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Report-3 on the visit of Dr Vinod Aggarwal, Special Rapporteur, Central Zone, NHRC to District Jail Pali, Rajasthan on 23rd June, 2019.

I visited this District jail Pali, on 23rd June 19, to understand the living conditions of the prisoners and under-trials and see whether rights of theirs are being respected by the local jail administration or not. I also wanted to see the steps taken by the higher authorities at the State level. In course of my visit, the Jailor as the post of Deputy Superintendent of District Jail was vacant. The prisoners and the under-trials, also met me during the visit to various wards. Based on the information furnished as the inspection format, copy of which is enclosed, and scrutiny of various related documents, I record my observations as follows:

1. History of the Jail

This lock up was established in the 20th century when Pali district was established in 1949 in the state of Rajasthan. As the lock up has been established long back, the building is in very bad condition.

2. Land, Campus and Buildings

The premises is spread over half acre and 33150 sq feet and there is very little land is available in the campus, for renovation or new construction. The age of the buildings is about 70 years. There are 5 wards of 23 feet by 20 feet and the authorized capacity is 60 male inmates and 5 female prisoners. The entire jail, thus can house 65 inmates, but at present, despite of inhabitable conditions, it had 157 prisoners. The jail capacity as per the BPRD norms should not be more than 40 males and 6 females, but it is at present occupancy is more than double the capacity.

The flooring is of cement, or no hospital and kitchen had tiles but they have also become very old. It is suggested this building should be as early as possible be left and not used for jail as it is very old new modern jail be constructed.

3. The Sanctioned strength and Average population.

The sanctioned capacity of the prisoners in about 65, the actual strength on the day of the visit was 157 which included, 6 convicts and 151 under-trials.

4. **Administrative Staff:** A statement showing the sanctioned strength and in position personal with vacancy is given below:

Sl. No.	Designation	Sanction Posts	In Position	Vacant
1.	Dy. Superintendent	01	00	01
2.	Jailor	01	01	00
3.	Deputy Jailor	01	00	01
4.	Head Warder	03	03	00
5.	Senior Assistant	01	01	00
6.	Warders	13	08	05
7.	Medical Officer	01	00	01
8.	Nurse(male)	01	00	01
9.	Lab technician	01	01	00
10.	sweeper	01	01	00
	Total	24	15	09

From the above table, it is quite clear that there is under-staffing and measures are required by the State Government to appoint the personal on the vacant positions. The Head warders, Warders, are inadequate. The posts of barber, and cook Haven't been created. Cleanliness left lot to reach desirable level of cleanliness. As per BPRD norms the jail should have hospital of the capacity of 8 beds and team of 2 doctors for upkeep of the 157 prisoners. The posts of social workers under sociologist or psychologist, with some assistance from NGOs, are also need of the hour in jail. Jail Supt. has not mentioned about, posts of Video conference and computer operator etc, who should be appointed on regular basis. The jail has started the Video conferencing facility for the presentation of the under-trials. The jail administration is has given details of under - trials with various detention periods as per the table below:

Period of Detention	prisoners
Upto 3 Months	90
3-6 months	44
6-12 months	19
1-2 years	04
Total	151

About 32% under-trials (35 out of total 110) have a detention period of less than three months. Only 2% of under-trials are under detention for more 5 years. About 70 % (77 out of 110) are in the jail for less than one year. A detailed report from the state administration can be also called. It is felt that the report may come out that most of the under-trials remained in jail because his/her case is pending for want of hearing or adjournments sought by the attorneys. Even remands are not being granted on video conferencing, as facility is yet to be arranged by jail administration.

6. Right of food to convict and Under-trials Prisoners:

The scale of diet includes 550/500 gm. Wheat flour, 90/60 gm. Lentils, along with 100 gm. of potato and 200 gm. of green vegetables and 200 gm. of jaggery makes it a about 3500 calories on average with 60 gm of proteins which is reasonably a balanced diet. In the morning at 7.30 am breakfast in which tea, Poha/ Khicdhi/ black gram is given. At 9.30 am lunch is served with Chapati and dal/ kadhi. in evening tea at 3.30 pm along with 2 pieces of bread is provided. In dinner at 5.30 pm green vegetables, potato and chapatti are given. On weekend sweets in form halwa/ kheer is given. If this menu is provided without any leakage, there could be no incidence of mal nourishment in the jail. The important part is that in actual practice the food to scale is provided or not, is to be seen by local Jail authorities, the District Collector and State Jail Administration. The food is prepared in kitchen in the jail for preparing the food. Chapattis are made manually by convicts and under-trials. There are no Roti making machines but LPG cylinder and burner are provided for cooking. The cooked chapattis were lying on the floor of the kitchen. The kitchen had no modern facilities, like but washing of food articles was done in old practices. The kitchens have no chimneys, exhaust fans, fly proof automatic closing doors. The Kitchen floor was so dirty that it was difficult to make out whether it is made of impermeable material or not. No containers of stainless steel to keep the chapattis. And other prepared food. The 1000s of flies were seen in the kitchen where food was being

cooked. The floor of kitchen could not be seen because of lack of cleanliness.

