

ANDHRA PRADESH PREVENTIVE DETENTION (REGULATION OF PLACE AND CONDITIONS) ORDER, 1969

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ANDHRA PRADESH PREVENTIVE DETENTION (REGULATION OF PLACE AND CONDITIONS) ORDER, 1969

In exercise of the powers conferred by Sections 5 of the Andhra Pradesh Preventive Detention Ordinance, 1969 (Ordinance No.6 of

1969), the Governor of Andhra Pradesh hereby makes the following Order, namely:

1. Short title, extent and commencement :-

(1) This Order may be called the Andhra Pradesh Preventive Detention (Regulation of Place and Conditions) Order, 1969.

(2) It extends to the whole of the State of Andhra Pradesh.

(3) It shall come into force on the 1st January, 1970.

2. Definition :-

In this Order, unless the context otherwise requires:

(a) "detenu" means a person detained in pursuance of a detention order made under the Ordinance;

(b) "Ordinance" means the Andhra Pradesh Preventive Detention Ordinance, 1969 (Andhra Pradesh Ordinance No. 6 of 1969);

(c) "Superintendent" means the Superintendent or officer in charge of the jail in which a detenu is detained;

(d) "Superintendent of Police, Special Branch" means the Superintendent of Police, Special Branch, CID, Hyderabad.

3. Place and Detention :-

Any person in respect of whom a detention order under the provisions of the Ordinance specified in column (1) of the table below has been made by any of the authorities specified in column (2) of the said table shall be removed to, and detained in, the Central Jail or State Jail specified in the corresponding entry in column (3) thereof:

4. Classification :-

(1) Detenus shall be kept in a separate class called "Special Class".

(2) Detenus shall be kept separate from other class of prisoners and confined, in so far as accommodation permits and arrangements can be made, separately from others.

(3) A detenu shall be locked up at night in the cell or ward and the lock up shall be effected sometime between 8 p.m. and 9 p.m. but it shall be open to the Superintendent to effect the lock up earlier if circumstances in his opinion warrant it. Minimum force that is absolutely necessary may be used if any detenu refuses to be

locked up. A detenu may be allowed to mix freely with other detenus of the same enclosure. The Superintendent may however, confine any particular detenu separately if he considers it desirable on grounds of health of the detenu or for any other reason.

5. Furniture :-

Each detenu shall be provided at the Government cost with canvas easy chair, a sitting chair, a cot, a mattress, a small table, a small almirah, a cloth stand, a comode with a pan. All detenus shall be allowed to use lights at night for reading up to 10 p.m. The Superintendent may, at his discretion, permit a few items of private furniture to be used by any detenu.

6. Diet :-

(1)

(a) Each detenu shall be allowed ration at a value not exceeding Rs.3.50 per day. Provided that any portion of the ration allowed under this item per day may be carried forward for use on subsequent days, so however that no such portion of ration shall be allowed to accrue beyond the month during which it is supplied.

(b) A sum of Rs. 10.00 per month shall be allowed to each detenu for the purchase of smoke, betel, toilet articles, razor blades, cards and the like and, if desired, increased quantity of fire wood. The personal allowance of Rs.10.00 shall be paid in two equal instalments, that is on the 16th of the month and at the end of the month respectively. The diet may be modified or increased on medical grounds on the recommendation of the medical officer of the jail.

(2) A detenu shall be allowed to bring his own cooking utensils feeding and drinking vessels, but if for any reason, he is unable to do so, the Superintendent shall issue such utensils as he can conveniently issue.

(3) No portion of the personal allowance granted under this rule shall be allowed to accrue beyond the fifteenth day of the succeeding month.

7. Clothing :-

(1) Each detenu may wear his own clothes or such other clothing as the relatives and friends, if permitted to do so by the Superintendent, may send.

(2) Each male detenu shall, on application, be supplied by the Superintendent with four shirts, four pyjamas or dhoties, two banians, two jangias and two towels every half year subject to a maximum cost of Rs. 45. All these shall remain the property of the Government.

