

Report on Visit to Central Jail Indore by Dr Vinod Aggarwal Special Rapporteur on 31st January, 2018.

Format of Jail report is enclosed as annexure-1, along with one sheet report submitted by Jail superintendent on the prisoners who are undergoing prison because they are not in position to pay the amount of fine, as annexure-2. There are such 4 prisoners who continue to serve as they are not able to pay the fine amount although their other-wise their jail term is over. Annexure-3 is about the industry in which training program are run by the Central jail. Annexure-4, is the list of under-trials who are in the jail for more than 5 years. The oldest one is Kailash, s/oTulsi Ram, who is in jail because of pendency of case since 2010. He is in the jail from 24/02/10. Last one the annexure-5, is a petition by an inmate Mohd. Asif, s/o Mohd. Aslam, that he was being harassed for illegal gratification by jail warder named Rakesh Kataria at district jail Sehore. He said complained to the Jail Suptd. But instead of taking action against him, the inmate was transferred after involving him further in a case to Central jail Indore. He wants transfer to Bhopal jail where a case of IPC -302 is pending. Besides these 4 documents, the Jail format, as mentioned above are enclosed.

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

1. The jail is very old and completed almost 140 years after establishment. Although by look looked, that can be used for another 20-30 years, but it would be desirable that the usability certificate during earthquake or other type of natural or man made disasters may be examined and than may be used till the economics of the Government improves and a new jail is built. As such now the jail has come in almost centre of the Indore city and can be used for much more valuable purposes and a new central jail can be built 15-20 Km away from the main town at 1/10 th cost, where modern design and facility could be given to the jail and inmates may have a comfortable life
2. The jail is meant to house only 1050 prisoners but at present almost double the capacity 2046 inmates are kept in this jail. There is definite

over-crowding in various wards. There is definite case for shifting or building a bigger jail instead of this jail.

3. Although Jail campus is spread over 24 acres, but the new jail housing 3000 can be built as much less the cost of land and away from the population. At present the jail is surrounded by high-rise or a bridge near-by has also cause of concern and one jail break took place at that place few years back.
4. Large no of inmates who are going through life imprisonment sentence, but because of the old design not many of them are employed in the jail factories as lack of space, not many factories could be made as at the earlier design lot of space is wasted now new structure can't come up without razing some of the buildings. The no of inmates going through rigorous imprisonment could not be employed because lack of opportunities. The rate given to the inmates is also quite low. This is the area where jail administration must work to increase 4 fold production and at-least wages as per BPRD norms and employment to all those who want to work or required to work.
5. The jail should have a 100 bed hospital, but in actual it has 24 bed hospital and 18 bed dorm for TB patients. In the barracks where the hospital is located, the near by barracks although not part of hospital, but the medical officer has innovatively converted them as ward for older persons, persons with diabetes and hyper-tension. This help in faster management, that the persons who require more attention are in near by locations of the medical in charge. Despite he being lone medical officer, with help of para-medicals he is managing the place of 2046 inmates quite efficiently. This model may be used by other jails for effective usage of medical officers, but it is mainly individual driven.
6. The Kitchen definitely requires up-gradation, in the form of Provision of Chimney, Automatic door closure, Impermeable walls, wire mesh in the windows, Fly catcher in the kitchen, dough making and chapatti making machines, along with modern platform are the immediate need.

7. The no. of cage latrines are insufficient, seeing the number of inmates in each ward or barrack, but creation as per norms would not be easily possible.
8. Out of 668 prisoners who are under-trials, there were 9 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.
9. In the State of Madhya Pradesh, the powers to the District collector and than appellate powers to IG prisons are quite sufficient in granting parole and such complaints are much lesser of not release as compared to UP and other states.
10. The SSRB has been constituted but its meetings are not conducted regularly. It is recommended the meetings must be done at a regular interval.
11. The Jail doesn't have a component of an open or semi-open jail. The State of MP is yet to work on Open, semi-open or Model jail concept. It is suggested that each divisional HQ should also have an open jail for well behaved convicts who have completed 10 years or more, as this reduces the expenditure on jail.
12. The posts of Sociologist, social worker, Psychologist are the need of hour in the jails. Besides the creation of positions of the supervisors in the production of various items they will impart training to the inmates.



