

**GOVERNMENT OF ODISHA
HOME DEPARTMENT**

NOTIFICATION

No.JLS-B- 2 /2012

6974

Bhubaneswar dated

18/2/12

In exercise of the powers conferred by section 59 of the Prisons Act, 1894 (Act 9 of 1894), the State Government do hereby make the following rules, namely:-

1. Short title and Commencement: (1) These rules may be called the "Odisha Jail Prisoners' Welfare Fund Rules", 2012".

(2) They shall come into force on the date of their publication in the Odisha Gazette.

2. Definitions: In these rules, unless the context otherwise requires:

- (a) 'Convict Prisoner' means any prisoner undergoing sentence of a Court.
- (b) 'Prisoners' means prisoners in the prisons of Odisha.
- (c) 'Range D.I.G. of Prisons' means any officer appointed as such by Government to manage the administration of a prison range with specific duties and responsibilities.
- (d) 'Under Trial Prisoner' means any prisoner who is undergoing trial in the Court of Law.

3. Name of the fund: There shall be a fund called the Prisoners' Welfare Fund for each Prison.

4. Objectives of the fund: The objectives of the fund shall be as follows;

- (a) To defray educational expenses of the meritorious children of the Prisoners.
- (b) To provide financial assistance to the family members of the Prisoners for prolonged and expensive medical treatment.
- (c) To provide financial assistance to the family members of a Prisoner who dies during imprisonment.
- (d) To defray expenses for promoting games, sports and cultural activities for the prisoners.

- (e) To assist each prisoner with funds at the time of his release for rehabilitation.
- (f) To meet any other expenses for general welfare or benefits of prisoners as is considered necessary which is not covered under the objectives mentioned above.

5. Sources of the fund: The fund shall be raised mainly from voluntary contributions from prisoners, donations from public, Non-Government Organisations or any other source approved by the Government.

6. Administration to the fund:

- (1) The fund shall be administered by an Executive Committee consisting of the following members in respect of each Jail :-
 (A) In case of Circle Jails, District Jails, Special Jails, Juvenile Homes, Female Jail and prisons of Equal status;

(i)	The Superintendent	-	Chairman
(ii)	Deputy Superintendent / Jailor	-	Secretary
(iii)	Jail Medical Officer	-	Member
(iv)	Prison Welfare Officer	-	Member
(v)	Chief Head Warder	-	Member
(vi)	Accountant/Clerk (if any)	-	Treasurer
(vii)	Two convicts from Prison Panchayat	-	Member

(B) In case of Sub-Jail/ Spl. Sub-Jails :-

(i)	The Superintendent	-	Chairman
(ii)	Deputy Superintendent/ Asst. Jailor	-	Secretary
(iii)	Jail Medical Officer/ Pharmacist	-	Member
(iv)	Prison Welfare Officer (available if any)	-	Member
(v)	Head Warder	-	Member
(vi)	Accountant/Clerk(if any)-	-	Treasurer
(vii)	One member(convict) from Prison Panchayat	-	Member

- (2) The members referred to in rule-6(1) (A) (vii) shall be nominated by The Jail Superintendent for a period of one year.
- (3) To become eligible for nomination the prisoner must have:
- (i) Undergone at least one year imprisonment with good record on the date of nomination.
 - (ii) At least one year sentence still to undergo on the date of nomination.

- (iii) At the Jails where there is no convict prisoner, an under-trial prisoner with good record and is in jail for at least one year on the date of nomination shall be considered.

7. Meeting of the Committee: (1) The Committee shall meet once in every month and if the Chairman considers it desirable for reasons to be recorded minutes book, the committee may meet earlier.

- (2) Two-third of the total numbers of the Committee shall form the quorum.
- (3) The Secretary shall receive written request from the prisoners desiring to have aid from the fund and place them before the Committee. The decision of the Chairman shall be final. The Chairman shall ensure that aid is not given where it is not really needed.
- (4) The minutes of the meeting shall be recorded in a book.
- (5) The Chairman may grant monetary help from the fund to those prisoners whose cases could not be placed before the Committee but who require help urgently:

Provided that the amount of such help shall not exceeds Rs. 300/- in each case and in aggregate Rs. 3000/- during the period intervening two meetings of the Committee.

8. Method of Collection: (A) Collection through sealed wooden or Iron box.

A duly chain locked sealed wooden box shall be kept at a conspicuous place between the two gates of the jail to collect voluntary contributions which could not be made over personally to the Secretary or the Treasurer. The key of the box shall always be kept in the personal custody of the Chairman. The box shall be sealed under the signature of all the members of the Committee. The box must be opened on the first working day of every month in the presence of the Committee and the cash collected therein shall be counted, certified and handed over to the treasurer to be credited to the account of the fund. A report about the date of opening, amount of fund so received from the box and the names of the members present shall be recorded in the minutes book, under the signature of the Chairman.

(B) Funds received directly:

All amount paid into the fund personally through the Secretary or Treasurer shall be immediately accounted for and a

regular receipt shall be given to the donor. The statement of amount of cash received shall be placed before the committee in the meeting and recorded in minutes book.