(3) Suitable Indian mode of dressing may be provided to the female detenus at a maximum cost of Rs. 60 for every six months including the cost of sanitary towels to be used during menstrual period.

(4) A detenu shall have the option of getting either the ready made clothing referred to in sub clause (1), sub clause (2), or sub clause (3) or cloth in lieu thereof from the market or from the Central Jail, Hyderabad subject to the maximum cost specified therein and in the latter case, the tailoring department in the jail will have the cloth stitched for the detenu free of cost. All these clothing shall remain the property of the Government but when a detenu is released from jail he may be permitted to take the clothing purchased at the Government cost.

8. Bedding and Chappals :-

(1) A detenu who is unable to provide himself with sufficient bedding shall be supplied annually with the following articles of bedding:-

Cotton stuffed pillows	2
Pillow cases	2
Straw mat	1
Cotton mattress (or quilt)	1
Khaddar shawl	1
Bed sheets	2
Mattress covers	2
Mosquito net	1

Provided that the aforesaid articles of bedding need not be renewed annually unless, in the opinion of the Superintendent, they need renewal. All the articles supplied shall remain the property of the Government.

(2) Each detenu shall be supplied with a pair of a standard type of chappals made in the jail once a year at a cost not exceeding Rs.5.00 per pair.

9. Washing :-

Every detenu shall be permitted by the Superintendent to have his clothes washed in the jail laundry, free of cost. However, the Superintendent may permit to send any valuable clothes for dry wash at the cost of the detenu if he so desires.

10. Toilet articles :-

Every detenu shall be supplied with toilet and washing soap, oil for bathing and oil for toilet at the cost of the Government. Tooth paste and tooth brush or neem or babul stick or tooth powder shall also be allowed at Government expense, if desired. The scale of supply of these articles shall be at the discretion of the Superintendent. Every detenu if he so desires, shall be allowed to have the services of the jail barber or shall be provided with shaving equipment which should be kept with the officer in charge of the enclosure when it is not in use.

11. Discipline and Searches :-

(1) Every detenu shall, for the purposes of discipline and punishment for breaches of discipline, be subject to such rules relating to civil prisoners as are not inconsistent with this order or any other order passed by the Government in this behalf.

(2) Every detenu and his cell or ward shall be liable to be searched not less than once a month, and often if the Superintendent considers it necessary, by the Jailor or Deputy Jailor as directed by the Superintendent special precautions shall be taken to make the search thorough and the fact of the search shall be noted in the Jailor's Report book.

12. Private Funds :-

(1) A detenu may spend from private funds a sum not exceeding Rs.20 per month to supplement his diet. Money spent on purchases other than those for supplementing diet shall not count against that sum. The diet so supplemented shall be of simple nature. Cooked food shall in no case be allowed to be imported from outside the jail.

(2) Any amount received on behalf of a detenu shall be kept by the Superintendent and spent by him on behalf of the detenu. Amounts so received shall be held by the Superintendent in deposit on behalf of the detenu or may, at the discretion of the Superintendent, be paid to nominee of the detenu.

Provided that, should any detenu so wish, such amount may be pooled by the Superintendent for the common use of all the detenues in the jail.

(3) Amounts sent to a detenu in discharge of liability of the sender to the detenu shall be received by the Superintendent and treated in the manner laid down in sub clauses (1) and (2) for the disposal of the amounts referred to therein.

Explanation:- The term nominee occurring in sub clause (2) shall not include a co detenu.

13. Interviews :-

(1) The Superintendent shall fix the days in the week on which a detenu may have interviews with persons, other than a Police Officer.

(2) Every detenu shall be permitted an interview once in a fortnight with the members of his family.

Explanation:- In this clause and Clause 16, family shall include wife, husband, father, mother, brother, sister, son, daughter, or any in laws of such relationship, direct uncle or direct aunt (that is brother or sister of the detenu s father or mother), first cousin (that is son or daughter of direct uncle or direct aunt), grandparents, grandchildren and direct nephew or niece (that is son or daughter of the detenu s brother or sister).

