

Report of S. Jalaja, Special Rapporteur, NHRC on her visit to the Central Jail, Bhatinda, Punjab on 29-11-2012.

The Central Jail Bhatinda was set up as a District Jail in 1954. In 1960 the construction of the jail was completed. In 1978 it was upgraded as a Central jail.

Land and infrastructure

The jail has a total area of 31.05 acres, out of which an extent of 09 acres is occupied by buildings. 03 acres are set apart for new staff quarters. 05.5 acres are earmarked for a school, DPO Office as well as the old staff quarters. Balance area of 14 acres is utilised for agricultural purposes.

Jail capacity and occupancy

There are altogether 25 barracks and 46 cells which are being used for various purposes. Convicts occupy 5 barracks and under trials 4. The jail hospital occupies 2 barracks and 04 cells. The Gurudwara Sahib and Mandir are located in 02 barracks and the kitchen occupies 02 barracks (details at Annexure1). It was stated that a new jail is being constructed and will be ready in 1 1/2 years.

Category-wise details of prisoners

The sanctioned capacity of the jail is 1146 (1024 male; 132 female) against which the actual occupancy is 1233 (1151male; 82 females). Thus there is not much overcrowding in the jail. There are 464 male prisoners undergoing rigorous imprisonment, while there are only 19 RI category female prisoners. 9 male prisoners are undergoing simple imprisonment, whereas none of the female prisoners belong to this category. There are 2 male civil prisoners and 676 male under trials. 63 female prisoners are under trials .Three small children are living inside the jail with their mothers. Details are at Annexure 11

212 male prisoners and 15 females are alleged to be involved in murder cases; 180 males and 5 females have been convicted. I spoke to many of the convicted prisoners and under trials. Bhuro, 63 years of age is convicted for 8 years in a dowry- related case. Gurvinder 34 years is awarded life

imprisonment. She has a one year old child with her. Asha Kohli w/o Krishna Gopal kohli is an under trial having spent three years in jail. She is booked under the NDPS Act. She has three children. Jal Kaur is 80 years old and is in prison for her alleged involvement in a drug related case. I also spoke to Baljit kaur (theft case), Tej Kaur and Baljeet Kaur (murder case). Most of the women prisoners have been booked either under the NDPS Act or the Dowry Prohibition Act. What I observed in this jail was that even 80 year olds have not been spared, while arresting the family members of the accused. Because of the pressure from the victim's families Police arrest all members of the family, including elderly members. Arrests of elderly should be only after proper investigation. Many of the elderly prisoners were not only having physical illness, but were also acutely suffering from psycho-somatic problems. Commission may like to take a view in the matter.

I also received complaints from Charanjeet Singh, Raju S/o Gora singh, Balwinder Singh S/o Balar singh and also Ram Lal s/o Ganpat Ram, aged 72 years. All of them pleaded innocent and wanted to be released soon.

The crime-wise details of prisoners are at Annexure 111.

Manpower

Shri Mahender Singh is the Superintendent of the jail.

The total sanctioned staff strength of the jail is 143, out of which one post is vacant. Apart from the Superintendent of the jail, there are two Deputy Superintendents posted in the jail. The post of one Deputy Superintendent (Factory) is vacant. All five posts of Assistant Superintendents have been filled up. Two posts of Medical officers have been filled up. 6 Pharmacists are working in the jail, out of which 4 have been posted in the NDPS project, which is being implemented in the jail.

Under-trial Prisoners

As stated above out of 1233 prisoners 739 (676 male; 63 females) are under trials.

There were 14 prisoners lodged in the jail for more than 3 years: 427 under trials are detained up to 6 months; 180 for 6-12 months; 82 for 1-2 years; 36

for 2-3 years and . 293 male and 20 female UTs as well as 178 male and 2 female convicts have been booked under the NDPS Act. It was clarified by the prison authorities that there are no problems in producing the prisoners before courts due to non-availability of police escorts.

Fast-track courts should be set up for speedy disposal of the cases. Individual review of cases, especially women and SC/ST/and older prisoners is a must, as many times innocent persons are mistakenly lodged in jail.

It was stated that there were no cases wherein prisoners were unable to arrange for sureties after being released on bail. There is no reference of Punjab and Haryana High Court, Chandigarh pending with the jail administration.

Condition of prisoners.

It was reported that different categories of prisoners, including under trial prisoners, women prisoners, mentally sick prisoners, drug addicts, and those suffering from infectious diseases like TB are segregated and are kept separately.