7. Water Supply and right to water of the inmates.

One deep boring along with submersible pump is in working condition but supply of water is not sufficient. At present water quality is not been tested. The water is available, but not as a piped water, but by means of bucket and it is required that piped water in the toilets and for bathing and cleaning of clothes is provided. According to the jail manual water used for drinking and culinary purposes should be analyzed once every quarter and bacteriological examination on request. No such test appears to have been done in recent past. Jail in-charge should ensure that samples are periodically sent for required examination and analysis.

8. Sanitation, Personal Hygiene & Clothing.

The jail authorities have given information, that there are only 3 cage latrines and 5 outside the wards and most of them are in working conditions. The cage latrines are there in place, but not as per the requirement of jail manual. In each barrack and night time there is only one WC in the ward. Each ward should have at least 2 cage latrines instead of one, based on number of inmates in each male ward. Water supply is scanty. As clarified, here are no flush latrines. Needs an improved version and increase in number of cage latrines is required need

Although it has been ensured that toilets are placed on impermeable floor, higher than the surrounding ground and but the sun's rays can't easily enter the toilets, but the rain water is kept out. The outside latrine, there is no protection from rain water as they are open from above.

The prison don't provide for covered cubicles for bathing @ one for every 10 prisoners and don't have proper arrangement of privacy.

10. Industrial production and payment of daily wages to the prisoners.

This district jail, has been upgraded from lock up does not have provision of industrial production at all and only 6 convicts are there in the prison.

11. Educational Facilities to the prisoner, whether convicts or under-trials.

The prisoners or under-trials have the name sake options for Yoga and completing their education. There is very little space for Yoga and there is doubt of under-trials allowed to appear in exams.

12. Interview facility provided to prisoners.

As per jail manual, meeting with relatives and friends is permitted to the prisoners. The system for granting interviews is there, about 5-10 such requests are received daily which are disposed of as per jail manual. It has been mentioned by jail authorities that very few of the requests have been turned down. It has been gathered that under trial can meet once in 7 days and convicts once in 15 days.

General Remarks:

The major part of building is very small and old, about 68 years. It was built as a lock up, and building is in poor condition. The flooring of cement is damaged. The district jail can't be that small. The toilets are old fashioned and can't be really converted in modern sanitary ones. **This is a district jail with almost a capacity of about 160 inmates and matter of land allotment is pending for resolution for quite some time. New jail is required but the matter is pending for bureaucratic tangles which should be resolved urgently.**

- 2 Till new jail is constructed this present campus need to be maintained better. The no of bathing spaces and toilets are much lesser in number. but it is felt till a new jail with bigger capacity,

and hospital, is constructed which may take 4-5 years a proper kitchen dismantable is required.

- 3 A modern kitchen with sufficient facilities as per BPRD norm is the need of this Jail.
 - a. For proper cleaning, with adequate no of taps and disposal of waste water.
 - b. Fly proof automatic closing doors must be installed.
 - c. There need of stainless steel storage and serving utensils must be made available along with modern facilities like hot case or cupboard for keeping cooked food, fresh and safe.
- 4 Cleanliness was very poor. Some sort of training program for jail personal, convicts and under trials employed for food cooking, is the need of hour.
- 5 There was demand of potable water by the inmates. It is felt that a R. O. Plant may be installed at the Jail Premises for making the clean drinking water available to all inmates.
- 6 Lighting is very poor in the jail. Needs to be improved drastically.
- 7 Supervision of sociologists and psychologists, who should become a bridge between the reformed convicts on completion of their terms and their getting reabsorbed in the society in general and the confidence of entrepreneurs specifically to be won for at-least 5 years after their release.
- 8 The Jail authorities should arrange for those under-trials who want to complete their education or vocational training of them.
- 9 **The shortage of staff and comments about it have been described in para 5 of the description part, which is very important for implementation.**


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