

REPORT OF THE INSPECTION/ VISIT OF HON'BLE MEMBER JUSTICE SHRI PINAKI CHANDRA GHOSE TO PRESIDENCY CORRECTIONAL HOME FROM 23RD JANUARY, 2018 TO 24TH JANUARY, 2018

1. On 23.1.2018 and 24.01.2018, the undersigned paid visit to the Presidency Correctional Home, Kolkata to inspect the infrastructural facilities, living conditions of prisoners and functioning of the Prison Administration. The inspection and review of activities of this correctional home was done with reference to adherence to human rights standards and the directions of the NHRC on the rights of prisoners in letter and spirit of Section 12 (c) of the Protection of Human Rights Act, 1993.
2. Shri Arun Kumar Gupta, IG of Correctional Services, West Bengal, Shri Biplab Das Gupta, Addl. IG (South) Kolkata, Superintendent of Correctional Home, Senior Medical Officer accompanied the undersigned on this visit. Superintendent of Correctional Home took the undersigned around the correctional home, the living barracks, kitchen, hospital and mulakat place with the visitors. During my visit to the Jail barracks, the prisoners interacted freely and submitted their grievances, if any. The prison authorities were sensitized about the need to take immediate steps to address the problems that had come to the notice during the visit.
3. The undersigned visited the Jail Hospital including the isolation cell of the patients suffering from infectious diseases, like HIV/AIDS, Tuberculosis. Issues pertaining to medical treatment of the prisoners, their referral system to other specialised medical institutions and also the health screening of prisoners at the time of admission in Jail with the Jail doctor were discussed. Interaction with the prisoners admitted in the Jail Hospital was also done.

4. Prisoner's Profile

The Presidency Correctional Home is built in an area of 18 Acres (approx.). The sanctioned capacity of the male inmates in Presidency correctional

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home is 2140 & female inmates is 246. The daily average strength of the previous month is 1900. The actual strength of the male prisoners are 1941 including 01 civil prisoner. At present, no women prisoner is detained in this Home. Out of this, there are 1072 remand UTPs, 360 Sessions UTPs & 03 condemned. 03 prisoners are sentenced for death, 16 prisoners are sentenced for simple imprisonment; 492 prisoners for rigorous imprisonment and 296 are life convicts.

5. Accommodation

Presidency Correctional Home is situated at Alipore, Thackeray Road. The age of the building of Presidency Correctional Home is 132 years. There are 28 wards and 54 special cells. Provision of one common room and 02 community halls for cultural programmes is there in this Home. Prisoners are provided with adequate cubic contents of air, floor space, lighting, heating/cooling (with due regard to climatic conditions) and ventilation. There is a provision of separation of under trial prisoners, convict prisoners, young prisoners, drug addict prisoners, and mentally sick prisoners in this Home.

6. Jail Staff

The total sanctioned strength is 438. There is 01 Superintendent, 01 Deputy Superintendent, 02 Chief Controller, 09 Controller, 05 Medical Officer, 01 Chief Disciplinary officer, 02 Welfare Officer, 01 Head clerk, 04 UDC; 05 LDC; 20 Head warder; 219 Warder; However, the Actual strength is only 327. Due to the shortage of staff on different ranks, the administration is facing problem in managing the jail efficiency effectively. The sanctioned strength of the staff is inadequate as per the available strength of prisoners in the Correctional Home.

There is an arrangement of providing regular training of officers and staff in various categories of the Home. A minimum duration of these trainings in different categories is 03 months and Probation & Aftercare officers are

providing the institutional arrangements for training of officers and staff in various categories.

7. Food Supply

According to Government order, various categories of prisoners were provided diet as per sanctioned scale of >2800 K calories in terms of G.O. No. 1249-HJ/4M-175/07 dated 28th November, 2007. The daily diet is served to the inmates in three occasions, breakfast, lunch and evening meal. Three days are fixed for fish, egg and mutton. Rice/Flour-250-gms, Dal-100gms, fish-75 gms, Meat-75 gms.

Daily inspection is being made by the Medical officer about quality of food and food is examined before distribution to the prisoners.

There is one General Kitchen having Gas ovens for cooking food for the general prisoners and one Medical Kitchen with gas ovens for cooking medical diet for sick prisoners, where food is cooked in a hygienic condition and is nutritious. Provision of modern chimney is there. Floors are made of an impermeable material. There is no provision for electric kneader for preparing dough for chapattis. No Chapatti making machine, mixer and grinders are provided in the Correctional home.

8. Basic Facilities-

Water supply: The Presidency correctional home is provided water by Kolkata corporation which is available round the clock and is clean & safe for drinking purpose.

