

Report -I, on Visit to Central Jail, Amritsar, by Dr Vinod Aggarwal, Special Rapporteur on 19 & 20th March, 2018.

Format of Jail report is enclosed with the report. The jail was built in 2016 by the PWD Punjab. The sanctioned capacity of the jail is Male: 1186, females: 114; total 2268, but at present it houses, Male: 3180 Female: 145 Total : 3325 + 08 Children, who are living in this jail. The number of inmates 1 and a half times the capacity and 3200 is the average occupancy of the jail. The remand inmates who are in the jail is as follows: male: 1218, females: 74, total =1292. Session inmates are male: 938, female: 17, total 955. In total, 2247 under trials are in the jail. Among the 1078 convicted inmates, 152 inmates are with simple imprisonment. There are 828 male and 50 female prisoners who are lodged with rigorous imprisonment. 8 inmates are in the prison for the death sentence. There are 374 male and 32 female with life imprisonment. About 67.54 acres of land is available with the jail.

The provisions of model jail manual are complied, in terms of congestion of blocks and they are at least at a prescribed distance from the perimeter wall. But the prescribed limit is not sufficient in this jail as the catapult is used for throwing things which include balls filled with various prohibited items, from outside the periphery of the jail. There is some complaint of seepage, which suggest defective construction as building is only 1 and half year old. There are 52 barracks for men and 6 separate barrack for the females. The personal are also almost as per the jail manual and warders are 145 instead of 164. Out of 494 posts 429 are in position, which can be considered a one of the best personal position available in any jail in the country.

Recommendation and actionable points after the visit, Discussion with Jail Suptd, and inmates are as follows.

1. The jail is quite new and enough land has been kept for extension of the jail if required in next 20 years and enough toilets in the place of cage latrines inside and in adjoining to the ward outside to give inmates a comfortable life. There is bit of overcrowding but as seen in some other parts of the country it is not

that much visible but when capacity is only 2268, if 3300 inmates are kept that it is over-crowding which need to be tackled.

2. The availability of personals is a happy position that out of 494 posts 429 are available. After seeing other states, position of Punjab is a welcome change, almost looks overstaffing. There is a case for reducing the positions of warders and security and increasing social workers, psychologists, trainers for various trades.
3. **The Kitchen definitely requires up-gradation, in the form of provision of Chimney, automatic door closure, wire mesh in the windows, fly catcher in the kitchen, and chapatti making machines.**
4. Out of 2247 inmates, who are under-trials,

Period	total
Up to 3 months	898
3-6 months	445
6-12 months	442
1-2 years	384
2-3 years	90
3-5 years	68
about 5years	10

5. There were 10 who were imprisoned more than 5 years. These are the cases should be reviewed by the visitors and these cases should be decided fast by the judiciary, as it is said justice delayed is justice denied. But majority of cases are less than 1 year of the under-trials which is a happy position of disposal of cases.
6. **The jail hospital is not as per the BPRD norms, that 5% of the inmates strength be the capacity of jail as per that norms a 160 bedded hospital is required.** Even for the sanctioned strength of jail, 120 beds are required but a facility of 35 beds is being maintained. Amritsar being bigger medical centre, inmates from nearby jails must be coming for treatment to the tertiary centre located at Amritsar. **Hospital set up should be much bigger and higher facilities.**
7. **A large drug de-addiction centre is being maintained and can be said that it is being run well, but seeing the drug menace in Punjab and especially in this district which is border to India to an inimical power, the drug de-addiction centre facilities also require up-gradation and better management.**
8. Large no of inmates who are convicts and are supposed to do rigorous imprisonment, but the industrial units are not able to employ large number of

inmates because lack of orders from the market and other departments. Even the requirement of jail is being met in many cases from the local market. But bakery unit is being sanctioned and going to start in near future. The masala grinding and oil extraction units need to be established. The carpentry unit is working but as the quality need to be improved along with orders from various departments need to be procured. Only few of inmates could be employed who are working in Industrial units or are helping in cooking, cleaning and other routine activities and up-keep of the jail. The wage given to the inmates is also quite low, 40 Rs to untrained, 50 Rs to semi-trained and 60 Rs to trained inmate is a very low wage as the BPRD norms or being paid in Tihar jail or jails of Bihar and Jharkhand. There is need to creation of posts of weaver, mason, tailoring masters and filling of positions of Electrician, fitter, plumber masters and TV trainers. Some sort of supervisors who can keep a watch on industrial production and who can book orders from various departments would be quite important.