(3) Each detenu shall furnish a list of his family members to the Superintendent, who shall submit the same for scrutiny of the Superintendent of Police, Special Branch.

(4) There shall not ordinarily be more than three visitors at any one interview excluding children under 12 years of age, and shall not be more than three detenues at any one interview.

(5) Applications for interview from persons other than the Police Officers shall be made to the Superintendent in Form A annexed to this Order and the Superintendent may, grant the same in case the person seeking the interview is a member of the detenu s family.

(6) Notwithstanding anything in sub clause (5), the Superintendent may, for reasons to be recorded in writing refuse to allow an interview on any particular day or for such period as he considers fit, in that event he shall report his refusal and the reasons therefor

to the Government.

(7) Interviews shall take place in the presence of an officer deputed by the Superintendent and such officer may terminate an interview at any time if in his opinion, the conversation is detrimental to the public interest or safety. The conversation shall be limited to private matters and there shall be no reference to jail administration and discipline, to other prisoners or to politics. The Superintendent shall permit and police officer, not below the rank of Sub Inspector of Police, belonging either to the District or Central Special Branch to the jail to overhear conversations between detenus and outsiders on production of a request in writing from a police officer not below the rank of Superintendent of Police or Deputy Commissioner of Police.

(8) Every person permitted to interview a detenu and the detenu himself may be searched before and after the interview at the discretion of the Superintendent.

(9) The Superintendent shall appoint the time, place and duration of each interview and shall not ordinarily allow an interview to continue for more than one hour with a relative or half an hour with a person other than a relative.

(10) After the interview is over, the Jail Official present at the interview shall warn both the detenu and the visitor that future interviews are liable to be prohibited if the visitor indulges in any publicity on behalf of the detenu.

(11) The Superintendent may allow additional interviews by authorised persons for special reasons if he is satisfied that the circumstances make it necessary to do so. Applications for interviews from persons other than family members shall be submitted to the Government for orders.

14. Business interviews :-

In addition to the interviews permissible under clause 13, every detenu shall be allowed to see or communicate with the members of his family or other persons concerned once or twice, or more often if the Superintendent considers it necessary, to enable him to arrange for the arrangement of his property or other family affairs. Such interviews shall ordinarily take place within two months after the detention of the person concerned and once a month thereafter and shall be conducted in accordance with the provisions of clause 13 as regards place, duration and conditions of the interview, and

proceedings shall be kept strictly confined to the objects for which the interview was granted.

15. Police interviews :-

(1) Subject to the directions of the Government; the Inspector General of Police may, by general or special order authorise any police officer either singly or with another police officer, and accompanied or un accompanied by subordinate police officers, to interview any detenu.

(2) The police officers so authorised may, with the permission of the Superintendent, interview detenus in their cells or wards.

(3) In visiting cells or wards every police officer shall be accompanied by such escort as the Superintendent considers necessary for his safety, but the escort shall, if the police officer so requires stand out of earshot, but within sight while he is speaking to any of the detenus.

(4) The police officers so authorised may, with the permission of the Superintendent interview detenus in the ordinary interview room without a Jail Official being present.

(5) The Superintendent or any police officer authorised by him in this behalf may take photographs, register finger prints and take specimens of signature and handwriting of a detenu.

16. Correspondence and Censorship :-

(1) Detenus shall be allowed to write and receive eight letters a week. The letters shall be limited to the members of the family of the detenus. The contents of the letter shall be limited to private matters and there shall be no reference to jail administration, discipline, other detenus or prisoners or politics. The Superintendent shall have the discretion to allow the detenus to send out special letters over this limit in case of absolute necessity upto two letters a week for each detenu.

(2) Correspondence on non domestic affairs shall be allowed by the Superintendent in consultation with the Commissioner of Police or Superintendent of Police, Special Branch, but if they disagree the letter shall be forwarded to the Government for orders.

