

C I R C U L A R

Sub: Visits - Visits of the Central Prisons  
in each District by the District and  
Sessions Judges - Instructions - Issued.  
Ref: Letter dated 25-9-96 from the Chairperson,  
National Human Rights Commission, New Delhi.

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Rule 505 of the Tamil Nadu Prison Manual says  
that there shall be a Board of visitors for each Central  
Prison and State Prison for Women, Vellore, consisting of  
Official and Non-Official Members. The functions of the  
Board of visitors shall be --

- i) to visit the Prison periodically.
- ii) to attend to requests of inmates pertaining  
to their care and welfare;
- iii) to help the administration in correctional  
matters;
- iv) to enter any observation in the visitors  
book about their visit to the Prison.

As per Rule 506 of the said Rule, the Sessions  
Judges, Assistant Sessions Judges, Chief Judicial  
Magistrates, Sub-Divisional Judicial Magistrates and  
Metropolitan Magistrates, are Ex-Officio visitors of the  
Prisons in their respective Jurisdictions.

The Supreme Court in Sunil Batra-Vs- Delhi  
Administration (AIR 1980 SC 1579 - 1598) has inter alia,  
observed that Sessions Judges, the District Magistrates  
and Sub-Divisional Magistrates and Magistrates subordinate  
to them and others appointed by them in this behalf are to  
visit jails periodically in their jurisdiction once a week,  
under the existing rule.

Now, it has been brought to the Notice of the High Court by the Chairperson, National Human Rights Commission, New Delhi, that the Sessions Judges are not visiting Prisons regularly. This causes much inconvenience not only to the Prisoners but also is against the provisions and also the observations of the Supreme Court extracted above.

The High Court consider the importance of the question of requiring the Sessions Judges to visit jails regularly in the light of the provisions of the Tamil Nadu Prison Manual and the observations of the Supreme Court mentioned above and issue the following instructions.

"The Principal District and Sessions Judges accompanied by the Additional District Judge-cum-Chief Judicial Magistrates of the respective Districts and the Principal Judge, City Civil Court, Madras accompanied by the Chief Metropolitan Magistrate, Egmore, Madras, should visit the Prisons, in their respective Jurisdiction periodically i.e. on Second Saturday and last Saturday of every month, in the capacity of Ex-Officio visitors of the Prisons, and ensure that the conditions in the prison conform to certain minimum standards of maintenance, health, hygiene, institutional treatment and discipline. They are also expected to make expeditious enquiries into the grievance of the Prisoners and to take corrective action as found necessary to uphold human rights of the Prisoners".

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The Principal District and Sessions Judges and the Principal Judge, City Civil Court, Madras, are required to adhere to these instructions strictly in future and are directed to submit a report once in a month about the condition of the Prison and action taken and any problem faced in this regard.

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

HIGH COURT: MADRAS:

Sd/-M.SUBRAMANIAN,

DATED: 4-10-1996.

REGISTRAR.

TO

1. All the Principal District and Sessions Judges.
2. The Principal Judge, City Civil Court, Madras.
3. All the Additional District Judge-cum-Chief Judicial Magistrates.
4. The Chief Metropolitan Magistrate, Egmore, Madras.