Dr Vinod Aggarwal
Special Rapporteur

<p>Is it ensured that toilets are placed on an impermeable basis higher than the surrounding ground and are so built that the sun rays can easily enter the latrines and that rainwater is kept out?</p>	<p>YES</p>
<p>Is it ensured that the latrines are so designed that all excreta and wash materials get into receptacles without fouling the sites.</p>	<p>Yes</p>
<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>6.8 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>NO</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>

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Is there a mechanised laundry to wash items of clothing and bedding at the time of return of these items to the clothing store

NO

6.9 Right to clothing

The model 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

Right to health and medical care

The model prison manual provides this right and the manner of exercise of this right both the convicts as well as the UTPs

Yes

Is hospital accommodation available on the scale of 5% of the daily average of the inmate population

Yes

Is the location of the hospital sufficiently away from the barracks

Yes

are the floors and walls of the hospital of impermeable material

Yes

is there arrangement of uninterrupted supply of potable water and electricity

Yes

is there a hospital kitchen with arrangements for proper upkeep and maintenance

No

6.10

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	NO
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	NA
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No of Doctors	
No of Para Medical personnel	1 permanent M.O.
No Of Beds	4
Availability of medicine, Adequate/ inadequate	28
Visits by specialists	Adequate
isolation/ segregation of patients suffering from infectious diseases	Nil
No of patients suffering from T.B.	Yes 16
No of patients suffering from HIV/ AIDS	17
Arrangement for detection and prevention of HIV/ AIDS	
Are instructions about medical examination of each prisoner on admission being followed	ICTC center & ART Centre Indore (M.P.) Yes
Ambulance service	Yes

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No of prisoners suffering from other chronic diseases like heart, cancer, irreversible kidney failure, cardio respiratory, leprosy etc and details of their treatment	Heart - 14, Cancer - 02, Kidney Failure - 01, Respiratory - 22, Leprosy - 01
Drug de-addiction and counselling services	YES
8 Mental illness:	
How many mentally ill persons have been detained in the jail and for what duration	37 inmates
HOW MANY TIMES THE I.G. OF PRISONS HAS VISITED THEM U/S 39(1) of mental health Act 1987?	
What are the main observations	
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	Medical Officer
9 Children staying with mothers (Convicts)	NOT APPLICABLE

What checks and safeguards are being observed to promote health, safety, education, nutrition, immunization of children in O-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, W/P No. 559 of 1994 with Criminal Appeal No. 69 of 2009 decided on 01/11/2000

N.A.

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10 Institutional treatment

Classification Institutional routine educational vocational training and work spiritual development organised recreation	Vocational training on computer, weaving, tailoring, wooden furniture making. Various Education programmes from literacy to post graduate levels. Meditation, Yoga classes, Drawing classes and Hindi drama. Sports, football, cricket, volleyball, badminton and lots of indoor games.
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Rehabilitation assistance canteen facilities

Yes

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

Trainees	Unskilled Rs. 62/- per day
Semi skilled workers	Semi skilled Rs. 62/- per day
skilled workers	Skilled Rs. 110/- per day
mean and mode of payment of wages	Monthly basis through bank account of inmates

12 Condition of Undertrials:

Detention period as on 01.09.2017

upto 3 months	201
3-6 months	121
6-12 months	129
1-2 years	122
2-3 years	48
3-5 years	38
above 5 years	9
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	Yes

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13 Custodial death: Annual statement of deaths for last three years

Annual statement of escape from the prison/ Escorts for the last 3 years	Annexure (C) enclosed herewith
Annual statement of deaths in last 3 years	Annexure (D) 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, Counselling etc.

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Women prisoners:	Women ward Renovation is in progress
Sanctioned capacity	N.A.
Actual strength	N.A.
Details of staff	N.A.
No of Children with women prisoners and their age group	N.A.
are women prisoners kept in separate accomodation	N.A.
Facilities for special care, education and recreation of young childred staying with women prisoners	N.A.
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	N.A.