9. In last 3 years 16 prisoners have escaped when they were out with police escort. This seems to be high number, only 3 of them have been recaptured. This matter may be taken up with the police department to see that these prisoners are in the border area are not able to escape.
10. The annual statement of Custodial deaths is enclosed as annexure -2 to the report. In three years, 109 inmates died while in custody. Although in last 3 years number are reducing but it is still alarming. Out of 43 cases of custodial deaths of calendar year 2015, 15 were unnatural and none of the cases has been closed by NHRC and in non of the case a final opinion has been submitted. This is a grave area of concern. It seems NHRC must review this jail with respect to the custodial deaths and specialty those cases where the inmates died seemingly in an unnatural manner, the jail authorities need to explain.
11. Throwing of drugs and mobiles by use of catapult and they are reaching the inmates suggest lax administration in general. It is also matter of concern why higher authorities could not find solution to this problem till now is a matter of concern. Whether some adjoining land is purchased or wall is further raided or the watch on guards are increased but this menace need to be tackled. In under tone it is also said that the drug menace had support of

some high govt officials and political patronage is also seems available to these elements

12. The posts of Sociologist, social worker, Psychologist are the need of hour in the jail. These posts and trainers are the present need of the hour in any jail.
13. The jail authorities are not training inmates under Kaushal Vikas Yojana. Under this scheme, the funds provided to the training institute are sufficiently large and it should be used to train under-trials and such other inmates who are near to their release date, so that skills gathered are put to use on early date.

Dr Vinod Aggarwal
Special Rapporteur

Inspection format

1	Name of the prison	CENTRAL JAIL, AMRITSAR.				
2	Sanctioned capacity of the prisons	Male - 1984		Female- 284		
		Total: 2268				
3	Prisoners profile	As on 18.03.18 Annexure (A) Enclosed Herewith				
3.1	Actual strength of the prisoners-	Sl.No	Details	Male	Female	Total
		(A) 1	session trial	938	17	955
		2	lower court	1218	74	1292
		3	POTA (released on bail in POTA case but detained in other case connection)	0	0	0
			Total (A)	2156	91	2247
		(B) 1	Simple imprisonment	151	1	152
		2	Rigorous imprisonment	828	50	878
		3	Internee	37	3	40
		4	Death Sentence	8	0	8
			Total (B)	1024	54	1078
		(C) 1	N.S.A.	N.A.		
		2	C. C. A.	N.A.		
			Total (C)	1024		
			Grand Total (A+ B+ C)	3180	145	3325
			Children (with Mother)	8		8

3.2	The details of the prisoners including undergoing life imprisonment and under death sentence	Male- 374 and Female 32 ,Total=406 inmates presently serving imprisonment for life
		Male- 08 Condemned prisoners (Death sentence)detained in this Correctional Home (detail sheet ANNEXURE (B) enclosed)

3.3	Daily average strength of the previous month	3200
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4

Accommodation

Area of the Jail	67.54 Acres
Age of the buildings	1 year and 9 months
Status of building- to what extent. The provisions of model prison manual have been complied with in terms of location away from congested location of various blocks at a prescribed distance from the perimeter wall. Separate enclosures for	Yes
Problem of seepage, leakage e	Minor
Lighting and ventilation	Well
Institutional arrangements for repairs and maintenance	Yes, Punjab Police Housing Corporation .
Number of wards/ Barracks	58 Barracks
Number of special cells	(20+24+8+8) seprate cell Blocks=60 (cells)
Any other provisions	yes, Internee Camp
4.1 Arrangemnt of seperation of-	
Under trial	YES
Young prisoners	YES
Women prisoners	YES
Mentally sick prisoners.	Yes, (Jail Hospital And Foreigners mentaly sick in 20 cells (Transit Camp)
Drug addicts	Yes, (Drug De-addiction Center)
Suffering from infectious disease like TB etc	Yes,(Isolation TB ward1 nd 2 in Jail hospital)