Sanitation: In each ward more than one bathroom is available. Total number of 168 toilets & bathrooms and 35 day latrines are constructed in the Home. In addition, more than one latrines are available in each ward. Every latrine is equipped with flush system. All toilets are placed on impermeable floor, higher than the surroundings ground. Sweeper regularly cleans all the bathrooms. No foul smell was found. There is a

provision of sufficient number of taps. No shower was found due to security reasons. PWD authority has not fixed washbasins. There is no provision of rain water harvesting. Overhead tanks were cleaned periodically by the PWD authority.

Washing/toilet soaps and Dabur Lal Dant Manjan are issued to all inmates and the frequency of taking bath is absolutely personal matter of the inmates. No over flow of sewerage was found. Drains were cleared.

9. Health Facilities

There is a Hospital inside the Home having facility of 100 beds. The floors and walls of the hospital are not made of impermeable material. There are 10 male doctors and 01 female para-medical personnel in the home. Daily average of OPD is 100. 02 medical officers are available for 24 hours duty in the Home. 01 dentist and 01 skin specialist pay visit to the Home thrice in a week, 01 Orthopaedic, 01 Eye Specialist and 01 Homeopathy doctor pay visit to the Home twice in a week. 01 contractual para medical staff and nursing staff is there in the Home. 07 prisoners are suffering from Tuberculosis and 10 prisoners are suffering from HIV/AIDS. They are treated by Medical Officer. 05 sick wards are there in the Home. There are 20 prisoner who are physically handicapped and 20 mentally ill detained in the jail for about 03 years who are referred and treated at Pavlov hospital as and when required by the medical officer of the correctional home.

10. Institutional Treatment

There are provisions of imparting various vocational trainings by the Probation and Aftercare officers, like, Tailoring, plumbing, painting-by art forum, handicrafts - by missionaries of charity, carpentry - by regular training and production unit, beautician course, bread making. Provisions of Cultural & Recreational activities like, meditation, yoga, play & drama and reiki etc. is also there.

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11. Wages given to the Prisoners

Prescribed wages are being paid/deposit in the account of the convict prisoners, who have been awarded rigorous imprisonment.

I Unskilled /Trainee @ Rs.80/- per day

II Semi-skilled @ Rs.90/- per day

III Skilled @ Rs.100/- per day

12. Custodial Death

Incidence of unnatural custodial deaths in cases of 83 UTPs and 24 convict prisoners occurred in the year 2017. Judicial inquiry was conducted in each case of unnatural death.

13. Interviews of Prisoners

Interviews of Prisoners occur in person on application.

14. Observations:

- (i) Daily average OPD patients are 100 in this Home.
- (ii) No R.O. system is installed in the correctional home.
- (iii) No kneading and chapatti making machine is available in the Home.
- (iv) No exhaust fan was available/installed in the kitchen of Home.
- (v) There is separate ward in the correctional home for the prisoners who are suffering from contagious diseases, like, TB, HIV/AIDS, etc.
- (vi) 100 beds are available in the Home hospital, however daily average of hospitalization of inmates is 80. Specialist doctors from the higher hospital visits the correctional home from time to time as per requirement.
- (vii) Medical diet is supplied for sick inmates and hard labour inmates according to Govt. rules and Medical officer's advice.

(viii) There is drug de-addiction centre in the Home and average 20 patients remain admit there. Counselling services are also available in the de-addiction centre.

(ix) It is observed that there was provision of reviewing of prisoners who are unable to furnish bonds etc. Review of 08 such inmates were done during the month of December, 2017.

(x) 20 minutes meeting time is allowed to family members and outsiders to meet with the prisoner. Prisoners are also allowed to speak to their family members on telephone through Vodafone telephone booth.

(xi) Prisoners can watch national news on DD National and to read newspapers, periodicals or other publications.

(xii) Legal Awareness teams visits this correctional home as per directions of State Legal Service Authority, West Bengal. Legal aid is being provided to the eligible inmates. During the period January, 2017 to 31st October, 2017, 305 prisoners have been given legal aid.

(xiii) 10 applications regarding pre-mature release/parole/remission are pending in the Home. It was noticed that 10-15 days time is taken to dispose of parole application normally. During the last six months, 161 such applications have been decided

(xiv) 28 petitions of the prisoners are pending in the High Court for more than one year.

(xv) Facilities are available to the prisoners who desire to continue their further study through correspondence course.

(xvi) It was observed that sufficient numbers of good condition of bedding, mats, bed-sheets, blanket were available in the Presidency Jail.

(xvii) Video-conferencing facility is also available in this Home. The accused whose charge sheets have not been filed in the court are being produced via V.C. system only as per the order of the Court.