Women Prisoners

The barracks for women were somewhat crowded. It has eight attached toilets and two outside toilets which were in good condition. In two of the women's barracks (Nos.49 and 33) the windows- cum- ventilators were in open condition. Bhatinda being a cold place the jail authorities ought to take care that the women are protected from cold in winter months.

I took the opportunity of my visit to the jail to speak to some of the female prisoners. Mandeep Kaur 28 years has taken her Master's degree in Physics. She was a lecturer in Physics in a local college. Unfortunately, she appeared to have got involved with a criminal, who was shot dead by the police. Being his alleged partner she has been lodged in jail. Ms kaur told me that she became acquainted with her partner in question before she was brought to jail, without being aware of his back ground. Her parents being in Canada he

started extorting money from her and a sum of rs.40,000/- was paid to him. She apparently could not escape from his clutches even after she realised that she was actually trapped by him. It was difficult to make out whether her story was true. However a detailed investigation is called for in her case.

Mentally ill prisoners

It was stated that no prisoner is currently undergoing treatment for mental illness. However it is necessary for the jail administration to have periodic screening of prisoners for mental illness. ✓

Custodial Deaths

10 custodial deaths were reported since January, 2012. 9 deaths were reportedly due to natural causes. It was confirmed that there was no foul play suspected in the only case of suicide reported. It was stated that NHRC'S Guidelines on the subject are strictly followed in such cases.

Escape of prisoners

It was stated that no incident of escape of prisoners has been reported from the jail since its inception. ✓

Basic amenities

Water supply and Sanitation

Pipe water supply is made available by the Municipal Corporation. No water shortage is experienced in the jail. RO system is installed in the jail to provide clean and safe drinking water to the inmates. There are 81 bathrooms and 186 toilets in the jail. Details of sanitary facilities available in the jail are at Annexure 1V. It was stated that regular cleaning of barracks, toilets, and bath rooms is undertaken. The condition of the toilets is generally satisfactory. A sum of Rs.4.25 lakhs is set apart for the repair of toilets.

Power Supply

Power supply is available all 24 hours. Back up support of a generator is available. Lighting inside the jail is sufficient.

Food Supply

Scales of diet for various categories of prisoners are provided as per the provisions of the Jail Manual. Cooking is done by the prisoners themselves with the help of LPG stoves. I found that dal and rotis were being prepared for the evening meal. It was stated that the food supplied is based on calorie basis as prescribed in the Jail Manual, compared to Jharkhand and Chhattisgarh prisons, wherein per head cost is fixed and the prisoners are being provided roti dal plus subji. It was stated by the medical officer that special diets are supplied to those with ailments. However I did not notice any special diet being prepared in the jail kitchen at the time of my visit.

Education

Classes for prisoners are conducted for male prisoners by one permanent teacher. Female prisoners are taught by a qualified woman prisoner. Higher education facilities were not available in the jail.

Jail Hospital

A 24 bedded Hospital is available in the jail with average bed occupancy of 12-13. There were only 10 patients in the hospital at the time of my visit. As mentioned earlier two doctors and 6 pharmacists are working in the jail hospital. Only one doctor was present at the time of my visit.

There are separate wards for de-addiction, TB patients and patients suffering from contagious diseases. It was stated that screening for HIV/AIDS and TB is done on a regular basis. Three HIV cases (2 male; 1female) have been reported. 7 patients have TB. The hospital does not have any x-ray equipment or diagnostic testing facility.

It was mentioned that demand for medicine for supply to the patients could not be met. Therefore the jail has to resort to local purchases of medicines.

Women's health care would be adversely affected in the absence of manpower, funds for medicines and testing facilities.

Video-conferencing

A video-conferencing system has been installed in the jail and the system is being put to good use. According to the prison administration, 49 prisoners were presented on the day of my visit before the designated court. 67 prisoners were presented another day before the courts through the video-conferencing, which shows that modern technology, if put to good use, can increase efficiency of operation, improving the outcomes many fold.

Legal Aid

A Legal aid clinic is established in the jail for providing free legal counselling to the inmates, who are unable to engage lawyers for defence of their cases. Separate centres are established for male and female prisoners. 223 inmates have been provided free legal aid during the year.

Lok Adalats

The chief judicial magistrate Bhatinda holds court in the jail every month to decide petty offences by under trials.

