

CHAPTER 1

INTRODUCTION

Short title, commencement and duration

1. In exercise of the powers conferred by section 59 of the Prisons Act, 1894 and in suppression of Bihar Jail Manual, 1925 the following rules called Bihar Prison Manual, 2012 are framed for administration of prisons in the state of Bihar.
 - i. Bihar Prison Manual, 2012, shall extend to whole state of Bihar and shall be applicable to all prisons in the state.
 - ii. The administration and management of prisons, its staff, all kinds of prisoners and detenues under preventive sections of law shall be governed by these rules.
 - iii. This Manual shall come in to force with immediate effect and shall override any inconsistent or contrary rules contained or referred to in any existing order, direction or notification issued by State Government on administration related matters of the prison.
 - iv. This manual shall remain in force for such period as the State Government may by notification in the Official Gazette specify.

Applicable acts, rules and regulations

2. The following statutes, including amendments thereafter and corresponding rules as the case may be, shall have a bearing on the establishment and management of prisons, the confinement and treatment of persons therein, and the maintenance of discipline amongst them:
 - i. The Indian Penal Code, 1860
 - ii. The Prisons Act, 1894
 - iii. The Prisoners Act, 1900
 - iv. The Identification of Prisoners Act, 1920
 - v. The Transfer of Prisoners Act, 1950
 - vi. The Prisoners (Attendance in Courts) Act, 1955
 - vii. The Representation of People's Act, 1951
 - viii. The Code of Criminal Procedure, 1973
 - ix. The Code of Civil Procedure, 1908
 - x. The Repatriation of Prisoners Act, 2003
 - xi. The Factories Act, 1948
 - xii. The Right to Information Act, 2005
 - xiii. The Borstal Act (Bihar), 1961
 - xiv. The Protection of Human Rights Act, 1993
 - xv. The Mental Health Act, 2002
 - xvi. The Juvenile Justice (Care & Protection) Act, 2000
 - xvii. The Probation of Offenders Act, 1958
 - xviii. Indian Arms Act, 1959
 - xix. Bihar Government Servant (Classification, control and appeal) Rules, 2005
 - xx. Bihar Open Jail Rules, 2008
 - xxi. Bihar Prisoner's (Parole) Rules, 1973

- xxii. Bihar Financial Rules, 2005
 - xxiii. Bihar Treasury Code (Amended), 2011
 - xxiv. Right To Service Act, 2011
 - xxv. Other Minor Criminal Laws
3. Over and above the provisions of this Manual, relevant orders/ rules/ Acts issued by State Government henceforth on finance and administration related matters of the prison and rulings of High Court and Supreme Court on prison administration shall also be complied with appropriately.