(3) Telegrams shall count as letters. All letters from detenus shall be written in Form B annexed to this order and shall not ordinarily

exceed the prescribed length to be determined by the Superintendent, and detenus may, for his purpose, be supplied at the cost of the Government with the necessary writing material.

(4) Detenus may with the permission of the Superintendent, substitute a letter and reply for an interview or vice versa.

(5) Not more than one letter shall be enclosed in one envelope except with the permission of the Superintendent.

(6) Any letters or communications received for detenus which are clearly franked to indicate that they come from a Government Office, excluding any local authority or body, shall be delivered to them and shall not be counted against the admissible number of letters received. All other letters to and from detenus shall be censored by the Superintendent and, subject to any orders of the Government, shall be submitted by the Superintendent direct to the Superintendent of Police of the District or in his absence to the Assistant or Deputy Superintendent of Police or other officer nominated by the Superintendent of Police, Special Branch who may, at his discretion either forward the letters or withhold them if they are, in his opinion, likely to be detrimental to public interest or safety. The contents of all letters shall be limited to private matters. In cases of doubt, the police official referred to above shall refer the matter to the Superintendent of Police, Special Branch, or other officer designated by the Government in this behalf.

(7) As regards censorship of correspondence, there shall be a fairly liberal interpretation of the type of matter to be passed on to the detenus or communications from the detenus. A letter may be withheld altogether rather than be mutilated beyond recognition.

(8) Every letter forwarded to or from a detenu shall be initialled and dated by the officer censoring the letter under sub clause (6).

(9) All letters, the despatch or delivery of which is withheld under sub clause (6) shall be sent to the Superintendent of Police, Special Branch or other officer designated by the Government in this behalf, for retention or destruction at his discretion, and the fact of such withholding shall be intimated to the concerned detenu through the Superintendent. Any letter so withheld but retained may be delivered to the detenu after release.

(10) If in any communication made by, or intended to be delivered to, a detenu, anything objectionable from the point of view of jail

discipline is found by the Superintendent, he may omit the same or mark it for omission and mention what has been done when forwarding such communication to the Superintendent of Police of the District or in his absence to the Assistant or Deputy Superintendent of Police or other officer nominated in this behalf. That authority may, notwithstanding anything hereinbefore contained, instead of withholding the delivery or despatch of a letter despatch or deliver it after omitting any portion which in his opinion may be detrimental to public interest or safety or the discipline of the jail.

(11) The receipt and despatch of telegrams by detenus shall be subject to the same control as is hereinbefore provided for letters except that the number of telegrams which may be despatched by a detenu shall be within the discretion of the Superintendent. The cost of telegrams should ordinarily be borne by the detenus concerned.

(12) When a telegram is to or from any Government, it shall be forwarded direct, provided that the State Government shall always be the intermediary in correspondence with the Central Government or another State Government, and that the Superintendent has discretion to forward a petition submitted in telegraphic form by post instead or by telegram.

(13) Detenu shall, when sending letters or telegrams, specify the full name and address and relationship to the writer of the addressee, and of each person mentioned in the letter or telegram, in the case of the former on the detachable portion of Form B and in the case of the latter, on a separate slip. The detached portion of Form B or slip shall be sent to the Superintendent of Police, Special Branch, or to other officer designated by the Government in this behalf who, if he considers that the writer should not be allowed to correspond with the addressee shall inform the Superintendent for his future guidance.

(14) In addition to the writing materials supplied under sub clause (3), a detenu who receives funds from outside may be allowed to purchase ordinary school exercise books for other writing purposes but the pages of such books shall be numbered and the detenu shall not destroy any such book or remove the pages thereof. The maximum number of exercise books with a detenu at any one time shall not exceed two. When he returns one notebook, another may be issued to him.

