All the Additional District Judges-cum-Chief Judicial
Magistrates. (with a request to communicate circular
to all the Judicial Magistrates under their control.)

6
R.O.C.No. 1059/2003/F1

P.Dis. 23 /2003

C I R C U L A R

Sub: Constitution of Board of Visitors-C.J.M. in their respective Jurisdiction to visit Police Lock-ups and Prisons-Instructions-Issued.

- Ref: 1) High Court Circular ROC No. 1741/96/F1, dt. 14-6-96.
2) High Court Circular ROC No. 3616-A/96/F1, dt. 4-10-96,
3) High Court Circular ROC No. 1342-A/99/F1, dt. 24-8-99.

"In partial modification of the instruction issued in the High Court Circulars cited above, the High Court direct that the Chief Judicial Magistrate in each district can independently visit the Police lock-up as well as prison in their respective Jurisdiction atleast once in a month, and submit their report to the High Court, under intimation to the District Collector concerned".

The receipt of the Circular is required to be acknowledged at once.

HIGH COURT: MADRAS:

SD/-K.JAYARAMAN,

DATED: 22-5-2003.

REGISTRAR GENERAL

/True copy/ forwarded/By Order/

22.5.2003
SPECIAL OFFICER(GROUPING)

To

1. All the Principal District & Sessions Judges.
 2. All the Chief Judicial Magistrates.
- rs/

C I R C U L A R

Sub: Constitution of Board of Visitors to visit Police lock-ups-Instructions already issued- belated submission of reports-Fresh Instructions also issued-Non-compliance of earlier instructions-latest Instructions Issued- Regarding.

- Ref: 1) Circular in P.Dis. 77/1996, dated 14-6-86.
2) Circular in Even No. 1342/99/F1 dated 24-8-99.
3) O.M. in ROC No. 1059/2003/F1, dated 16-6-2003.

(1) The attention of the Chief Metropolitan Magistrate, Chennai and all the Chief Judicial Magistrates and that of the Metropolitan Magistrate/Judicial Magistrates is invited to the High Court's Circulars cited and to the instructions issued in the High Court's Official Memorandum third cited.

(2) In spite of detailed specific instructions, Police the/lock-up visit report of the Chief Judicial Magistrates/Chief Metropolitan Magistrate and that of the Judicial Magistrates, ^{Metropolitan Magistrate} are submitted to the Hon'ble High Court belatedly, and most of the reports are found to be incomplete and at times found containing much mistakes. Besides, to get full fledged error free reports from all the Judicial Magistrates of a District, the Chief Judicial Magistrates have to be reminded of by this Registry repeatedly and periodically. This causes not only delay in submitting the reports to the Hon'ble High Court but also defeat the very purpose of the Police Lock-up visits and making a report thereon. To administer better administration of justice and to rejuvenate the police lockup visit, the following instructions are issued:-

(3) "All the Chief Judicial Magistrates are directed to submit his Police Lock-up visit report(s) along with the reports of all the Judicial Magistrates functioning in the District to this Registry, in full, on or before 7th day of the ensuing month, without fail."

(4) The Chief Metropolitan Magistrate, Egmore, Madras, is directed to submit his Police Lock-up visit report(s) along with that of all Metropolitan Magistrates to this Registry, by Special Messenger on or before the 5th day of the ensuing month without fail."

(5) They are also directed to verify each of the reports as to the thoroughness of the reports and see that they are error free and full, containing all the details; viz. name of the Police Station(s), time and date of visit, Registers verified, officer's general and specific remarks therein, neatly and there should not be any 'NIL' reports by a Judicial Officers."

(6) These instructions are issued for strict adherence and compliance and any deviation in this regard would be viewed seriously.

(7) The receipt of the Circular is to be acknowledged at once.

SD/-A.C.ARUMUGAPERUMALL
ADITYAN,
HIGH COURT, MADRAS.
REGISTRAR GENERAL.

DATED: 19-9-2003.

/True copy/ Forwarded/ By Order

14.9.03
SPECIAL OFFICER (GROUPING)

18/9/03

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1. All the Chief Judicial Magistrates.
2. The Chief Metropolitan Magistrate, Egmore, Madras.
3. The District Judge, Uthagamandalam.

with a direction
to bring it to the
notice of all the
Judicial Magistrates/
Metropolitan
Magistrates
functioning under
their respective
unit.

Copy to:

1. All the Principal District Judges.
2. The Principal Judge, City Civil Court, Madras.
3. The District Judge,
Karur/Nagapattinam/Tiruvannamalai/Nagercoil/
Sivagangai.

