

HISTORY TICKET

THE PRISONER AND HIS RIGHT TO INFORMATION

Every prisoner, as long as he remains in confinement, has the right to have in his possession the means to know and recall important dates and events pertaining to his entry and exit from custody, treatment in jail, orders passed in his case, details of court visits, medical record, interviews and meetings, punishments and rewards, to calculate the exact period of his detention and know the progress of his case. This purpose is fulfilled by the Prisoner History Ticket in which all of this is recorded.



STATUTORY MANDATE

The Prisons Act 1894

"History Ticket is the ticket exhibiting such information as is required in respect of each prisoner by the act or the rules thereunder."

(Section 3)

Empowers the State Govt. to make rules "for the preparation and maintenance of their "history tickets".

(Section 59)

The Rajasthan Prison Rules, 1951

"Every prisoner whether under trial or convicted to simple or rigorous imprisonment, shall be provided with 'History-ticket'."

"Every occurrence of importance in his jail life and every order specially related to the prisoner shall also be faithfully recorded."

"Every entry in the ticket shall be dated and initialled."

"While attending the courts, the history tickets need to be sent."

✓ Who shall provide and when?

Prison must provide a History Ticket to every prisoner immediately on his admission into prison, and must be maintained throughout the period during which such prisoner remains in confinement.

✓ What information should be recorded?



Identity & Socio-economic background



Important Dates - Admission, Transfer & Release



Medical Record



Legal Record



Personal property & articles issued



Class of labour



Prisoner Identity Number & Lodging Record



Name of family members & Emergency contact



Communication through letters & interviews



Imposition of disciplinary sanctions



Undertrials' case review



Convicts' appeal, remission & parole



DUTIES OF THE JUDICIAL OFFICER



✓ What must a Judicial Officer check in the history ticket?

Stage of the Case	Legal well-being of prisoner	Physical well-being of prisoner	Mental well-being of prisoner
JUDICIAL REMAND & PRODUCTION FROM JAIL	<ul style="list-style-type: none"> ✓ Whether accused has continued effective legal representation ✓ To initiate proceedings of release on personal bond if the offence is bailable and 7 days of judicial custody are over ✓ Is accused being produced in court for every hearing ✓ If chargesheet filed within stipulated time or not 	<ul style="list-style-type: none"> ✓ Production from Police Custody: If any signs of torture are visible & whether medical examination done by police ✓ Production from Judicial Custody: If prison staff conducted the first medical check-up and doing fortnightly checkup of the prisoner 	<ul style="list-style-type: none"> ✓ If prisoner is juvenile, segregated from adults or not in prison ✓ Is the prisoner being allowed visits by family
TRIAL	<ul style="list-style-type: none"> ✓ Is accused mentally fit to stand trial ✓ If the prisoner has completed half or maximum prescribed punishment of the offence as undertrial ✓ If the case of the prisoner was reviewed by <i>Avadhik Samiksha Samiti</i>. If so, what action taken up on recommendations 	<ul style="list-style-type: none"> ✓ If prison staff conducts regular medical check-ups of the prisoner every fortnight ✓ If prisoner is detained in solitary confinement and for how long ✓ Is prisoner in need of medical care 	<ul style="list-style-type: none"> ✓ Is the prisoner being allowed visits by family ✓ Is prisoner in need of counselling

What entries must be made by the Judicial Officer?