(xviii) CCTV cameras have been installed at strategic locations in and outside the Home. Out of 15 CCTV cameras, only 01 camera was found in a non-working condition.

(xix) It was observed that Judicial Magistrate is informed immediately after occurrence of unnatural death inside the correctional home.

(xx) Chief Judicial Magistrate visits regularly to the Home.

(xxi) Regular training of officers and staff in various categories is provided to the staff and officers of the Home. A minimum duration of these trainings in different categories is 03 months and Probation and Aftercare officers are providing the institutional arrangements for training of officers and staff in various categories.

(xxii) No case of escape of any prisoners was there in the last 03 years from the Home.

(xxiii) Two Visits/inspections were made during last one year by Judicial authorities and fifteen times by non-judicial authorities.

(xxiv) The Board of visitors was constituted on 11.12.2017 (Third Party Inspection Committee)

(xxv) One person, named Priyo Soren, s/o Late Balak Soren, aged 98 years was found lodged in Correctional Home. Such prisoners should be released on their last days to enjoy their life in the light of independence and liberty, as per the provisions of the Jail Manual.

There are 07 convicts detained in Presidency Correctional Home, who have completed more than 25 years of imprisonment without remission (list attached at Annexure-A).

(xxvi) Some prisoners are shifted to this jail from the other district jail/Central jail for treatment. It was observed that such prisoners could not get timely appointment for treatment.

(xxvii) 08 prisoners have been shifted to open jail in the month of August 2017 on the recommendations of the Board constituted in August, 2017.

(xxviii) Since 1.1.2012, 83 under-trial prisoners and 24 convict prisoners died as unnatural death till date of inspection of the Home, i.e, 23.1.2018. Magisterial enquiry by the Judicial Magistrate has been conducted in each and every case.

(xxix) One female counsellor visits the Home once in a week, the mental counselling of the prisoners who are in depression is being given by the officers of the Correctional Home.

(xxx) It was observed that there is a requirement for a lawyer for making and filing criminal appeal of the prisoners, who cannot afford an advocate.

(xxxi) Food is cooked in a hygienic manner.

(xxxii) Lighting and ventilations was sufficient in the barracks.

(xxxiii) No seepage or leakage was found in the washrooms.

(xxxiv) Situation of cleanliness & hygiene was satisfactory.

(xxxv) Open school is available inside the Home.

Recommendations:

The DG (Prisons) West Bengal is directed to make compliance for the following:-

- i. Prisoners who are lodged in this Home for more than 14 years, their case may be immediately scrutinized, whether they can be released as per the Jail Manual or they can be transferred to open jail.
- ii. The prisoners who had already served the awarded sentence, they should be released in accordance with the provisions of law.
- iii. The matter of the UTPs who are lodged in the correctional Home for more than three years, their cases may be taken up whether there

is any provision for granting the bail / their release as per the provision of Jail manual.

- iv. The prisoners who have got bail from the concerned court but could not be able to produce the security/surety/cash security, their cases may be placed before the competent court accordingly either through their counsel or District Legal Service authority for their release.
- v. Cases of premature release/parole may immediately be taken up on the merit basis.
- vi. Compliance of the inspection/visits conducted during last one year by the Judicial and Non-judicial authorities be made and compliance report alongwith the Inspection report be submitted to the concerned authorities who conducted inspection under intimation to the NHRC.
- vii. RO system, kneading and chappati making machine, exhaust fan in the kitchen be arranged in the Home.
- viii. Young prisoners who are below 21 years of age be shifted to separate ward/barrack. Habitual criminals be kept separate from the other prisoners.
- ix. Vacant posts of the Home staff be filled immediately for smooth functioning of Home.
- x. The prisoners who are shifted to this Correction Home from the other jail should be timely and equally treated like the prisoners of this jail and it is suggested that specialist doctors in various categories should visit once in a week so that the patients can be treated in-house hospital at the correctional home itself and they can feel that they are also treated as an independent patient and enjoy their liberty granted under the constitution.

- xi. There are 07 convicts detained in Presidency Correctional Home, who have completed more than 25 years of imprisonment without remission. (List attached at Annexure-A). In the spirit of provisions of Cr PC, their cases may be sent for remission to the State Government in accordance with the provisions of law.
- xii. Case of the prisoner, namely, Priyo Soren, who is 98 years old be taken up for his release as per the provisions of law. Such prisoners should be released on their last days to enjoy their life in the light of independence and liberty, as per the provisions of the Jail Manual.
- xiii. Initial health check up of the accused who enters the jail be thoroughly conducted as per the direction and Performa sent by the Commission.