Parole

Paroles and premature release cases are stated to be initiated well in time. I came across the case of a group of 30 prisoners who were allowed parole. Since they belong to Muskar, it was referred to the concerned DM, who sought police verification of individual cases. Thus their parole is invariably delayed. The prisoners complained that the police verification ordered by the DM is delaying matters. The jail authorities could be asked to take up the matter quickly and help the prisoners avail the parole already sanctioned.

Recreation

Library

Two libraries have been set up in the jail. Books relating to religion/literature are available there.

Cultural programs

Different cultural programs, including music, dance drama as well as PT are being regularly organised in the jail. Preparation of teams for *Bhangra* and *Gidha* has already started.

Sports

Sport activities are organised for prisoners on regular basis. Facilities are available for both indoor and outdoor games and sports. Volleyball, Kabaddi, badminton and other games are played by the inmates.

Religious activities

All religious festivals are celebrated by the inmates collectively. I visited the jail on Guru Nanak Jayanti. I was able to join the festive activities organised in the jail.

A Gurudwara and a temple have been constructed within the jail premises to take care of the religious/spiritual needs of the prisoners. Religious programs are organised during various festivals of different communities.

Yoga

To keep inmates stress-free regular yoga classes for male prisoners by a Yoga guru from outside the jail and for female prisoners a female teacher have been engaged. Currently Yoga classes are being conducted by inmates trained by the Yoga guru.

With the help of *Samarpan Foundation*, a voluntary Organization, Art of living and Meditation classes are organized in the jail regularly for prisoners.

TV/News papers

TV sets and News papers are being provided for the recreation of prisoners.

Vocational Training

Vocational trainings are being organised in the jail.

Drug De-addiction program

Bhatinda faces the serious problems of drug abuse as well as drug trafficking. A number of prisoners are booked for violating the provisions under the NDPS Act. De-addiction Centres have been set up by the state Government in all Central Jails of the State. Addicts are initially treated in the jail Hospital. In case there is no response, they are shifted to the Civil Hospital.

Inspections

The Board of district authorities comprising of the District and Sessions Judge with the DM and SP as members inspect the jail on a quarterly basis. The District and Sessions Judge, Bhatinda visits the jail and has interface with the prisoners every month.

Security

Latest weapons have been provided to the jail for maintaining its security. There are altogether 5 towers, including a central tower. Due to shortage of warder guard, the watch towers around the main wall have been transferred to Punjab Home Guard. However 16 Jawans from IRB Battalion and 25 Guards are now guarding the watch towers.

8 CCTVs have been installed in the jail. Only one needs repair. I was told that during the last three and half months a thorough search was conducted in the jail, in the presence of senior officers, but no prohibited items were recovered. It was also stated that no riot has taken place in the jail for a long time. A Control room has been established at the head office level, which remain open all 24 hours. Any untoward incident is immediately reported to the Head Office

Observations/ Recommendations:-

Although the Central Jail Bhatinda is one of the oldest jails in Punjab, it would appear that it is still functioning as a district jail. The jail certainly has the

necessary infra structure. However it is not able to provide to the inmates avenues of self improvement like quality education, focussed vocational training and adequate health care, as was observed in Central Jail of Raipur or the District jail of Jagadapur in the State of Chhattisgarh.

Learning facilities are at minimal levels in the jail. While other jails are implementing Sarva Shikha Abiyan and other literacy programs, this jail is found wanting on this front. In other jails one meets young and old prisoners who enthusiastically pursue higher learning. That kind of motivation is found lacking here.

As mentioned in the Report, out of 1233 prisoners, 739 are under trials. As already stated most of them are in jail due to their alleged involvement in Drug/Dowry related cases. Some of them have been in the jail for long periods. Each of their cases, especially those involving old and ailing persons should be reviewed to assess the extent of their involvement. Similarly cases of women especially those with children should be scrutinised carefully. Detention of any innocent person will result in adverse reaction in the communities. Immediate action should be taken for production of under trials in courts.

Video- conferencing facility is being efficiently being used in the jail. With the jail authorities not having any problem in getting police escorts it should be possible to reduce the under trial population to the minimum without any delay.

The quality of health care provided to the inmates, especially women should be improved. There is need to upgrade the hospital facilities in the jail.

Diagnostic testing facilities should be provided. The jail authorities could think of partnerships with reputed agencies for setting up such facilities in all jails of Punjab. Adequate funds should be provided to the jail to ensure regular supply of medicines to the inmates or else additional supply of medicines should be ensured.

