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Prisons Act, 1894

Chapter I - Preliminary

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(1) This Act may be called the Prisons Act, 1894.

1[(2) It extends to the whole of India except2[the territories which, immediately before the 1st November, 1956, were comprised in Part B States];] and

(3) It shall come into force on the first day of July, 1894.

(4) Nothing in this Act shall apply to civil jails in the3[State] of Bombay4[as it existed immediately before the 1st November, 1956] outside the city of Bombay, and those jails shall continue to be administered under the provisions of sections 9 to 16 (both inclusive) of Bombay Act 2 of 18745, as amended by subsequent enactments.

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1. Substituted by the A.O. 1950, for subsection (2).

2. Substituted by the Adaptation of Laws (No. 2) Order, 1956, for "Part B States".

3. Substituted by the A.O. 1950 for "province" which was Substituted by the A.O. 1948, for "presidency".

4. Inserted by Adaptation of Laws (No. 2) Order, 1956.

5. The Civil Jails Act, 1874.

Section 2 - Repeal

[Rep. by the Repealing Act, 1938 (1 of 1938), sec. 2 and Schedule].

Section 3 - Definitions

In this Act--

(1) "prison" means any jail or place used permanently or temporarily under the general or special orders of a State Government for the detention of prisoners, and includes all lands and buildings appurtenant thereto, but does not include--

(a) any place for the confinement of prisoners who are exclusively in the custody of the police;

(b) any place specially appointed by the State Government under section 541 of the Code of Criminal Procedure, 1882 (10 of 1882); or

(c) any place which has been declared by the State Government by general or special order, to be a subsidiary jail;

(2) "criminal prisoner" means any prisoner duly committed to custody under the writ, warrant or order of any Court or authority exercising criminal jurisdiction, or by order of a Court-martial;

(3) "convicted criminal prisoner" means any criminal prisoner under sentence of a Court or Court-martial, and includes a person detained in prison under the provisions of Chapter VIII of the[1]Code of Criminal Procedure, 1882 (10 of 1882) or under the[2]Prisoners Act, 1871 (5 of 1871);

(4) "civil prisoner" means any prisoner who is not a criminal prisoner;

(5) "remission system" means the rules for the time being in force regulating the award of marks to, and the consequent shortening of sentences of, prisoners in jail;

(6) "history-ticket" means me ticket exhibiting such information as is required in respect of each prisoner by this Act or the

rules thereunder;

(7) "Inspector General" means the Inspector General of Prisons;

(8) "Medical Subordinate" means an Assistant Surgeon, Apothecary or qualified Hospital Assistant; and

(9) "prohibited article" means an article the introduction or removal of which into or out of a prison is prohibited by any rule under this Act.

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1. The relevant provisions of the Code of Criminal Procedure, 1898 (5 of 1898) to be referred to.

2. Now the Prisoners Act, 1990 (3 of 1900).

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