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Annexure. (11) 25

A REVIEW OF THE PRISON INFRASTRUCTURE OF JHARKHAND

The National Human Rights Commission has conducted one Workshop for sensitization of the Jail Superintendents of Jharkhand. It was held at the Shri Krishna Institute of Public Administration, Ranchi on 5th July, 2003. This Workshop was attended by 25 Jail Superintendents and some Probation Officers. I.G. Prisons was associated in the conduct of this workshop. Shri Chaman Lal and Shri A.B. Tripathy, Special Rapporteurs, NHRC, attended the workshop.

In the programme of workshop one session was devoted to interaction with the participants to discuss the various problems relating to the Jails in Jharkhand. They were encouraged to express their views freely.

After considering the reports of the Workshop it was felt that Shri A.B. Tripathy, Special Rapporteur, NHRC, may carry out a review of the prison infrastructure of Jharkhand with special attention to the issues of prison population, organisational matters, state of buildings and housing facilities.

Accordingly Shri A.B. Tripathy, had a detailed discussion with the I.G. of Prisons at Ranchi. Subsequently Shri Chaman Lal and Shri A.B. Tripathy, conducted a review and the deficiencies revealed by the review are described below together with recommendations for remedial action.

CURRENT STATUS OF JAILS:

Jharkhand has a total number of 27 jails of the following description :-

(1) Central Jails	...	2
(2) District Jails	...	6
(3) Sub-Jails	...	19

After the reorganisation of districts, four new districts e.g. Saraikela, Latchar, Simdega and Jamtara have been created thus raising the total number of districts to 22 and at the same time 7 new Sub-divisions have been created e.g. Hussainabad, Nagaruntari, Ramgarh, Chatarpur, Chakradharpur, Barhi and Madhupur. Of these only 2 districts have central jails and 6 district jails. The new 4 districts and 10 old districts are still being managed with Sub-jails.

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Thus 14 Sub-jails need to be upgraded to District Jails and provided with staff as per the authorization of the district Jails i.e. one Superintendent, 1 Jailor, 1 Asst. Jailor and 1 Lady Asst. Jailor (Presently no one is authorised) along with the guarding personnel as per current norm and requirement. Besides, the 7 new Sub-divisions need to have Sub-jails. The Department has already proposed these upgradation/additions in the perspective plan.

Jharkhand is not holding any Open Jail. The proposal for sanction of an Open Jail has been included in the perspective plan. About 100 Acr. of land are available near the Hazaribag Central Jail. These lands are in the books of the Prison Deptt. Since a sizable chunk of land is readily available, the State Govt. should initiate measures to start an Open Air Jail at Hazaribag. The Commission may issue necessary advice to the State Government accordingly.

There is no exclusive prison for the Women convicts in the State. Some States already have this facility. A Central Prison for long-term women prisoners will have several advantages like Medical Care, recreation facility and vocational activities. The State Govt. may examine the feasibility of starting an exclusive prison for women convicts.

#### JAIL POPULATION:

The total authorised capacity of Jails in Jharkhand is 5788. Present population is around 15,000. The average population is also found to be around 15,000. The statistics of last 3 years reveal an overcrowding of 3 times of the sanctioned strength. Under trials constitute around 80% of the total population. Every district needs substantial increase in the capacity of the jails. To tide over the alarming situation the department has proposed the following addition.

- (a) Upgradation of 14 Sub-jails functioning as district jails to proper district jails.
- (b) Opening of new sub-jails at the following places:  
Hussainabad, Nagaruntari, Ramgarh, Chatrapur,  
Chakradharpur, Barhi, Madhupur.
- (c) Construction of additional wards each of 100 Capacity in the following way :-

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Dhanbad	4 Unit	Saraikela	1 Unit
Jamtara	2 Unit	Simdega	1 Unit
Pakur	1 Unit	Latchar	1 Unit
Sahebganj	2 Unit	Deoghar	1 Unit
Chatra	1 Unit	Chas	1 Unit
Khunti	3 Unit	Dumka	2 Unit
Gumla	4 Unit	Rajmahal	1 Unit
Tenughat	1 Unit	Chaibasa	2 Unit
Godda	1 Unit	Deltenganj	2 Unit

(d) Besides the capacity of Birsa Munda Kendria Karagar, Ranchi has been raised to 3000 and the new jail building is being constructed at Hotwar.