5

Staff	ANNEXURE (C) enclosed				
Sanctioned strength(in various categories)	Serial No.	Post	Sanctioned	Posting	Vacancy
	1	Superintendent	1	1	0
Actual strength (in various categories)	2	Deputy Supdt Garde-1	1	1	0
	3	Deputy Supdt Garde-2	3	3	0
Adequacy of otherwise of sanctioned and available staff	3	Asst Superintendent	10	6	4
Steps taken to fill up the vacancies.	4	Medical Officer	5	4	1
Terms and conditions of service and employment of all categories of personnel keeping the	5	Head warder	41	27	14
	6	Head Matron	2	2	0
Has any objective and dispassionate assessment of the service condition vis-à-vis operational efficiency been made if so, what are the findings and what corrective measures have been taken	7	warder	164	145	19
	8	Video Conferencing Operator	1	1	0
	9	Matron	7	7	0
	10	Office superintendent	1	1	0
	11	Senior Assistant	1	1	0
	12	Steno	1	1	0
	13	Junior Assistant/Clerk	9	9	0
	14	Lab Technician	2	1	1
	15	Pharmacist	5	3	2
	16	Driver	2	1	1
	17	Carpentry master	1	1	0
	18	Weaving master	1	1	0
	19	Peon/class 4	18	11	7
	20	Cook	2	1	1
	21	Pesco Guards	61	61	0
	22	Home Guards	98	83	15
	23	IRB	42	42	0
	24	QRT	5	5	0
	25	Dist Police	10	10	0
		TOTAL:	494	429	65

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Human Resource Development

Institutional arrangements for training of officers and staff in various categories.	YES, Punjab Jail Training school at Central Jail, Patiala for Prison Staff , Maha Raja Ranjit Singh Police Academy at Phillor for Dist Police and IRB , Combined Training Institute, Village Sundra, Dera Bassi Distt. SAS Nagar for Home Guards
Duration of training of each category	Different for different programmes
5.1	Arrangements of the Additional content training is required to some extent
6	
6.1	Right of Prisoners:
	Right to speedy trial
	No. of UTP's lodged in prison 2247
	What is the average duration for which they have been lodged in prison 13 months approx
	What are the contributory factors to delay in disposal of cases of UTP's? Delay in the trial process
	Specific suggestions to reduce this duration. Speed up the trial process

6.2	Right to be released on bail	
	No of petitions pending in the trial court for disposal	Data not available
	No of case where prayer for bail has been rejected but the advocate concerned has not yet communicated the reasons for rejection	Data not available
	No. of cases where the prisoners are unable to arrange sureties	Data not available
	No of cases where the bail amount is high. What are the specific suggestions to improve the situation and register expeditious disposal of pending bail applications.	Data not available

6.3 **Rights of the convict to appeal:**

	No. of cases where appeal petitions are pending in the High Court	At present about 298 inside appeals from this correctional home is pending before Hon'ble Punjab and Haryana High Court.
	No. of years for which these petitions are pending contributory factors specific suggestions for expeditious disposal	Pending Since long. The average is one years approximately. There could be special attention for inmates appeals from inside the prison.
6.4	Rights of convicts for premature release/ Remission	

What is the composition of the State sentence review board	Not Constituted
No. of cases pending for review	Presently 25 cases pending for review
Duration for which they are pending & reasons for pendency specific suggestions to expedite disposal	Release is pending at HQ and State Govt level.
Procedure followed as per guidelines of NHRC and Sec 433 CrPc.	YES
Whether meeting SS R Board is held. Mention dates	NA
6.5 Right to food	
Scales of diet for various categories of prisoners	ANNEXURE (D) enclosed Herewith
Storage of articles	Store in and outside Prison
Arrangement of cooking and distribution of food	LPG cooking system in General kitchen
Mean and mode of preparation of food	LPG cooking system in General kitchen
Menu of food provided to the inmates procurement of eatables etc.	Edible articles are purchased through E-tender floated by ADGP -Prison & IG of Prison Department

6.6

Does the kitchen have the following	
i. A modern chimney regardless of the type of fuel used	NO
ii. Sufficient no. of exhaust fans	YES
iii. Fly proof automatic closing doors	NO
iv. Floors made of an impermeable material	YES
v. A platform for washing, cleaning and cutting vegetables	YES
vi. An electric kneader for preparing paste out of Atta prior to making chapattis	YES
vii. Chapatti making machines/ mixers and grinders	YES
viii. Adequate no. of taps inside the kitchen	YES
ix. LPG and Hotplates	LPG cooking system
x. Container made of stainless steel to keep the cooked food hot prior to being served	NO
xi. Cooking and serving utensils to be of stainless steel	YES