**LIST OF THE LIFE CONVICTS WHO HAVE COMPLETED MORE THAN 20 YEARS OF IMPRISONMENT WITHOUT REMISSION NOW DETAINED IN
PRESIDENCY CORRECTIONAL HOMES AS ON 28/02/2018**

Sl No	Reg. No.	Name & Father's Name	Age	Address	Case Reference with Section	Sentencing Court	Date of Admission	Date of Conviction	Sentence	Actual Sentence served
1	3568/A	Bijan Barua S/o Lt. Amalendu Barua	65 yrs	4B, Badardanga Masjid Bari byLane, PS - Kasba, Kolkata -	S.T. No. - 02(6)89 U/s - 302/34/120B IPC	City Civil & Sessions Judge, Kolkata	19.11.88	14.12.91	R.I for Life	29 years 03 month 09 days
2	7868/A	Subrata Sarkar S/o Sudhir Sarkar	54 yrs	49/1/H, Tollygange Road, PS - Tollygange, Kolkata - 26	S.T. No. - 04(7)92 U/s - 302/34& 27 A. Act IPC	Addl. Dist & Sessions Judge, VIII, Alipore	07.03.91	30.09.93	R.I. for Life	26 years 11 month 23 Days days
3	3662/A	Babulal Jana @ Bishal S/o Krishna Chandra Jana	55yrs	TPC Gorla, PS - Khaira, Dist - Balaswar, Orissa	S.T. No. - 03(9)92 U/s - 302/392/34 IPC	Addl. Dist & Sessions Judge, Xith Court, Alipore	18.08.91	11.10.93	R.I. for Life	26 years 06 month, 20 days
4	3663/A	Jagat Jana S/o Lt. Banamali Jana	55 yrs	TPC Gorla, PS - Khaira, Dist - Balaswar, Orissa	S.T. No. - 03(9)92 U/s - 302/392/34 IPC	Addl. Dist & Sessions Judge, Xith Court, Alipore	18.08.91	11.10.93	R.I. for Life	26 years 06 month 20 days
5	9102/A	Khokan Giri S/o Bijoy Giri	56 yrs	VIII- Charajps-Belda, Dist- West Midnapore	S.T. No. - 18(12)92 U/s - 302/120B/34 IPC & 27 A. Act	Addl. Dist & Sessions Judge, Vith Court, Alipore	10.01.92	31.01.99	R.I. for Life	26 years, 01 month months, 20 days
6	5403/A	Shibu Mondal S/o Lt. Sitai Mondal	51 yrs	Raigram, PS - Pondali, Madhubani, Bihar	S.T. No. - 01(1)95 U/s - 302/394 IPC	Addl. Dist & Sessions Judge, 2nd Court Alipore	22.05.93	10.09.96	R.I. for Life	24 years, 09 months 08
7	6490/A	Md. Yasin S/O- Shyam Md.	57 Yrs	Barpur Rahamat Nagar, Naya Basti, P/S-	S.C No- 161/7, U/S 376/302 IPC	Addl. Sessions Judge Assansol	01.05.1985	07/12/1990	R.I For Life	32 Yrs 09 Months 27
8	8667/A	Priyo soren s/o- Late Balak Soren	98	Jhokul, P/S- Gurap, Dist- Hooghly	S.T. No. 1/2002, U/s- 302/201, IPC	Addl. Sessions Judge Hooghly	09.02.2005	10/02/2005	R.I For Life	13 Years 00 Month 19 Days

REPORT OF THE INSPECTION/ VISIT OF HON'BLE MEMBER JUSTICE SHRI PINAKI CHANDRA GHOSE TO ALIPORE WOMEN'S CORRECTIONAL HOME ON 25th JANUARY, 2018 & 27th JANUARY, 2018

On 25.1.2018 and 27.1.2018, the undersigned paid visits to the Alipore Women's Correctional Home, Kolkata to inspect the infrastructural facilities, living conditions of prisoners and functioning of the Prison Administration. The inspection and review of activities of this Correctional Home was done with reference to adherence to human rights standards and the directions of the NHRC on the rights of prisoners in letter and spirit of Section 12 (c) of the Protection of Human Rights Act, 1993.

Shri Biplav Kr. Dasgupta, Addl. IG (South) Kolkata, Sri Biplab Das, DIG, Superintendent of Correctional Home, Senior Medical Officer and other Jail Officials accompanied the undersigned on this visit. The undersigned took round of the correctional home, the living barracks, kitchen, hospital and visitors (mulakat) place. During visit/round the prisoners interacted freely and submitted their grievances. The undersigned also visited the Jail Hospital including the isolation cell of the patients suffering from infectious diseases, like HIV/AIDS, Tuberculosis. The prison authorities were sensitized about the need to take immediate steps to address the problems that had come to the notice during the visit.