Entries to be made	Directions to make entries
LEGAL REPRESENTATION <ul style="list-style-type: none"> ✓ Name of lawyer ✓ Type of lawyer - whether private or legal aid ✓ Contact number of lawyer 	<ul style="list-style-type: none"> ▪ On the date of first production or as soon as the Court or legal services authority appoints the legal aid lawyer
ARREST <ul style="list-style-type: none"> ✓ Date of Arrest ✓ Name of Police Station 	<ul style="list-style-type: none"> ▪ As provided in the arrest and remand documents
FIRST PRODUCTION & REMAND <ul style="list-style-type: none"> ✓ Name of Court ✓ Date of first production ✓ Date of first remand 	<ul style="list-style-type: none"> ▪ On the date of first production ▪ On the date of first production ▪ On the date of first remand
OFFENCE <ul style="list-style-type: none"> ✓ Relevant Sections ✓ Name of the Act/law ✓ Offence Type - Whether Bailable or Non-bailable ✓ Maximum prescribed imprisonment 	<ul style="list-style-type: none"> ▪ As provided in the arrest and remand documents ▪ To be noted from the First Schedule of the CrPC ▪ To be noted from the First Schedule of the CrPC
COURT PROCEEDINGS <ul style="list-style-type: none"> ✓ Number in Judicial Custody Warrant ✓ Case Reference Number ✓ Next Date of Hearing ✓ Summary of every proceeding ✓ Date when chargesheet filed 	<ul style="list-style-type: none"> ▪ As soon as issued by the court when accused is first sent to judicial custody ▪ As soon as issued by the court ▪ To be added after every hearing ▪ Whether undertrial was remanded; convicted; released on bail but could not furnish surety; acquitted; convicted ▪ When accused is produced in court after filing of chargesheet
OTHER IMPORTANT DATES <ul style="list-style-type: none"> ✓ Date when half term gets completed ✓ Date when maximum prescribed term of imprisonment gets completed ✓ Date when maximum period for filing chargesheet gets completed 	<ul style="list-style-type: none"> ▪ Calculated from the date of entry in prison and the maximum prescribed imprisonment in the First Schedule of the CrPC ▪ Calculated from the date of entry in prison and the maximum prescribed imprisonment in the First Schedule of the CrPC ▪ 60/90/180 days, calculated from the date of first remand and depends on maximum prescribed imprisonment in the First Schedule of the CrPC

DUTIES OF THE PRISON OFFICER-IN-CHARGE

✓ Entries for both undertrials and convicts

Entries to be made by Jail Superintendent/Deputy Jail Superintendent	Relevant Rules – When & How to make entries
Direct the Deputy Superintendent/Jailor/Deputy or Assistant Jailor/Octagon Officer to enter all particulars in the history ticket except for medical record	Rule 4, Part 17 At the time of admission
Ensure that history-tickets are supplied to all prisoners and written up	Rule 101, Part 10 During weekly parade
Record any special order he may have to give as to the treatment of the prisoner	Rule 5(a), Part 17 e.g. location in juvenile ward, separation night in cells, any particular work or duty, etc including that of hospital attendant
Record in his own handwriting all entries of punishment (including formal warning) or an admonition	Rule 32, Part-25
Record entries of appeal, letters received and sent, interviews under his initials	Rule 32, Part 25 & Rule 37, Part 22

✓ Special entries for convicts

Entries to be made by Jail Superintendent/Deputy Jail Superintendent	Relevant Rules – When & How to make entries
Entries of appeal & prisoner's wishes	Rule 32, Part 25 Rule 7, Part 22
For those sentenced to rigorous imprisonment <ul style="list-style-type: none"> ▪ brief history of the case ▪ special features of the crime and the part taken by the convict ▪ previous character and reputation 	Rule 33, Part 25 At the time of admission
On transfer of a prisoner, sign on the total amount of remission earned by a prisoner up to the end of the previous month	Rule 24, Part 3
Write every order himself appointing or promoting a convict to the grade of night watchmen overseer or convict warder	Rule 19, Section III, Part 18
Any special order he may have to give as to any particular work or duty, etc.	Rule 5, Part 17 E.g. that of hospital attendant; or sanction for extra-mural employment