6.7	Right to water	Whether sufficient, clean and purified drinking water is supplied in the jail source of water.	YES, Safe Drinking Water Supplied by Water Resource Dept.
		whether periodical cleaning of water storage tanks are done	Yes
		whether sufficient water supply is provided in toilets and for bathing and cleaning of clothes purpose.	YES
		General cleaning around source of water	YES
6.8	Right to sanitation	Does every barrack used for sleeping have sufficient no. of W.C.s, urinals, and washing places at the ratio of 1 unit for every 10 prisoners	yes
		Are the latrines of sanitary type with arrangements for flushing	yes
		Is it ensured that toilets are placed on an impermeable basis higher than the surrounding ground and are so built that the sun's rays can easily enter the latrines and that rainwater is kept out	YES
		Is it ensured that the latrines are so designed that all excreta and wash materials get into receptacles without fouling the sites.	Yes

6.9

<p>have the inside walls of the latrine been fitted with glazed ceramic tiles upto a height of 1 meter from the floor level as far as possible</p>	<p>YES</p>
<p>Right to personal hygiene</p>	
<p>Does the prison provide covered cubicles for bathing @ one for every 10 prisoners with proper arrangements to ensure privacy</p>	<p>YES</p>
<p>is it ensured that every prisoner takes bath as frequently as necessary for better personal hygiene according to climatic conditions</p>	<p>YES</p>
<p>Is it ensured that prisoner washes his clothing at least once a week</p>	<p>YES</p>
<p>If so have you ensured the use of necessary washing materials (soap, washing powder, detergent etc.) has been authorised for both male & female prisoners</p>	<p>YES</p>
<p>is there a mechanised laundry to wash items of clothing and bedding at the time of return of these items to the clothing store</p>	<p>NO</p>

7

Right to clothing	
The Prison manual provides this right and the manner of exercise of this right both the convicts as well as the UTPs	

Is it ensured that these provisions are being complied with	Clothing is provided to all the convict prisoners and to those Under trial prisoners who require the same
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8

Right to Health and Medical care	
The Prison manual provides this right and the manner of exercise of this right both the convicts as well as the UTPs	

Is hospital accomodation available on the scale of 5% of the daily average of the inmate population	YES
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Is the location of the hospital sufficiently away from the barracks	Yes
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are the floors and walls of the hospital of impermeable material	Yes
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is there arrangement of uninterrupted supply of potable water and electricity	Yes
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is there a hospital kitchen with arrangements for proper upkeep and maintenance	No
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is it ensured that ailing prisoners who have been admitted to the prison hospital get their diet (inclu milk) according to approved scales	YES
Are samples being sent to approved laboratories for testing	Yes
If so at what interval & with what findings	NA
what preventive and corrective measures have been taken to ensure the water is free from Impurities & is potable	Yes, Regular Checks by Public Health Department
9 No of Doctors	Total no. of M.O. =4, 1 permanent M.O. present 24*7 Hrs and Specialist M.O's. visit weekly every staurday
No of Para Medical personnel	9
No Of Beds	35
Availability of medicine, Adequate/ inadequate	Adequate
Visits by specialists	Yes, Weekly
isolation/ segregation of patients suffering from infectious diseases	Yes
No of patients suffering from T.B.	11
No of patients suffering from HIV/ AIDS	147
Arrangement for detection and prevention of HIV/ AIDS	An ICTC center is running under Punjab State AIDS prevention and control society at Govt Medical college Amritsar.
Are instructions about medical examination of each prisoner on admission being followed	Yes

	Ambulance service	Yes
	No of prisoners suffering from other chronic diseases like heart, cancer, irreversible kidney failure, cardio respiratory, leprosy etc and details of their treatment	One inmate suffering from cancer, Health of all inmates is given utmost importance under the watch of Medical office and superintendent Jail. Prisoner which cannot be treated in the prisoner are referred to Higher Medical Institution (Civil Hospital, Amritsar & Guru Nanak Dev Hospital cum Govt Medical College, Amritsar) immediately.
	Drug de- addiction and counselling services	Available
10	Mental illness:	
	How many mentally ill persons have been detained in the jail and for what duration	Mentally ill prisoner none declared so far but 26 inmates are undergoing psychiatric treatment.
	HOW MANY TIMES THE I.G. OF PRISONS HAS VISITED THEM U/S 39(1) of mental health Act 87?	10.2.18 ,26.11.18 ADGP Prison visited C.J. ASR Recently
	What are the main observations	Recommended Superintendent Jail and M.O. for proper treatment.
	How many times these persons have been visited by a psychiatrist or where a psychiatrist is not available by a medical officer empowered by the State Govt. u/s 39(4) of mental health Act 1987	Regularly by one contract basis clinical psychologist of this Correctional Home
11	Children staying with mothers (Convicts)	8 children
	What checks and safeguards are being observed to promote health, safety, education, nutrition, immunization of children in 0-6 group while allowing them to stay with their mothers (convicts) in terms of the directions of the Supreme court in R.D. Upadhyay Vs. State of Andhra Pradesh & others, WP No. 559 of 1994 with Criminal Appeal No. 69 of 2009 decided on 01/11/2000	Immunization of all children between 0-6 years / special diet enclosed in Annexure (D) and for education creche is available