Issues pertaining to medical treatment of the prisoners, their referral system to other specialised medical institutions and also the health screening of prisoners at the time of admission in Jail with the Jail doctor were discussed. Interaction with the prisoners admitted in the Jail Hospital was also done.

1. Accommodation

Women's Correctional Home is situated at Alipore, opposite to National Library, beside to Calcutta University campus. This is congested area and different blocks are built up beside its boundary wall. The registered

capacity of the Women's Correctional Home is 300. Alipore Women's Correctional Home is built in an area of 8.24 Acres (approx.).

2. Safety & Security of the Prisoners

From the security point of view female inmates lodged here are safe and secured. No seepage and leakage is in the kitchen and washrooms are found; Lighting and ventilations are sufficient in the barracks. There are 16 wards and 03 special cells. 10 wards are exclusively meant for UPTs; 01 separate ward is kept for patient inmates with infectious diseases and for mentally sick prisoners, there is criminal lunatic ward which is exclusively meant for such inmates.

3. Prisoner's Profile

The sanctioned capacity of the women's correctional home is 300, whereas number of prisoners lodged in the Correctional home is 312. Out of this, 84 are convicts, 228 are under-trials. There is no male prisoner as the Correctional home caters the female prisoners only. No prisoner is sentenced for death, 10 prisoners are sentenced for simple imprisonment; 28 prisoners for rigorous imprisonment and rest 46 are life convict prisoners.

4. Jail Staff

The total sanctioned strength is 102. There is 01 Superintendent, 02 Chief Controller, 03 Controller, 01 Welfare Officer, 01 UDC; 01 visiting specialists; 01 Pharmacist; 04 Head warder; 21 Warder; 04 cook and 05 Sweeper. However, the present/actual strength is only 71.

5. Kitchen

The kitchen of correctional home has a modern chimney with proper LPG connection and hotplates. The kitchen was equipped with number of taps. Floors were made of an impermeable material. There is no provision for electric kneader for preparing dough for chapattis. No Chapatti making machine, mixer and grinders were provided in the Correctional home.

6. **Water facilities**

The Alipore Correctional Home is being provided water by KMC and underground water, which is sufficient, clean and purified drinking water. Water storage tanks are cleaned every month. However, no R.O. system was installed in the prison. The OSD & Ex-officio DG & IG of CSWB has provided water filters for the inmates.

7 **Washrooms**

Every barrack has sufficient number of WCs, urinals and washing places at the ratio of 1:10. Every latrine is equipped with flush system. All toilets are placed on impermeable floor, higher than the surroundings ground.

Washing soap is provided to all inmates and the frequency of taking bath is absolutely personal matter of the inmates. All female convicts are provided sarees biannually.

8 **Medical facilities**

No hospital is situated inside the home but a homeopathic clinic is there. Two full time contractual lady doctors (general physicians) on contract basis are posted/available in the prison. They are available on call in the evening/night time. Daily average patients in OPD are 75.

05 prisoners are suffering from HIV/AIDS who have been kept separated in hospital ward and their blood test is done on regular basis. There is only 01 cancer patient (already operated) in the Correctional home. Counselling sessions are given to the drug addicted patients and for de-addiction of drug, inmates are sent to the outside hospital. 11 mentally ill inmates are there, who are referred to BIN Kolkata and treated as per advice of the attending psychiatrist there.

Children of convict's prisoners below the age of 6 years are staying with their mothers and their regular check up is being done and special nutritious food is provided to them. Arrangement of health camp by OSD & Ex-officio DG & IG of CSWB is often made. There is "SISHU ALOY" inside the correctional home run by Social Welfare Department, where all the

children and expecting mothers are provided supplementary food and various kinds of vaccination to the children. A non-formal school for them is run by an NGO named "Touch World".

9. Legal Assistance for Inmates

Legal aid services provided to under trial inmates by the paralegal volunteers appointed by DLSA, Alipore, Kolkata. Legal Aid Programme by NLSA under the supervision of Ld. High Court Legal services committee visited once in a week.

10. Vocational training

There are provisions of providing various vocational trainings in this Home, like, knitting and stitching, making baker items, beautician course, painting, basic computer literacy, candle and incense stick making. Spiritual development, like, facility of meditation, yoga and reiki, etc. Various recreation and rehabilitation facilities, like stage shows of dance, drama, English drama, vocal programme and different festivals, like, Durga Puja, Laxmi Puja, Christmas are celebrated.

11. Interviews of Prisoners

Daily 16 interviews occur on an average, and complaints, are being taken up daily.