(C) Donation in shape of articles:

Donations of useful items for the prisoners like Television, Video cassettes, Recorder, Water Cooler, Books, Computer, Type Writer and other items approved by the chairman shall be accepted and a receipt on that behalf shall be issued immediately to the donor. No donation shall be accepted from such persons or organizations who are even remotely connected with smugglers, black marketers, drug traffickers or political organizations. The statement of cash received for items and purchase of the same shall be placed before the committee in the meeting and recorded in minutes book. All such items/ articles shall be recorded in the dead stock register.

(D) Amount received out of the fund by organizing different charity programmes shall be accepted.

(E) Receipt as in Form "B" as appended to these rules, shall be issued for all kinds of contribution and the donor shall have to give an Undertaking in Form "A" to that effect as well as that the articles have been lawfully acquired by him.

9. Accounting Procedure: (1) Money received in cash shall be deposited in a S.B. Account in the State Bank of India or any other Nationalized Bank, opened in the name of the "Prisoners Welfare Fund" and interest thereof shall remain in the account merge with the fund

(2) Proper accounts of receipt and expenditure shall be maintained by the treasurer and checked by the secretary. The accounts shall comprise of (1) Cash book, (2) ledger, (3) Receipt book, (4) Contingency register, (5) Dead stock register, (6) Vouchers, (7) Minute's book etc.

(3) (a) Transactions of receipt and expenditure shall be entered in the relevant registers immediately as soon as they take place.

(b) Vouchers shall be defaced, numbered consecutively for the year in order of payment and kept in a separate file for the purpose.

(c) Cash book shall be checked and signed by the secretary in detail whenever there are fresh entries in it and then it shall be checked and signed by chairman at the end of every week.

- (d) On the last working day of each month, the chairman shall conduct the physical verification of cash in hand and balances in the pass book. He shall also check the vouchers and ensure about the correctness of the accounts maintained by the treasurer and record a certificate of such verification in the relevant register under his own signature.
- (e) No remuneration will be paid to the Staff engaged in maintenance of the fund.
- (f) Necessary T.A & D.A will be paid to the officials who proceed to the home of Prisoners to hand over the financial assistance out of normal grant of Government under sub-head "Travelling Expenses."
- (g) The report of the correctness of the accounts and the cash shall be put before committee in the first meeting of the next month and shall be recorded in the minute's book.

10. Audit: The accounts shall be audited for every financial year (i.e. from 1st April to 31st March) by departmental Auditors. Accounts of the Fund shall be open for audit by Accountant General, Orissa.

11. Submission of Reports: The Superintendent of each prison shall submit a half yearly report (i.e. April to September and October to March) to the Inspector General of Prisons indicating the activities, initial balance in the fund, receipts, the detail statement of disbursement from the fund, the final balance in the fund and proceedings of the meetings held. The Range Deputy Inspector General of Prisons shall examine the reports and submit the consolidated report to the Inspector General of Prisons, Odisha with his comments or views to improve/ regulate the fund not later than the last day of November and the last day of May every year. The Inspector General of Prison shall forward a consolidated report of the fund with his views or comments to Government within next fifteen days.

By Order of the Governor

U. N. Behera
Principal Secretary to Government

Memo No. 6975 Dated 18/2/12
 Copy forwarded to the Principal A.G. (A & E)/Audit-I) Odisha, Bhubaneswar for information and necessary action.

lesan 18.2.12
 Additional Secretary to Government.

Memo No. 6976 Dated 18/2/12
 Copy forwarded to the Director, Printing, Stationery & Publication, Odisha, Madhupatna, Cuttack for publication of the Notification in the next issue of Odisha Gazette. An S.R.O No. may please be allotted.

lesan 18.2.12
 Additional Secretary to Government.

Memo No. 6977 Dated 18/2/12
 Copy forwarded to All Departments of Government/ All Heads of Department/All Collectors for information.

lesan 18.2.12
 Additional Secretary to Government.

Memo No. 6978 Dated 18/2/12
 Copy forwarded to the Inspector General of Prisons & D.C.S., Odisha, Bhubaneswar for information and necessary action. He is requested to circulate this Notification among all the Jails of the State.

lesan 18.2.12
 Additional Secretary to Government.

Memo No. 6979 Dated 18/2/12
 Copy forwarded to all Sections of Home Department Guard File (20 copies) for information.

lesan 18.2.12
 Additional Secretary to Government.

Memo No. 6980 Dated 18/2/12
 Copy forwarded to the Co-coordinator, NIC, Home Department for placement of Notification in the Department website.

lesan 18.2.12
 Additional Secretary to Government.

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Form-A
UNDERTAKING

I, Sri/Smt. _____ hereby give this undertaking to the effect that the
_____ which is donated to the _____
(Amount of Donations/Details of Articles) (Name of
_____ have been lawfully acquired by me/us. This amount/article has no
Organization)
nexus with any illegal trade or business and are not an outcome of any illegal activities.

Signature:-

Name:-

Address in detail:-