17. Communications between the Presiding Officers of Legislatures and detenus :-

Communications between a detenu, who is a member of Parliament or of the Legislature of a State, and the Chairman of the Rajya Sabha or the Speaker of the Lok Sabha, the Chairman of the Legislative Council or the Speaker of the Legislative Assembly of the State or the Chairman of a Committee of any of the Houses of Parliament or of the Legislature of the State shall not be withheld but shall be transmitted immediately to such detenu or the Presiding Officer, as the case may be, Any question, whether starred or unstarred, which a detenu wishes to ask in Parliament or the Legislature of the State shall also be transmitted to the Presiding Officer concerned immediately.

18. Books and Newspapers :-

(1) Detenus shall be allowed such facilities in regard to library facilities and books as are enjoyed by Class I prisoners. Newspapers shall be supplied to the detenus at their cost.

(2) Detenus may receive through post any of the newspapers and periodicals approved in G.O.Ms.No.1298, Home (PrisonsB) dated the 6th July, 1963 subject to the conditions laid down in sub clause (3).

(3) The books and periodicals shall be received through post and the postal articles containing the books and periodicals shall first be opened by the Superintendent or any person appointed by him for the purpose and the delivery of the books may be refused by the Superintendent if, in his opinion, the books and periodicals are not suitable. Detenus may also purchase any other book or periodicals, provided it is not banned or prescribed by the Government.

(4) In addition to newspapers, periodicals and books, which may be received through post, any detenu who receives funds from outside may be allowed to purchase, from such funds, either through post or otherwise newspapers, periodicals and books subject to the provisions of sub clauses (2) and (3).

(5) Friends and relatives may be permitted to send through post not more than twelve books to each detenu in a week and as many periodicals as desired by a detenu subject to strict censorship and subject to the provisions of sub clause (3).

19. Withdrawal of benefits :-

Notwithstanding anything in this order, it shall be open to the Government to direct that any particular detenu shall not be entitled, for such period as may be specified, to the benefits of interviews, correspondence, books, periodicals and newspapers allowed under Clauses 13, 16 and 18.

20. Representation by detenus :-

(1) The Superintendent shall forward, without delay, through the Inspector General of Prisons, and with such observations as he may think fit, any representation which a detenu may submit to the Government. He may withhold any representation which contains any reference to other detenus or prisoners.

(2) All petitions from detenus addressed to courts shall be transmitted, with the utmost expedition direct to court concerned forwarding copies thereof to the Inspector General of Prisons. When a petition is addressed to the High Court, it shall be sent to the Registrar, High Court, Hyderabad in a sealed envelope, a copy of which shall be endorsed to the Inspector General of Prisons who shall forward a copy of such petition to the Government.

21. Discipline :-

(1) A detenu-

(i) shall reside in the accommodation allotted to him by the Superintendent, whether in an association ward or a cell;

(ii) shall not proceed beyond the limits of the jail area;

(iii) shall obey the orders of the Superintendent issued from time to time for the comfort, safety and health or for the discipline, orderly conduct and control of detenus;

(iv) shall attend roll call and answer to his name in person at such times and places within the jail as may be appointed by the Superintendent;

(v) shall whenever required so to do by the Superintendent for official purposes, appear before him or any other persons specified by him;

(vi) shall conform to the standards of cleanliness and dress laid down by the Superintendent;

(vii) shall not do anything wilfully with the object of affecting his

own bodily welfare;

(viii) shall not have in his possession any coin, currency notes, or negotiable instruments, any weapons, sticks, razors, other than safety razors, pieces of iron or any other article which may be used as a weapon;

(ix) shall not exchange or sell any of his kit, equipment, clothes, furniture or other things supplied by or belonging to the Government;

(x) shall not refuse to take the diet prescribed by the Superintendent.

(2) The jail authorities shall not accept any responsibility for loss of jewels and other valuables unless they have been handed over to the Superintendent. If the detenus retain jewels and valuables with them, it shall be at their own risk.