12. Wages given to the Prisoners

Prescribed wages are being paid/deposit in the account of the convict prisoners, who have been awarded rigorous imprisonment.

I	Trainee @ Rs.80/-	53 inmates
II	Semi-skilled @ Rs.90/-	13 inmates
III	Skilled @ Rs.100/-	10 inmates

13. Custodial Deaths

In respect of custodial deaths in this Correctional Home, investigation was done properly and reports were sent to NHRC. 18 such cases of custodial

deaths were recorded in this Home for the period from year 2012 to year 2017.

14. Visits/Inspections

During the last one year, this Correctional Home was visited/inspected by Judicial authorities thrice and four times by the Non-Judicial authorities (NHRC, NWC, SWC, State Standing Committee).

15. Observations:

- i. There are 16 wards and 03 special cells in the Home.
- ii. There is a separate room for inmates suffering from contagious diseases, like, HIV +/AIDS. 05 prisoners are suffering from HIV+/AIDS and proper & timely medication are given to them. However, no TB patient is lodged in this Home.
- iii. There is no separate ward for the young prisoners & drug addicts in the Home.
- iv. There is one criminal lunatic ward in the Home which is exclusively meant for mentally ill prisoners.
- v. It was observed that 40 UTPs are lodged in the jail for more than 3 years and some convict prisoners are lodged in the Home for more than 14 years.
- vi. 41 children of UTP/convict female prisoners are living with their mothers, who are less than 6 years old. Their regular health check-up is done and special nutrition food, like, milk, fish, egg and meat are provided to them.
- vii. According to Government order, breakfast, lunch and dinner are provided to the prisoners. (Special /Extra diet is also provided to prisoners as per advice of the doctor.)
- viii. Daily average OPD patients are 75 in this Home.
- ix. No R.O. system is installed in the correctional home.

- x. No kneading and chapatti making machine is available in the Home.
- xi. No exhaust fan was available/installed in the kitchen of Home.
- xii. No seepage or leakage was found in the washrooms.
- xiii. Lighting and ventilations was sufficient in the barracks.
- xiv. Food is cooked in a hygienic manner.
- xv. No formal child education and adult literacy facilities are available in the Home.
- xvi. Three Visits/inspections were made during last one year by Judicial authorities and four times by non-judicial authorities, like, NHRC, NWC, SWC, and State Standing Committee.
- xvii. Six cases regarding pre-mature release/parole/remission are pending in the Home.
- xviii. Post of one Chief Controller, one Controller, two LDCs, two Head Warden, three Warden, 1 Tailor master, 7 cook, 5 sweepers and 6 GDA are lying vacant.
- xix. Legal Aid Services is provided to under trial inmates by the para legal volunteers appointed by DLSA, South 24 Parganas, Alipore, Kolkata.
- xx. Legal Aid Programme by NLSA (National Legal Services Authority) under the supervision of Ld. High Court Legal Services committee visited once in a week.
- xxi. NGO named 'Asha Deep Trust' is running Tailoring/Knitting training for inmates. One knitting centre is run by designer Puja Gupta under the brand "Door of Mai" where 10 inmates are being trained by professional designers.
- xxii. Inmates are given dance training and they are also performing outside the Jail in a Song & Drama Division of the State.

16. **Recommendations:**

The DG (Prisons) West Bengal is directed to make compliance for the following:-

- i. Prisoners who are lodged in this Home for more than 14 years, their case may be immediately scrutinized, whether they can be released as per the Jail Manual or they can be transferred to open jail.
- ii. The prisoners who are having good behaviour since the day of admission in the Home and had already served the awarded sentence, they should be released in accordance with the provisions of law.
- iii. The matter of the UTPs who are lodged in the correctional Home for more than three years, their cases may be individually taken up whether there is any provision for granting the bail / their release as per the provision of Jail manual.
- iv. The prisoners who have got bail from the concerned court but could not be able to produce the security/surety/cash security, their cases may be placed before the competent court accordingly either through their counsel or District Legal Service authority for their release.
- v. Cases of premature release/parole may immediately be taken up on the merit basis.
- vi. Provisions should be made for pre-nursery education of the children who are living with their mothers. Though non-formal school is being run by the NGO but a provision of formal child education and adult literacy facilities may be made in the Home.
- vii. Compliance of the inspection/visits conducted during last one year by the Judicial and Non-judicial authorities be

- be submitted to the concerned authorities who conducted inspection under intimation to the NHRC.
- viii. Initial health check up of the accused who enters the jail be thoroughly conducted as per the direction and Performa sent by the Commission.
 - ix. RO system, kneading and chappati making machine, exhaust fan in the kitchen be arranged in the Home.
 - x. Young women prisoners who are below 21 years of age be shifted to separate ward/barrack. Habitual criminals be kept separate from the other prisoners.
 - xi. No record regarding constitution of board of visitors was found.
 - xii. Vacant posts of the Home staff be filled immediately for smooth functioning of Home.