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Facilities of vocational training for women prisoners	N.A.
No. of women prisoners suffering from T.B. and psychiatric problems	N.A.

15 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

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16.1

Interviews of the prisoners by jail/ District officials	
Mean and mode of interview details of redressal of complaints, if any	By jail officers and Judicial officers and monitoring committee

16.2 members and lawyers

What is the procedure which is in vogue for grant of such interviews	Through application process
How many such requests on an average are being received	More than 170 per day
HOW MANY REQUESTS HAVE BEEN TURNED DOWN & REASONS THERE OF?	Requests are turned down only if the interview rules are not satisfied

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

Judicial authorities	3
Non judicial authorities	6

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18 Involvement of NGOs and social activists in prison activities:	
18.1 Functioning of board of Visitors:	YES
When was the board of visitors last constituted	N.A.
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.
19 General remarks:	
(On the functioning of the prison administration, problems and grievances and suggestions for improvement)	

AS

Superintendent
Central Jail Indore

Annexure - 2

जुमाना एवं एवज में सजा गुनाह रहे बंदियों की जानकारी

क्र.	बंदी का नाम पिता	र.प्र.क्र. / फौ.प्र.क्र.	धारा	राजा दिनांक	राजा अवधि	जुमाना राशि/राजा	राजा देने का नाम	वाले	जुमाने की प्रारंभ दिनांक	की होने का
1	मोह. इशाकक पिता इगागुदीन	2/98 633/91	8 जी NDPS एवट 8/18 NDPS एवट	19.03.99 18.01.00	10 वर्ष 10 वर्ष	1 लाख, 02 वर्ष 1 लाख, 03 वर्ष	विशेष न्यायाधीश, NDPS एवट गण्डलेश्वर विशेष न्यायाधीश, NDPS एवट इन्दौर		18.12.2016	
2	मोह. नयन पिता मोह. स्तीम	15/07	8/20 NDPS एवट	18.03.11	10 वर्ष	1 लाख, 06 गाह	विशेष न्यायाधीश, NDPS एवट इन्दौर		27.09.2017	
3	अजय पिता प्रहलाद	24905/13 24906/13	138 NI एवट 138 NI एवट	27.09.17 09.11.17	06 गाह 06 गाह	1 लाख, 50 हजार, 06 गाह 20 हजार 700, 02 गाह	न्यायिक मजिस्ट्रेट प्रथम श्रेणी, इन्दौर		28.10.2017	
4	सतीष बंदरसिंह पिता	43/00	18वीं NDPS एवट	01.07.02	10 वर्ष	1 लाख, 03 गाह	विशेष न्यायाधीश, NDPS एवट इन्दौर		18.12.17	

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कार्यालय जेल अधीक्षक, केन्द्रीय जेल, इन्दौर (म.प्र.)

(e-mail: cjindore@gmail.com, Phone/Fax: 0731-2540020)

वर्ष 2016-17 में जेल में संचालित उद्योगों के नाम एवं प्रशिक्षण प्राप्त कर चुके बंदियों की संख्या का विवरण निम्नानुसार है-

क्र.	संचालित उद्योग का नाम	प्रशिक्षण प्राप्त कर चुके बंदियों की संख्या
1.	बढ़ई उद्योग	25
2.	पावरलूम उद्योग	50
3.	बुनाई उद्योग	50
4.	सिलाई उद्योग	25
5.	प्रिंटिंग प्रेस उद्योग	40
6.	लेदर बैग उद्योग	10
7.	स्टील/फेब्रीकेशन उद्योग	30
	योग-	230

- वर्ष 2016-17 में सभी उद्योगों में कुल रुपये 8766669.00 का उत्पादन किया गया।
- वर्ष 2016-17 में जेल में परिरुद्ध बंदियों द्वारा निर्मित सामग्रियों की कुल रुपये 6932015.00 की बिक्री की गई।
- वर्ष 2016-17 में सभी उद्योगों से कुल 539638.00 का शुद्ध लाभांश प्राप्त किया गया।

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Inspection format

Amroha Jail (29-45)