22. Punishment for breaches of discipline :-

(1) Any detenu who contravenes any of the provisions of Clause 16(14) or clause 21 or refuses to obey any order issued thereunder, or who

(i) assaults, insults, threatens or obstructs any fellow detenu or any officer of the jail or any other Government servant or any person employed in or visiting the jail, or

(ii) is guilty of indecent, immoral or disorderly conduct, or

(iii) communicates or attempts to communicate with any person outside the jail in an unauthorised manner, or

(iv) bribes or attempts to bribe any Government servant or any person employed in, or visiting the jail, or

(v) commits any nuisance or wilfully befouls any well, latrine, washing or bathing place, or

(vi) disobeys the orders of any officer of the jail, or

(vii) wilfully damages any property belonging to the Government or tampers with any locks, lamps or lights in the jail, or

(viii) receives, possesses or transfers any article in contravention of an order of the Superintendent, or

(ix) wilfully brings false accusation against any officer of the jail, or

fellow detenu, or

(x) omits or refuses to report, as soon as it comes to his knowledge, the occurrence of any fire, any plot or conspiracy, any escape attempt or preparation to escape, and any attack or preparation for attack upon any officer of the jail, or

(xi) abets the commission by a fellow detenu of any of the foregoing acts, or

(xii) Omits or refuses to help any officer of the Jail in case of an attempted escape on the part of any of his fellow detenues or of any attack upon such officer or upon any of his fellow detenues, or

(xiii) refuses to get himself weighed when so required by the authorities concerned; shall be deemed to be guilty of breach of discipline.

(2) Where upon such enquiry as he thinks fit to make, the Superintendent is satisfied that a detenu is guilty of breach of discipline, he may award the detenu one or more of the following punishments:

(a) confinement in cells for a period not exceeding fourteen days;

(b) cancellation or reduction for a period not exceeding two months of the concession of receiving funds from outside;

(c) cancellation or reduction for a period not exceeding two months of the concessions or writing and receiving letters or of receiving newspapers periodicals and books;

(d) cancellation or reduction, for a period not exceeding two months of the concession of having interviews.

(3) If any detenu is guilty of breach of discipline which by reason of his having frequently committed such breaches or otherwise, is in the opinion of the Superintendent, not adequately punishable by him under the provisions of sub clause (2), he may with the approval of the Government forward such detenu to the Court of a Magistrate of the first class having jurisdiction, and such Magistrate shall, thereupon enquire into and try the charge so brought against the detenu, and upon conviction shall sentence him to imprisonment for a term not exceeding one year:

Provided that where the breach of discipline constitutes an offence punishable under the Indian Penal Code with imprisonment for a

term exceeding one year, nothing in this sub clause shall preclude the detenu from being tried and sentenced for such offence in accordance with the provisions of the Code.

23. Enforcement of orders :-

(1) The Superintendent may use or cause to be used such force as may, in his opinion, be necessary to compel obedience on the part of any detenu to any lawful order issued by him.

(2) It is the duty of the Superintendent to do what he normally can, to keep the detenus in his charge in health and to save them from death. If on account of hunger strike, a detenu is likely to cause his own death, the Medical Officer may, in his discretion, at such stage as he thinks fit, direct that the detenu be forcibly fed if in his opinion it is the only means of keeping him alive. Forcible feeding should not be attended with unnecessary violence. Until the stage at which forcible feeding is necessary is reached, food approved by the Medical Officer shall be regularly placed at the side of the hunger striker, for his consumption and shall be renewed periodically.

24. Removal of detenus to hospitals :-

When the Superintendent is of opinion that a detenu shall be given special medical treatment in any hospital outside the jail, the detenu may, notwithstanding anything in the order of detention, be taken to such hospital or to the jail nearest to such hospital and detained there until, in the opinion of the Medical Officer of the hospital, he is fit to return to jail. The Superintendent is permitted to use his discretion in instructing hospital authorities to provide for special wards of the lowest class. If the detenu so desires, one or two friends or near relatives of the detenu may be allowed to attend on him during the period of his treatment in the hospital.