REPORT OF THE INSPECTION/ VISIT OF HON'BLE MEMBER JUSTICE SHRI PINAKI CHANDRA GHOSE TO ALIPORE CENTRAL CORRECTIONAL HOME FROM 29th JANUARY, 2018 TO 30th JANUARY, 2018

On 29.1.2018 and 30.1.2018, the undersigned visited the Alipore Central Correctional Home, Kolkata to inspect the infrastructural facilities, living conditions of prisoners and functioning of the Jail Administration. The inspection and review of activities of this correctional home was done with reference to adherence to human rights standards and the directions of the NHRC on the rights of prisoners in letter and spirit of Section 12 (c) of the Protection of Human Rights Act, 1993.

Shri Biplab Das Gupta, Addl. IG (South) Kolkata, Sri Biplab Das, DIG (Presidency Correctional Home), Superintendent of Correctional Home, Senior Medical Officer and Correctional Home Officials accompanied the undersigned on this visit. Superintendent of Correctional Home took the undersigned around the correctional home, the living barracks, kitchen, hospital and mulakat place with the visitors. During my visit to the Jail barracks, the prisoners interacted freely and submitted their grievances, if any.

The undersigned visited the Jail Hospital including the isolation cell of the patients suffering from infectious diseases, like HIV/AIDS, Tuberculosis. Issues pertaining to medical treatment of the prisoners, their referral system to other specialised medical institutions and also the health screening of prisoners at the time of admission in Jail with the Jail doctor were discussed. Interaction with the inmates admitted in the Jail Hospital were also done.

1. Infrastructure

Alipore Correctional Home is built in an area of 18 Acres and the age of building is 113 years. There are 25 wards and 133 numbers of special cells. Arrangement of separation of under trial prisoners, mentally sick

prisoner, drug addicts and suffering from infectious diseases like TB, etc are there.

2. **Jail Staff**

The total sanctioned strength is 253. There is one Superintendent, 02 Chief Controller, 04 Controller, 01 Assistant Controller, 01 Chief Head Warden, 15 Head Warden and 228 Warden, 01 Female Warden.

3. **Jail Capacity & Category of prisoners**

The sanctioned capacity of the correctional home is 1671 whereas number of prisoners lodged in the Correctional home is 1778. Out of this, 564 are convicts, 1197 are under-trials and 17 are remand prisoners. There is no female prisoner as the Correctional home caters the male prisoners only and there is a separate women's correctional home at Alipore. There is 03 prisoners sentenced for death, 364 prisoners are sentenced for imprisonment of life in which 64 life convicts have completed more than 14 years (Annexure-1), 148 are sentenced for rigorous imprisonment and 49 are sentenced for simple imprisonment.

4. **Basic Facilities-**

Water supply: The Alipore correctional home is provided water by Municipal Corporation, which is available round the clock which is clean and safe for drinking purpose.

Sanitation: There are total of 246 toilets/bathrooms and 46 latrines available in the correctional home. The latrines are not having arrangement for proper flushing. Most of the toilets are situated inside the barracks and 46 day-latrines are situated outside. It was ensured that every prisoner take bath daily. The authorities ensured necessary washing materials (soap, washing powder, detergent, oil, etc) to the inmates asked per their authorisation. Clothing to the inmates has been provided as per the Model Prison Manual. There is no mechanized laundry to wash items of clothing and bedding at the time of return of these items to the clothing store.

5. **Health Facilities**

The hospital is available inside the Correctional Home. The floors and walls of the hospital are of impermeable material. Un-interrupted supply of portable water and electricity are available. Proper diet for the ailing prisoners have been provided as per the approved scale. 10 doctors are posted in the Jail hospital. 08 prisoners are suffering from Tuberculosis, 09 prisoners are suffering from HIV/AIDS and a total of 37 prisoners are suffering from other chronic diseases, like, heart disease, cancer, cardio-respiratory disease, leprosy, etc. 40 prisoners are undergoing drug de-addiction and counselling services, 50 prisoners are mentally ill and they are referred and treated at Pavlov hospital as and when required by the medical officer of the correctional home.

6. **Food supply**

According to Government order, various categories of prisoners were provided diet as per sanctioned scale of >2800 K cal.

The kitchen of correctional home had a modern chimney with proper LPG connection and hotplates. The kitchen was equipped with number of taps. There is no provision for electric kneader for preparing dough chapattis. No Chapatti making machines are provided in the Correctional home.