(e) Hospital wards in sub-jails for 25 in-mates.

It will be relevant to point out that the buildings for the Birsa Munda Central Jail at Ranchi have almost been completed. But the jail has not become functional as the sewerage system and residential buildings are yet to be completed. It is learnt that funds are available in the budget to take up the projects, but due to certain technicalities, the construction is yet to start. The State Govt. may be advised to complete the project on a priority basis as that will provide considerable additional accommodation for the prisoners.

SANITATION & WATER SUPPLY:

At present the position of toilets is given jailwise, as follows :-

<u>Jails.</u>	<u>No. of toilets available</u>	<u>Further need.</u>
Hazaribag	126	134
Dhanbad	81	49
Dumka	31	29
Giridihi	30	30
Chas	61	00
Chatra	18	13
Godda	23	20
Kodarma	26	00
Pakur	8	20
Rajmahal	8	12
Sahebganj	10	12
Ranchi	86	114
Chaibasa	52	20
Deltenganj	61	20
Jamshedpur	60	00
Ghaghidihi	20	00
Saraikela	18	20
Ghatshila	18	8
Simdega	21	5
Lohardaga	20	00
Gumla	35	20
Khunti	14	30

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Most of the toilets are in delapidated condition and require immediate repair. Besides, the above mentioned additional toilets are the bare minimum required for facilitating use of the prisoners at the rate of 1 toilet for every 10 prisoners, as against the prisoner toilet ratio of 1:6 recommended by the Mulla Committee report on Jail Reform.

Water supply is another aspect on which a lot of improvement is necessary in all jails. Most of the jails are having inadequate water supply facilities. In some jails there are wells and some jails are having tube-wells, hand pumps. The Department has prepared schemes for new water-supply projects/augmentation of existing water supply out of the 11th Finance Commission Grant and Modernisation Scheme. These proposals need expeditious implementation.

STAFF POSITION:

The existing staff strength in different categories is as follows :-

<u>Category</u>	<u>Sanctioned</u>	<u>Working</u>	<u>Vacancies</u>
Superintendent	30	21	9
Jailor	8	5	3
Asst. Jailor	41	29	12
Doctor	27	13	14
Clerk	29	29	0
Compounder	12	5	7
Dresser	15	8	7
Head Warder	98	46	52
Warder	762	511	251
Female Warder	68	61	7

The sanctioned strength of the guarding staff is far below the actual requirements. The department has projected a requirement of the following staff:-

<u>Name of the Post</u>	<u>For additional creation.</u>
Astt. Jailor	3
Chief Head Warder	6
Head Warder	116
Warder	416
Female Warder	15
Jeep Driver	6
Female Nurse	2
Dresser	5
Compounder	6
Lady Doctor	2
Medical Doctor	8
Clerk	7
Computer Operator	1
X-Ray Technician	1
Pathologist	1

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The Government is yet to take a decision on this proposal. It will be seen that even in the sanctioned strength there are a number of vacancies for which the Superintendents are facing considerable difficulties to manage the day to day affairs of the Jails. The Commission may issue instructions to the State Govt. to fill up the following key posts immediately.

Superintendent	-	9
Jailor	-	3
Asst. Jailor	-	12
Dector	-	14
Compounder	-	7
Warder	-	251

The State Govt. should also be advised to take a quick decision on the additional staff requirement.

One glaring deficiency in the staffing pattern is the absence of Class-IV posts of Cook and Barber. To improve the quality of cooking regular cooks should be authorised at least in Central and District Jail. Similarly there is need for regular authorisation of one Barber in each jail. Presently Barber is engaged on daily wage basis.

MEDICAL FACILITIES:

In almost all the jails in Jharkhand, medical facilities continue to be in the old pattern which is utterly inadequate. Each circle and district jail has two and one full time Medical Officers respectively. There is no Psychiatric treatment facility which is an urgent necessity and has been brought to the notice of the Govt. by the NHRC.

Certain basic facilities like specialised treatment and Pathological tests should be available in jails. Taking into account these requirements the following additional facilities are required to be provided in the jails in Jharkhand.