12 Institutional treatment

Classification institutional routine educational vocational training and work spiritual development organised recreation	1. Certified course of Cutting tailoring, Soft Toy Making, Candle making, Emroidrey and Beautician for women priosners. Carpentry, Welding, Power looms-Cloth making, Carpet making, soap making for male prisoners. Yoga Sessions Organised by Internation yoga and Art of living for spiritual development.
Rehabilitation assistance canteen facilities	yes

13 Daily wages prescribed both time rate and piece rate for:

Trainees	Unskilled Rs. 40/- per day
Semi skilled workers	Semi skilled Rs. 50/- per day
skilled workers	Skilled Rs. 60/- per day
mean and mode of payment of wages	Monthly 75 % in bank Account & 25 % in hand of inmates

14

Condition of Undertrials:

Detention period as on
18.03.2018

upto 3 months	898
3-6 months	445
6-12 months	442
1-2 years	384
2-3 years	90
3-5 years	68
above 5 years	10
Are Undertrials kept separate from convicted prisoners	Yes.
No of UTP granted bail but unable to seek release because of failure to arrange sureties	Data not available
Is there any problem of providing escorts to UTP for court appearance	NO
Holding of Lok Adalats in jail premises	NIL

15

Custodial death: Annual statement of deaths for last three years

Annual statement of escape from the prison/ Escorts for the last 3 years	Annexure (E) enclosed herewith
Annual statement of deaths in last 3 years	Annexure (F) enclosed herewith
Have these deaths been investigated? If so what are the findings & general observations	Yes.
What checks and safeguards have been adopted to prevent suicides of prisoners	Counselling and reassurance to the prisoners, Yoga, meditation, Psychotherapy, Psychoanalysis etc.

16

Women prisoners:	
Santioned capacity	284
Actual strength	145
Details of staff	1 Asst Supdt (F)+1 Head Matron+7 Matrons
No of Children with women prisoners and their age group	less then year =5 , less then 3 years= 1 ,less then 5 years =2, Total no. children = 8
are women prisoners kept in separate accomodation	yes
Facilities for special care, education and recreation of young childred staying with women prisoners	yes, Women ward has its own Creche/school for children
General comments on health facilities for women prisoners and children staying with them with special mention of availability or otherwise of a separate female ward in prison hospital and innoculation programme for the children	Health of all inmates is given utmost importance under the watch of Medical office and superintendent Jail. Prisoner which cannot be treated in the prisoner are refered to Higher Medical Institution (Civil Hospital, Amritsar) immediately.
Facilities of vocational training for women prisoners	Yes .
No. of women prisoners suffering from T.B. and psychiatric problems	2 mentaly ill female prisoners

Basic Amenities:

Letters (receiving, despatching and distribution system feed back by the senior officers and records maintained in this regard, if any	YES
Whether prisoners rights have been displayed in the prison	YES

17	Interviews of the prisoners	
	Interviews of the prisoner by jail/ District officials	
	Mean and mode of interview details of redressal of complaints, if any	By Jail Administration , District Administration and Judicial officials.
18	System of interviews with family members and lawyers	
	18.1 What is the procedure which is in vogue for grant of such interviews	Through application process. Two interview per week to Under Trial and one to convict per week though online E-Prison Portal.
	How many such requests on an average are being received	More than 200 per day
18.2	HOW MANY REQUESTS HAVE BEEN TURNED DOWN & REASONS THERE OF?	Requests are turned down only if the interview rules are not satisfied.

19 NO OF VISITS/ Inspections during the last one year by :

Judicial authorities	Regularly once a month
Non judicial authorities	By Senior Officers of Jail Department as well as Police department along with officails of District Administration.

20	Involvement of NGOs and social activists in prison activities:	YES
20.1	Functioning of board of Visitors:	none
	When was the board of visitors last constituted	Not Constituted.
	What is the frequency of visits of the Jail by the BOV	N.A.
	Are the observations recorded by the BOV soon after the visit?	N.A.
	What is the current status of compliance with these observations?	N.A.
	General remarks:	
	On the functioning of the prison administration, problems and grievances and suggestions for improvement	