7. **Institutional Treatment**

There are provisions of vocational training, & work; spiritual development and Rehabilitation assistance is also being provided in this Home. There is involvement of 14 NGOs and social activists in Correctional Home. They provide education of skilled development, women's garment, Zari works, manufacturing foot ball, reiki therapy classes, prayer service, music, yoga, stress management, counselling, computer literacy, etc.

8. **Wages given to the Prisoners**

Prescribed wages are being paid/deposit in the account of the convict prisoners, who have been awarded rigorous imprisonment.

- 28
- I Trainee @ Rs.80/- per day
 - II Semi-skilled @ Rs.90/- per day
 - III Skilled @ Rs.100/- per day

9. **Custodial Death**

Annual statement of custodial deaths for the last three years.

S.No	Year	custodial deaths
1	2015	23
II	2016	21
III	2017.	39

Only 01 prisoner has escaped from the Home in 2017.

10. **Interviews of Prisoners**

Interviews of Prisoners occur in person on application.

11. **Observations:**

- i. There are 25 wards and 133 special cells in the Home.
- ii. There is separate ward in the correctional home for the prisoners who are suffering from contagious diseases, like, TB, HIV/AIDS, etc.
- iii. There is no separate ward for the young prisoners & drug addicts in the Home.
- iv. It was observed that 184 UTPs are lodged in the jail for more than 3 years and 64 convict prisoners are lodged in the Home for more than 14 years.
- v. According to Government order, breakfast, lunch and dinner are provided to the prisoners. (Special /Extra diet is also provided a prisoners as per advice of the doctor.)

- vi. Daily average OPD patients are 75 in this Home.
- vii. No R.O. system is installed in the correctional home.
- viii. No kneading and chapatti making machine is available in the Home.
- ix. Sufficient number of exhaust fan were not available/installed in the kitchen of Home.
- x. There was no mechanized laundry system available for washing clothes of the prisoners.
- xi. Food is cooked in a hygienic manner.
- xii. Lighting and ventilations was sufficient in the barracks.
- xiii. Facility for education to the prisoners who want to study (secondary, higher secondary and degree courses) are not available in the jail.
- xiv. There is a separate room for inmates suffering from contagious diseases, like, HIV +/AIDS. 09 prisoners are suffering from HIV+/AIDS and 08 are suffering from TB and it was observed that proper & timely medication is given to them.
- xv. Post of 03 Controller, 02 Chief Head Warden, 01 Warden, are lying vacant.
- xvi. UTPs are kept separate from Convicted prisoners.
- xvii. Lok Adalats are being held time to time according to the order of Court.
- xviii. Some prisoners have been granted bail by the court but they are not able to submit bail bond/surety bond. In such cases Home has forwarded application to the learned courts for release of those prisoners on their PR Bond.
- xix. 65 number of cases regarding pre-mature release/parole/remission are pending in the Home.

- xx. Some prisoners who are suffering from disease, like, cardio, hernia, and other chronic disease are admitted at specialized/higher centres (hospitals), outside correctional home for treatment.

12. **Recommendations:**

The DG (Prisons) West Bengal is directed to make compliance for the following:-

- i. Prisoners who are lodged in this Home for more than 14 years, their case may be immediately scrutinized, whether they can be released as per the Jail Manual or they can be transferred to open jail.
- ii. The prisoners who are having good behaviour since the day of admission in the Home and had already served the awarded sentence, they should be released in accordance with the provisions of law.
- iii. The cases of under-trial prisoners who are lodged in the correctional Home for more than three years may be taken up for their release on bail as per the provisions of jail manual.
- iv. In such cases, where UTPs are granted bail but unable to seek release because of failure to arrange sureties, such matter may be taken to the Court for release of such UTPs on PR Bond.
- v. Young prisoners who are below 21 years of age be shifted to separate ward/barrack. Habitual criminals be kept separate from the other prisoners.
- vi. The prisoners who have got bail from the concerned court but could not be able to produce the security/surety/cash security, their cases may be placed before the competent court accordingly either through their counsel or District Legal Service authority for their release.

vii.65 Cases which are pending for consideration of premature release/parole may immediately be taken up on the merit basis.

~~viii.~~ Provisions/facilities should be made for secondary, higher secondary and degree courses for the prisoners who want to study in the jail.

ix. Compliance of the inspection/visits conducted during last one year may be made under intimation to the NHRC.

x. RO system, kneading and chappati making machine, exhaust fan in the kitchen be arranged in the Home.

~~xi.~~ Provision/facility for a mechanized laundry system for washing clothes of Prisoners should be made.

xii. Vacant posts of the Home staff be filled immediately for smooth functioning of Home.