+ Sparc-5 copies.

R.O.C.No.3391-A/2014/F1

P.Dis.No.21/2014

21/7/2014

CIRCULAR

Sub: Courts – Criminal Courts – Lock-up Visit reports of the Chief Judicial Magistrate and Judicial Magistrate – Instruction already issued – Submit reports in the Proforma – Revised Proforma forwarded for strict compliance.

- Ref: 1. Circular in P.Dis.No.77/1996 dated 14.06.1996
2. Circular in R.O.C.No.1342/1999/F1, dated 24.08.1999
3. Official Memorandum in R.O.C.NO.1059/2003/F1, dated 22.05.2003
4. Circular in P.Dis.No.46/2003 dated 19.09.2003.
5. Circular in P.Dis.No.59/2008 dated 10.06.2008.

The attention of all the Judicial Magistrates/Metropolitan Magistrates is drawn to the High Court's Circulars read above.

On scrutiny of the Lock-up visit reports of the Judicial Magistrates submitted by the Chief Metropolitan Magistrate, Chennai/Chief Judicial Magistrates, it is found that discrepancies are found in the existing proforma. To avoid such discrepancies and to make the lock-up visit report more purposeful, as directed, a revised Proforma is communicated for strict adherence from the month of July, 2014.

The Chief Metropolitan Magistrate, Egmore, Madras and all the Chief Judicial Magistrates are hereby directed to scrupulously peruse each of the visit reports submitted by the Metropolitan Magistrates/Judicial Magistrates, offer their remarks thereon and submit the same to the Hon'ble High Court within the stipulated time.

The receipt of this circular is to be acknowledged at once.

HIGH COURT, MADRAS
DATED: 21/07/2014

REGISTRAR GENERAL

To

1. The Chief Metropolitan Magistrate, Egmore, Chennai-8. } With enclosure -
} With a request to
2. All the Chief Judicial Magistrates (including } communicate the circular
} with proforma to all the
} Puducherry). } Judicial Magistrates/
3. The District Judge-cum-Chief Judicial Magistrate, } Metropolitan Magistrates
The Nilgiris at Uthagamandalam } functioning in their unit
} immediately with strict
} compliance.

Copy to:

1. All the Principal District Judges. } }
2. The Chief Judge, Court of Small Causes, Chennai. } }
3. The Registrar (Judicial) High Court, Madras. } }
4. The Registrar (Admn.) Madurai Bench of Madras High } With enclosure -
Court, Madurai } for favour of
5. The Registrar (Judicial), Madurai Bench of Madras } information.
High Court, Madurai } }
6. The Record Keeper, A.D.Records, High Court, Madras } }
- & Madurai Bench of Madras High Court, Madurai. } }

REPORT OF THE JUDICIAL MAGISTRATE PERTAINING TO THE VISIT OF POLICE STATION/LOCK-UP

1. Name and Designation of the Inspecting Officer : _____
2. Date and time of Inspection : _____
3. Name and Designation of the Officer present or incharge of the police station at the time of inspection : _____
4. No. of persons detailed/held in the lock-up with details of person and the FIR pending against him : _____
5. Whether any person was detained in the police stations campus without being in the lock-up : _____
6. Whether there is any illegal detention in the police station/lock-up : _____
7. Details of Register and filed Inspected
 1. Prisoners Search Register : _____
 2. Sentry Relief Register : _____
 3. F.I.R. Index : _____
 4. General Diary : _____
 5. Arrest Card Register : _____
 6. Bail Bond Book : _____
 7. C.D. File : _____
8. Details regarding the last arrest effects
 1. Name of arrested person/persons with full address(es) : _____
 2. Date, time and place of arrest : _____
 3. Date and time when the accused was brought to the police station : _____
 4. Name of the relative/kin, who was informed of the arrest : _____
 5. F.I.R. No. and offence with relevant provision : _____
 6. Name of the Court to which accused was sent for remand : _____
 7. If released on bail in the station itself, date and time of release. : _____
9. Details of F.I.R. Register in the Station : _____
10. Number of lock-up rooms available in the police station : _____
11. Whether separate cell is available for women prisoners. : _____
12. Whether all facilities are available in the lock-ups. : _____

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13. Whether any defects was notice during the earlier :
visit and whether instructions was given to rectify
the same
1. Ventilation :
2. Lighting :
3. Cleanliness :
14. Any other specific remarks. :

Signature of the Judicial Magistrate with date.