25. Attendance in Courts :-

(1) Whenever an order in the form set forth in the First Schedule or the Second Schedule to the Prisoners (Attendance in Courts) Act, 1955 (Central Act 32 of 1955) is received by the Superintendent for the production of a detenu before a court, the Superintendent shall send a copy of the order to the Chief Secretary to Government and act under Sections 5 and 6 of the said Act, unless the Government makes an order under Section 4 of the said Act directing that the detenu in respect of whom the order is received shall not be removed from the jail.

(2) Whenever detenus are taken to Delhi in connection with habeas corpus petitions before the Supreme Court of India, they shall during their stay there, be kept in a jail specified by the Delhi Administration and be governed by the conditions specified therefor.

26. Legal Advice :-

(1) Detenu shall be allowed all reasonable facilities to obtain legal advice. Correspondence in regard to legal advice shall be treated as private matter. In addition to the interviews permissible under Clauses 13 and 14 a detenu may, with the permission of the Government, interview his legal practitioner in connection with a pending or contemplated legal proceeding to which the detenu is or will be a party. The interview shall be with the legal practitioners only or with a specified member of a firm of legal practitioners and no other member of the firm shall be allowed to be present. Not more than one such interview shall ordinarily be allowed in connection with a contemplated legal proceeding before the proceeding is instituted. All such interviews shall take place on the premises in which the detenu is confined and shall be subject to such conditions and restrictions as the Superintendent may consider necessary to ensure security and prevent the passing of unauthorised communications unconnected with the case relating to which interview is granted.

(2) In addition to the interviews permissible under sub clause (1) and Clauses 13 and 14, a detenu shall be allowed, with the permission of the Government, an interview with a legal practitioner or any other person of his choice for the purpose of drafting his representation against his detention.

27. Exercise and Games :-

Detenus shall be allowed to have walks inside the jail in the morning and in the evening where there are facilities to allow them to do so. Detenus shall also be permitted to play outdoor as well as indoor games, depending upon the facilities available in the concerned jail. Sports material for such games shall be provided at the expense of the Government. Relatives and friends, if permitted to do so by the Superintendent, may supply the detenus with sports material.

28. Smoking by detenus :-

Detenus shall be allowed to smoke or chew tobacco or do both at their own cost.

29. Visits :-

(1) The Commissioner of City Police, Hyderabad in the city of Hyderabad; and District Magistrate concerned outside the city shall visit the detenus in jails within their jurisdiction at least once a month and submit a report to the Government on the detenus health, general bearing and comfort if they consider this necessary.

(2) The following official visistors may also visit detenus in jail within their respective jurisdictions:

(i) Sessions judge;

(ii) Sub divisional Magistrate;

(iii) The Director of Medical and Health Services, or his representative (for inspection of all matters relating to medical administration, health of detenus, sanitation, water supply and dietary).

(3) The Government may also appoint special non official visitors to the jails in the State where the detenus are detained. The other ordinary jail visitors shall not have access to the detenus.

30. Railway accommodation :-

Detenus shall be provided with Second Class Railway Warrant during the train journeys.

31. Subsistence Allowance :-

Detenus shall be eligible to subsistence allowance at the rate applicable to Class I prisoners.

32. Miscellaneous :-

(1) All particulars relating to detenus shall be entered (without serial number) in the register of civil prisoners and all statistics of the detenus shall be shown separately in jail returns.

(2) If any doubt arises about the interpretation of these conditions or any matter not covered by this Order, the provisions in the Jail Manual shall apply.

(3) A detenu who is permitted by the detaining authority or the Superintendent of Police to execute a Power of Attorney, shall execute the same in the presence in the Superintendent.

(4) The Government may relax any of the conditions hereinbefore mentioned or issue special orders in the case of any particular detenu or place of detention.

33. Instruction to jail Authorities :-

Such local instructions as may be necessary for the guidance of the jail authorities may be issued by the Inspector General of Prisons with the approval of the Government.