1	Name of the prison	Central Jail Indore (M.P.)				
2	Sanctioned capacity of the prisons	Male – 1150 Female – 00 Total – 1150				
3	Prisoners profile	As on 31.01.2018				
3.1	Actual strength of the prisoners-	S	Details	Male	Female	Total
		(A)	1 Under trial (Remand inmates)	314	0	314
			2 Session trial (Session inmates)	354	0	354
			3 Upper Division (Division + Remand)	0	0	0
			4 POTA (released on bail in POTA case but detained in other case connection)	0	0	0
			Total (A)	668	0	668
			(B)			
			2 Rigorous imprisonment	1360	0	1360
			3 Death Sentence	10	0	10
			Total (B)	1377	0	1377
			(C)			
			2 C.C.A.	N.A.	N.A.	N.A.
			Total (C)	1	0	1
		Grand Total (A+ B+ C)	2046	0	2046	
		Children (with Mother)	0	0	0	

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3.2

The details of the prisoners including undergoing life imprisonment and under death sentence	Male - 1287 and Female - 00 Total - 1287 inmates presently serving imprisonment for life
	Male - 10 prisoners under Death Sentence Annexure (A) enclosed

3.3

Daily average strength of the previous month	2050
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4 Accommodation

Area of the Jail	24.03 Acres
Age of the buildings	140 years
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 the female ward etc. keeping the principles of safety and security uppermost in mind?	Yes
Problem of seepage, leakage etc.	No
Lighting and ventilation	Well
Institutional arrangements for repairs and maintenance	Yes, PWD dept. & Departmental
Number of wards/ Barracks	08 Wards/ 34 Barracks
Number of special cells	11 (General Cells)

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Any other provisions	NO
4.1 Arrangement of separation of-	
Under trial	Yes
Young prisoners	Yes
Women prisoners	NA
Mentally sick prisoners	Yes, (Central Jail Hospital Ward No. 3)
Drug addicts	Yes, (Central Jail Hospital Ward No. 3)
Suffering from infectious disease like TB etc	Yes, (isolation ward in Central Jail Hospital)

5 Staff		ANNEXURE (C) enclosed				Remarks
Sanctioned strength (in various categories)	Serial No.	Post	Sanctioned	Posting	Vacancy	
	1	Superintendent	1	1	0	
Actual strength (in various categories)	2	Deputy Superintendent	4	3	1	
Adequacy of otherwise of sanctioned and available staff	3	welfare officer	1	1	0	
Steps taken to fill up the vacancies.	4	Law officer	1	0	1	
	5	Medical Officer	2	1	1	
Terms and conditions of service and employment of all categories of personnel keeping the service and morale		Medical officer (on contract basis whole time)	0	0	0	
	6	Pathologist	1	1	0	

5.1 Human Resource Development

21	Compounder	0	0	0	0
22	Tailor master	1	0	0	1
23	Weaving master	1	1	0	0
24	Other machine man	6	3	3	3
25	Carpentry master				
26	Barber	1	1	0	0
27	Sweeper	0	0	0	0
28	Driver	8	7	1	1
29	Dresser	2	2	0	0
30	Nursing orderly	0	0	0	0
31	generator operator	0	0	0	0
	TOTAL:	298	194	0	104

Institutional arrangements for training of officers and staff in various categories.		YES, (Training programme Arrange by Jail Head Quarter Bhopal)	
Duration of training of each category		Different for different programmes	
Arrangements of the content quality and impact of training on correctional behaviour inside and on rehabilitation of the convicts after release need for further strengthening		Additional content training is required to some extent	

6 Right of Prisoners:					
6.1 Right to speedy trial					
No. of UTP's lodged in prison					668
What is the average duration for which they have been lodged in prison					1-2 year
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

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<p>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.</p>	<p>Data not available</p>
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6.3 Rights of the convict to appeal:

<p>No. of cases where appeal petitions are pending in the High Court</p>	<p>At present about 461 inside appeals from this correctional home is pending before Hon'ble High Court Indore and Jabalpur</p>
<p>No. of years for which these petitions are pending contributory factors specific suggestions for expeditious disposal</p>	<p>Pending Since long. The average is 6 years approximately. There could be special attention for inmates appeal</p>