Directions of the Supreme Court regarding provision of facilities for special care, education and recreation for young children staying with their women

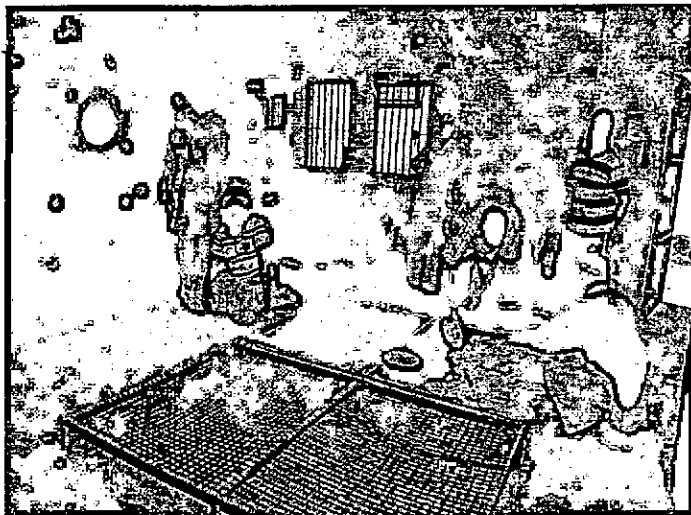
prisoners in R.D Upadhyay v/s the State of Andhra Pradesh and others dated 1-11-2000 need to be implemented fully by the jail administration.

Vocational training which enables prisoners to attain the highest level of artistic achievement or work with their hands to produce handicrafts and artefacts have not been taken up at the desired levels. While the other jails boast of products like carpets, mats, cotton and woollen garments etc which fetch prisoners as well as the victims a share of the earnings, I did not come across any such products developed by the inmates of this jail. The jail administration needs to upscale vocational activities which can help the prisoners achieve physical and mental well-being as well.

Screening for mental illness should be done regularly with the help of professionals in the field. It is difficult to believe that there is no prisoner who is mentally ill in the jail.

Wherever feasible modern technology should be harnessed for the management of prisons and the prisoners. To suggest a few items--energy efficiency, security, education and health of prisoners, better sanitation and living conditions, monitoring of under trial prisoners, better management of cases, modern kitchens, etc

Jail administration should endeavour to upgrade the jail to a model jail with full-fledged facilities provided to the inmates as per the provisions of the Jail Manual.



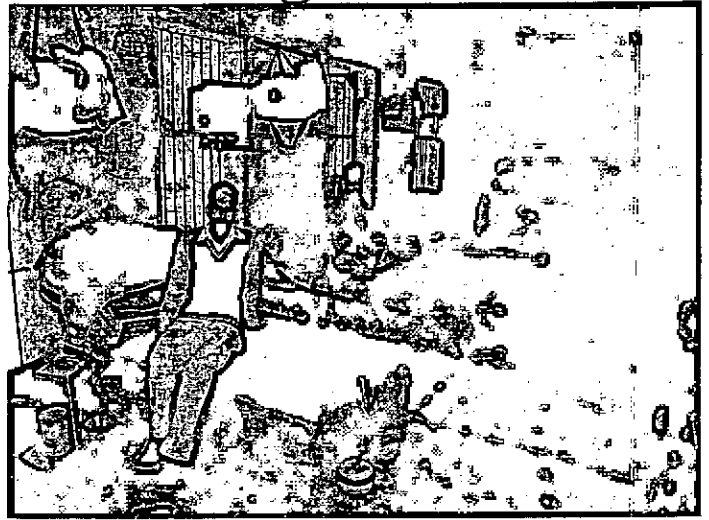
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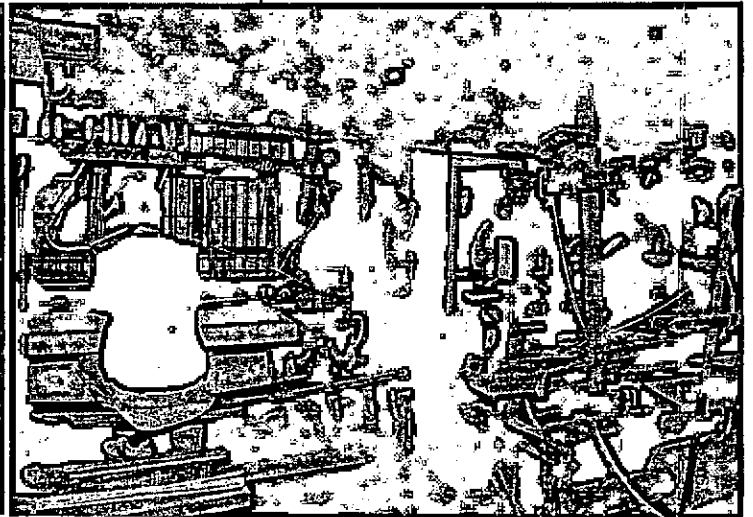
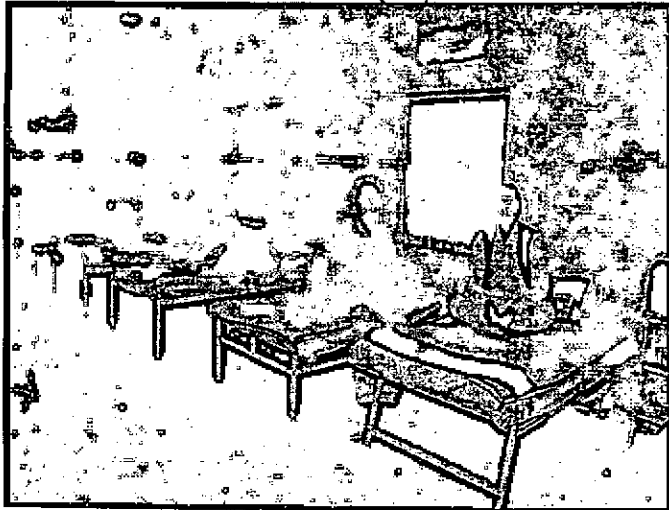
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District Jail (5)
Bhatinda