DUTIES OF OTHER PRISON OFFICERS

☑ Duties of Jailor

Entries to be made	Relevant Rules & Directions to make entries
General Details	At the time of admission for both undertrials & convicts
Lodging Details	At the time of admission for both undertrials & convicts
Details of transfer of prisoner	For both undertrials & convicts
Details of Production to Court – Next Date of hearing; Reasons of non-production; Date & time of return from court; Signature while receiving undertrial after production; Status – if escaped transferred or died	Only for undertrials
All issues of clothing and other articles and subsequent renewals under the initials	Rule 123(b), Section V, Part-9 For both undertrials & convicts – Entries relating to new articles of clothing shall be prefixed with the letter “N” and those relating to be used but serviceable clothing with the letter “S”.
Entries of awards of remission under his initials	Rule 32, Part 25 For Convicts
Awards of remission under the initials	Rule 32, Part 25

☑ Duties of the Medical Officer

Entries to be made	Relevant Rules & Directions to make entries
Matters related to the medical record	Rule 3, Part 17 For both undertrials & convicts
Weight on admission and physical equivalent, state of health, class of labour for which the prisoner is fit, if sentenced to rigorous imprisonment, and whether he has been protected by vaccination or small pox	Rule 3, Part 17 & Rule 40(c), Part-25 On admission of undertrials or convicts
Vaccination having been performed in Jail and the result, the admission and discharge from hospital on every occasion, with the disease for which admitted and any special instructions for the treatment of the prisoner, change of work or food etc.	Rule 3, Part 17 For both undertrials and convicts
Whether the prisoner may revert to his original work and task, or whether some other work and task should be allotted to him	Rule 3, Part 17 On discharge of a prisoner from hospital

DUTIES HELD IN COMMON

✓ **Duties of Superintendent & Medical Officer [Rule 32, Part-25]:**

- i. weightment fortnightly
- ii. admission to, and discharge from the hospital
- iii. convict's state of health and the labour on which he is to be employed
- iv. history-ticket throughout the period of imprisonment so as to be a continuous record of the convict's conduct and employment

✓ **Duties of Assistant Jailer & Medical Officer [Rule 207, Part-25]:**

- i. Assistant Jailer to bring undertrials, before the Medical Officer, on the morning following their admission
- ii. Medical officer then to make proper entries in the under-trials register in columns 10, 11, 15 and 16, and on history tickets
- iii. Medical Officer to record particulars of previous illness, record of health and of any injury, wounds, contusions or abrasions detected, and be signed both by Medical officer and Assistant Jailer



ABOUT SLSA AND CHRI

State Legal Service Authority, Rajasthan

Legal aid is an essential part of the administration of justice. "Access to Justice for all" is the motto of the Authority. It is committed to legal aid programs which includes providing free legal advice, legal literacy, institutionalizing legal aid clinic, implementing victims' compensation scheme, promoting alternative dispute resolution mechanisms and assisting in the implementation of welfare schemes for the senior citizens, children, workers, prisoners, mentally ill, women and other weaker sections. Its aim is to ensure that nobody is deprived of an opportunity to seek justice by reason of economic or other disabilities. It has a duty towards every person in custody to ensure that early and effective legal representation be provided at state's expense to those who cannot afford it.

Commonwealth Human Rights Initiative (CHRI)

The Commonwealth Human Rights Initiative (CHRI) is an independent, non-partisan, international non-governmental organisation, mandated to ensure the practical realisation of human rights in the countries of the Commonwealth. CHRI's advocates for better respect for, protection and promotion of international human rights standards and ensuring greater adherence to the Harare Commonwealth Declaration. Issues relating to access to justice and access to information are at the heart of CHRI's work.

The Prison Reform Programme of CHRI aims to enhance accountability towards ensuring early safeguards against unnecessary detention and addressing overcrowding in prisons. The Programme focuses on reducing pre-trial detention through legal research, analysis and evidence-building, advocacy, capacity-building, network building and strategic litigation. In Rajasthan, it works to strengthen legal aid reform and undertrial review mechanism to foster an attitude of cooperation between the various agencies of the criminal justice system.



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