6.4 Remission

<p>What is the composition of the State sentence review board</p>	<p>1). Home Secretary (Chairman), 2). Secretary, Judicial Department of M.P. (Convenor), 3). Secretary, Department of Correctional Administration of M.P. (Member), 4). DG & IG of Police, M.P. (Member) 5). Inspector General of Correctional Services, (Member Secretary), 6). Commissioner of Police, Bhopal (Member), 7). Chief Probation cum After Care Officer, (member)</p>
<p>No. of cases pending for review</p>	<p>Presently 12 Probation cases pending for review in respect of Central jail Indore.</p>

Duration for which they are pending & reasons for pendency specific suggestions to expedite disposal	Release is pending for final consideration of the Board.
Procedure followed as per guidelines of NHRC and Sec 433 CrPc.	YES
Whether meeting SS R Board is held. Mention dates	Meeting was held in the year 2016 but exact date are not available with this office
6.5 Right to Food	
Scales of diet for various categories of prisoners	ANNEXURE (B) enclosed Herewith
Storage of articles	General godown
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 presided by Jail Headquarter Bhopal
Does the kitchen have the following	
i. A modern chimney regardless of the type of fuel used	NO
ii. Sufficient no. of exhaust fans	NO
iii. Fly proof automatic closing doors	YES
iv. Floors made of an impermeable material	NO
v. A platform for washing, cleaning and cutting vegetables	YES
vi. An electric kneader for preparing paste out of Atta prior to making chapattis	NO
vii. Chapatti making machines/ mixers and grinders	NO

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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	Container made of Alluminium
xi. Cooking and serving utensils to be of stainless steel	Cooking and serving utensils made of Alluminium
6.6 Right to water	
Whether sufficient, clean and purified drinking water is supplied in the jail source of water.	Yes
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
6.7 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	NO
Are the latrines of sanitary type with arrangements for flushing	NO

(21)

दि. 31/01/18

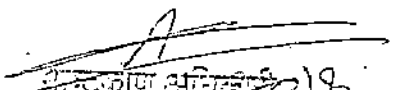
उद्योग

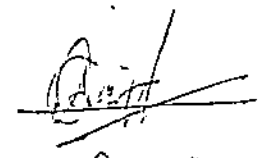
Announcement

मैं सो. आसिफ अ/c मो. अशफाक, उम्र :- 27 वर्ष, जाति :- मुसलमान
 निवासी :- L.I.U - 144 जुम्हनी परिसर अम्बेडकर नगर भोपाल
 धावा :- उमला नगर जि. भोपाल (म.प्र.) का होकर धारा :-
 307, 302, 120B IPC के अन्तर्गत केन्द्रीय जेल इन्डोर में
 परिरुद्ध हूँ।

मैं सत्यविवेक पूर्वक उद्योग करता हूँ। मैं दिनांक 13.11.15 को
 जे. जे. सागर से जि. जे. सिधोर स्था. पर जेल प्रवेश हुआ था।
 कुछ दिनों बाद जेल प्रहरी राजेश कटारीया द्वारा पैसे के लिए प्रताड़ित
 किया जाने लगा। प्रहरी जी शिजायत मेने जेल अधीष्ठ महोदय को
 भी जी थी। जिसमें कोई निराकरण नहीं हुआ। एवं मुझपर कुछ
 प्रकरण धारा :- 224, 353, 323 IPC के तहत चलाकर मुझे
 दिनांक 19.11.16 को केन्द्रीय जेल इन्डोर स्थानांतरण कर दिया
 गया। मेरे द्वारा इस कुछ प्रकरणों की शिजायत मानव अधिकार आयोग
 भोपाल, में जी गई थी। मेरा एक प्रकरण धारा :- 302 का भोपाल
 न्यायालय में लंबीत है। मेरा स्थानांतरण भोपाल जेल किया जाए।
 जिससे प्रकरण का निराकरण हो। मही विनती है।

समस्त


 अनुसूचित अधिकारी 18
 केन्द्रीय जेल इन्डोर



मो. आसिफ अ/c मो. अशफाक