- (1) One Medicine Specialist in central and district jails.
- (2) For providing proper treatment to the Psychiatric patients it is necessary to have Psychiatric Wards in all the Central and District Hospitals. The Chief Medical Officers of the district should also depute a Psychiatrist to the Central/District Jail at least once a month. The Govt. may also examine the feasibility of posting a Psychiatrist in the Central Jails and some important District Jails.

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- (3) Pathological Laboratories for basic tests should be provided in the central jails and district jails with one post of Laboratory Assistant.
- (4) Separate ward for Psychiatric patients should be constructed in all Circle and District jails.

WOMEN PRISONS:

Women prisoners are lodged in separate female enclosures and are being guarded by female warders. There are 376 female prisoners and 94 children living with their mother. It would be desirable to prescribe a special diet for children allowed to be kept in jail in consultation with the Nutrition Experts of the Health Deptt. There is no crèche in any jail for children. Care for the children, the no. of which is quite high needs special attention of the Govt.

SCALE OF DIET:

The scale of diet has been fixed in terms of quantity and is found to be adequate. The expenditure on diet has to be limited within the existing budgetary provision. This limitation needs to be removed as it is found to be causing unauthorised diminution of scale.

JAIL INDUSTRY:

Jail industries are functioning in two Central Jails and 5 District Jails. Soap, Phenyle and Prisoners' Cloths are manufactured in these jails but a lot of improvement is required and other activities like Book Binding, Textile may be taken up. Extension of industrial activities to other district jails where convicts are lodged is also necessary. It seems the Department has proposed to the Govt. starting of projects like Jute mats, blankets, Oil, Candles and bags in the district jails. Increasing vocational activities in the central and District jails where convicts are held will not only enable them to earn some money, but also will help them to develop skill which can be fruitfully utilised after their release.

The prisoners were being paid at the rate of Rs.8/- to 10/- and Rs.12/- for light, unskilled and semi-skilled labour. This has been raised to Rs.10/- 13/ and 16/- by the Govt. in August, 2003.

In view of the importance of the Vocational activities as a reformative measure, proposal of the Department to expand these activities in the existing central and district jails

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and extend to the proposed district jails deserves favourable consideration.

JAIL ADALATS:

Jail Adalats are being held in some jails but mostly on ceremonial occasions like 15th August and 26th January. It is necessary to increase the frequency of Jail Adalats and hold them on a regular basis. Jail Adalats are meant to take up cases of petty offenders who are willing to confess their guilt. The instructions issued by the Supreme Court have recently been reiterated by the Chairperson, NHRC. The State Govt. should take up this matter with the High Court.

HOUSING OF STAFF:

The officers and guarding staff are experiencing difficulties as most of them have not been provided with residential quarters for their accommodation. In most places accommodation facilities are highly inadequate. The quarters and barracks which are available were constructed long back and no new quarters have been constructed in recent times. Apart from taking up repair and renovation of the old buildings, adequate no. of residential quarters and barracks should be constructed on a priority basis. Additional accommodation needed is indicated below:

Superintendents	--	13
Medical Officer	--	11
Jailor	--	3
Asst. Jailor	--	10
Writer	--	7
Compounder	--	10
Chief Head warder	--	1
Head Warder	--	18
Warder	--	221
Female Warder	--	14

The Department is formulating proposals for construction of residential accommodation out of the 11th Finance Commission Grant. The State Govt. may approve the scheme and take up construction on a phased basis.

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PROBATION SERVICES:

The probation and After-care Services are under I.G. Prisons. In the Workshop most of the Probation Officers complained that they are not being utilised by the Courts during the trial of first offences and subsequently probation of the offenders. When such a useful correctional service is available, the Judicial Officers should make appropriate use of the facility. The State Government may take up the matter with the High Court for issue of suitable instructions to all Sub-ordinate Courts in the State on the subject.

Yet another complaint of the Probation Officers was the absence of Cadre rules although the service has been constituted long ago. The State Government in Home Department may examine this and take appropriate steps.

*A.B. Tripathy*  
(A.B. Tripathy)  
Special Rapporteur.

*Chaman Lal*  
(Chaman Lal) *श्रीम.*  
Special Rapporteur