

Report of S. Jalaja, Special Rapporteur, NHRC on her visit to District Jail, Jagadalpur(Bastar District), Chhattisgarh on 12-9-2012.

The District Jail Jagadalpur was set up in 1919 before independence and was the only jail in the erstwhile state of Bastar. It remained as class 11 District Jail from 15th August 1947 to October, 1968. Thereafter, it was upgraded as class 1 District Jail and remained so till 31st March, 1998. Between 1st April, 1998 and 31st March, 1999 it was a Circle Jail. On 1st April, 1999 it was upgraded as a Central Jail. District jails of Dantewada, Kanker, Sukma, Narayanpur, Bijapur, as well as the Open Jail at Masgaoan and Sub-jails of Banupratapur and Kondagaon come within the circle jurisdiction of District jail, Jagadalpur.

Land and infrastructure

The jail has a total area of 47.04 acres out of which an extent of 32.32 acres is occupied by buildings. Balance 20.32 acres are being utilised for the expansion of the jail. Five new Barracks and Administrative buildings are proposed to be constructed there.

Jail capacity and occupancy

There are 19 barracks for male 3 for female prisoners and 14 separate Cells. Against a sanctioned strength of 629 prisoners (555male; 60 female; 14 occupants in Cells), 1618 prisoners (1507 male; 111 females) are presently lodged inside the jail. Details are given in annexure-1. There is considerable over-crowding in the jail.

Category-wise details of prisoners

At present, out of 1507 male prisoners, 579 are undergoing rigorous imprisonment, while only one prisoner is undergoing simple imprisonment. 379 prisoners are under trials, 545 special category prisoners and 3 prisoners are special security RI prisoners. (Annexure I)
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Out of 111 female prisoners 14 are in the RI category and only one undergoing simple imprisonment. 36 are under trials while 61 are special category prisoners. There are 11 children housed in prison who are below 6 years of age.

Manpower

Shri Rajendra Gaikwad is the Superintendent of the jail. He is MA in Criminology and Forensic Sciences. He has functioned as superintendent of various jails for the last 18 years.

The total sanctioned staff strength of the jail is 181, out of which 93 posts are vacant. It may be seen that many of the important posts, including that of the Medical Officer, Sub-Jailers, Trainers, Matron, Chief of the guards and Helper Nurse are vacant (details at Annexure 11). The jail authorities reported that two medical officers, two rural Medical Attendants and one Staff Nurse have been deputed to the jail. It is unfortunate that a Central Jail which is located in a core naxalite area do not have adequate staff to manage the jail. Without sufficient security staff posted in the jail incidents like jail break cannot be avoided. Absence of a regular medical officer and supporting staff will reinforce the extremists' lack of faith in Government. The jail authorities have taken up the matter with the State government. The State Government may be directed to fill up the vacant posts within a period of three months.

Under-trial Prisoners

As stated above out of 1618 prisoners 415 are under trials. The Jail Superintendent stated that the high number is because most of them belong to extremist category. Some of the prisoners, especially the female prisoners have been transferred from District Jail, Datewada, after the jail break incident in 2007.

The main cause for delay in disposal of cases relating to Under Trial Prisoners (UTPs) is attributed to lack of witness appearance in the court. Lack of timely availability of transport and police escort for their presentation before the courts is well recognised as a problem in reducing the population of under trials in jail. Fast track courts need to be constituted for speedy disposal of cases relating to alleged naxalite prisoners. Video-conferencing, organizing jail *adalats* and speedy trials alone can help reduce the number of under trials in jails.

Average duration for which the under trials have been lodged in prison is 1 year 6 months to two years. Earlier reports show that there were 10 prisoners lodged in the jail for more than 5 years: 64 male under trials are detained up to three months; 55 were detained for 3-6 months; 167 for 6-12 months; 308 for 1-2 years; 211 for 2-3 years and 107 for 3-5 years. It is heartening to note that currently the under trial population has been reduced to 415 from 944. Fast-track courts should be set up for speedy disposal of the cases. Individual review of cases, especially women and SC/ST 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 were no cases where the bail amount is high. In 29 cases appeals filed by prisoners are pending in the High Court for the last one year.