- 1 & 2 - Kitchen
- 3 - RO system for drinking water
- 4 - Male ward with concrete beds
- 5 - Male ward with folding cots
- 6 - Vocational training for inmates

Details of Barracks/Cells of Central Jail Bathinda


Sr No	Name of ward	Number of barracks
1	Convicts ward	05 Barracks
2	Under-Trials ward	04 Barracks
3	Duble Story barracks	04 Barracks
4	Hospital ward	01+01 Barracks + 04 cells
5	Numberdar ward	02 Barracks
6	Ward No. 01	01 Barrack
7	Ward No. 02	08 cells
8	Ward No. 03	01 Barrack + 02 cells
9	Ward No. 04	30 cells
10	Cook house (Kitchen)	02 Barracks
11	Gurudwara Sahib + Mandir	02 Barracks
12	Female ward	02 Barracks + 02 cells


 Superintendent
 Central Jail Bathinda
 B) 29/11/12

**POPULATION STATEMENT CENTRAL JAIL BATHINDA
AS ON 29-11-2012**


AUTHORISED CAPACITY	1014	132	1146
	MALE	FEMALE	TOTAL
CONVICT R.I.	464	19	483
CONVICT S.I.	09	00	09
CIVIL PRISONER	02	00	02
UNDER TRIALS	676	63	739
TOTAL	1151	82	1233

NOTE:- SMALL CHILDREN WITH THEIR MOTHER= 03


SUPERINTENDENT
CENTRAL JAIL BATHINDA


Inmates Confined under Different Crimes

Sr. No.	Crime/Under Section	Under-Trial		Convicts		Grand Total
		Male	Female	Male	Female	
1	302 IPC	212	15	180	5	412
2	307-326-324-325 etc	66	5	45	2	118
3	376-366 IPC	42	3	21	-	66
3	498-304-B IPC	27	15	20	7	69
4	NDPS Act Case	293	20	178	2	493
5	Others	36	5	31	3	75
Total :-		676	63	475	19	1233


 Superintendent
 Central Jail, Bathinda

Sanitation Facilities at Central Jail, Bathinda

Sr. No.	Wards	Bathrooms	Latrines	Population
1	T.B. Cells	4	4 (attached)	8
2	Hospital	5	5 (attached)	15
3	De-Addiction Center	3	3 (attached)	10
4	Convict Wards	6	24+8 (attached)	242
5	Under-Trial Wards	20	20+4 (attached)	335
6	Ward No. 04	3	12+30 (attached)	81
7	Kitchen Ward	1	6	59
8	Ward No. 03	4 (attached)	3+4 (attached)	14
9	Female Ward	8 (attached)	8+2 (attached)	82
10	Ward No. 02	1	2+8 (attached)	31
11	Ward No. 01	1	6+1 (attached)	36
12	Namberdar Ward	1	10+2 (attached)	167
13	Double Story Ward	24 (attached)	24 (attached)	153
Total :-		81	186	1233


 Superintendent
 Central Jail, Bathinda