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

As mentioned, 111 women prisoners are lodged in the jail. 11 children who stay with their mothers are 4 months to 6 years of age. A separate jail is set up for women prisoners, which is looked after by 15 women employees. Special arrangements for taking care of the health of women and children have been made. A separate woman medical officer and helper have been engaged. Special stress is given to education of women prisoners. With the assistance of NGOs women prisoners are being given vocational training. I spoke to some of the women prisoners. Some of them were alleged to be naxalites. They spoke very little about themselves perhaps due to the presence of jail officials. Ms. Sialto from Simri Pendra village is booked u/s 147/148/149 of the Arms Act. Kumari Leena Netam is from village Singarpuri of Dantewada district. She is doing farming in her village. Just two months after marriage she has been booked in a criminal case u/s 302 of IPC. Ms Radha of Kamalu village is also doing farming at home. Ms. Savitri Bai from Murdu has a 2 ½ years old child

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with her. Ms Ramli has a child of 3 years with her. Ms. Nirmala Reddy is from AP. Her husband also is in jail for alleged naxal activities. Ms.Reddy spoke about the rights of older people in the jail. It is difficult to find out whether these women are actually involved in naxal activities or they have been coerced to join the movement by their husbands or the male members of their families or else they are simply onlookers. Only detailed study of their individual cases can throw some light on this problem. It is necessary to scrutinise the cases of women with children carefully. In case these women are innocent not only the mothers, but the children are also put to unnecessary hardship.

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 were being implemented. It was observed that the jail officials have tried to create a congenial environment for the welfare of women prisoners and their children. A *Jhula Ghar* for very small children has been set up which, at present is used by two children. Nutritious food is supplied to the children by the *Aganwadi* Organisation. Remaining children attend the school run by the local Municipality. It was reported that none of the women were suffering from infectious diseases.

Mentally ill prisoners

33 mentally ill prisoners have been detained in the jail. The IG of Prisons visited them u/s 39 of the Mental Health Act, 1987 on 27-3-2012 as well as 26-6-2012. They are being visited by a psychiatrist twice a month. As per NHRC guidelines on the subject no mentally ill prisoner should be kept in jails; they are to be transferred to a mental health institution. The jail authorities may be asked to comply with the Commission's guidelines on the subject.

Custodial Deaths

23 deaths (19 male; 1 female; 3 children) were reported in the last three years in the jail. The deaths reported were stated to be due to natural causes, after due investigation. It was confirmed that the guidelines issued by the NHRC are strictly being followed. It was pointed out that a number of measures, including counselling, encouraging prisoners to participate in spiritual, sports

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and cultural activities are being resorted to prevent prisoners from committing suicide inside the jail.

Escape of prisoners

A total number of 12 escapes of prisoners were reported from the jail in last three years.

Basic amenities

Prisoner's rights have been displayed in the jail. Despatch, receipt and distribution of letters are regularly done in the jail.

Water supply and Sanitation

Water supply is made through two tube wells. General cleaning around the sources as well as the storage tanks are stated to be cleaned regularly. Sufficient water is also supplied for bathing and for use in toilets. Only bathing platforms are available to prisoners as no separate cubicles have been constructed. Bathing and cleaning of clothes are being monitored to ensure proper hygiene by prisoners. There are toilets within and outside the barracks. They were well kept and in good condition.

Power Supply

Power supply is available for 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. A gassifier is being constructed to make cooking fuel efficient. Food is prepared both manually and mechanically. Food supplied is hygienic. Rice, dal, Roti and vegetables are provided to the prisoners. On festivals and special occasions special food is supplied to prisoners. (Annexure - IV)

Education

Classes are run for the prisoners from class 1-V111. 280 prisoners attended the Bharat Sakshar Program. In 2011 342 men and 28 women appeared for the all

India level examinations. In 2012, 111 men and 10 women appeared in the exam. Reading and writing-*halbi-gondi-boli* in local language is attended by 30 prisoners. Prisoners on their own prepare for examinations for classes 10-12 and also for graduate and post graduate studies. Classes by IGNOU are attended by 87 prisoners.

Jail Hospital

A 30 bedded Hospital is available in the jail campus. It is located away from the barracks. Water and power supply are adequate. Chlorine tablets are used for purifying drinking water. Bleaching powder is used for disinfecting the premises. Special diets are provided to the patients. Two medical officers, including one Lady Medical Officer have been deputed to the jail for treatment of prisoners. Two Rural Medical Attendants (RMA), including a woman RMA, have been deputed to the jail on part-time basis. Specialists visit the jail once a week. Availability of medicines is reported to be adequate. 12 prisoners are stated to be suffering from TB; 5 prisoners have HIV/AIDS; 2 prisoners are suffering from Leprosy; 25 from cardio-respiratory diseases; 5 from epilepsy; 10 from diabetes; 4 from asthma and 40 from hypertension. Average attendance at the OPD is 30. Screening for TB and HIV/AIDS is being done at the time of admission and also on regular basis. Weekly Mobile vans visit the jail for detection of HIV/AIDS and for creating awareness. With the help of Brahma kumaris de-addiction camps are being organised.

Health Camps are organised regularly in the jail by the District Hospital. Besides with the help of *Adarsh Samaj Swapna Sakar Sanstha* and Social and *Community Helpmate*, NGOs, a Homeopathy camp is being organized in the jail every Saturday. A team from the District AIDS Control Office, Jagadapur visit the jail every Saturday to screen the prisoners for HIV/AIDS and for creating awareness amongst the inmates for preventing the disease. The Jail has a tie-up with the Maharani District hospital, Jagadapur for providing treatment to the prisoners.

Industry

24 types of industry, including handicrafts, metal works, terracotta, mat/carpet-making, stationery, bamboo and wood works etc have been taken up in the jail. Around Rs.90/-laks were earned through these trades. This year

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a target of Rs.1crore has been fixed. Skilled workers earn Rs.30/- and unskilled Rs.25/- on daily basis. 50% of the earnings by prisoners are deposited in their bank accounts and the balance 50% is sent to the victims. In 2011-12 an amount of Rs.50, 64554/-was paid to the victims residing in Jagdalpur and a sum of Rs.26, 77418 to those in Dantewada/Kaker.

Video-conferencing

A video-conferencing system was started in the jail on 24-1-2009.

Lok Adalats

The District and Sessions judge, Jagadalpur visits the jail every month for holding Jail Adalats. Six sittings were held during 2011-12.

Legal aid

Legal aid is sanctioned to needy and eligible prisoners by the High Court Bilaspur Bench and the District Legal Aid Authority. In 2012 High Courts, Delhi / Bilaspur and the District Legal Aid Authority sanctioned 17, 30 and 32 cases respectively. A Legal Aid Clinic was started in the Central Jail Jagadalpur on 5-4-2012. Advocates Smt. Pritam kaur, Shri Jwala Prasad Pandey and Shri Pilu Ram Bagel are present in the jail every Saturday and Sunday to give free counselling to prisoners. At the time of my visit all three were present.

Interviews

Interviews are granted at the time of admission, during the rounds, and, on requests made by prisoners. Meeting with family members are allowed as per the provisions of the Jail Manual. On the average 30-40 requests are received. Very rarely such requests are turned down. Despatch, receipt and distribution of letters are regularly done in the jail.

Board of visitors

A Board of visitors was constituted on 12-12-2007. On 30-11-2011 it has been reconstituted. In the last one year members of the Board visited the jail on four occasions.

Recreation

Goshala (cattle rearing)

A cattle-shed is maintained by the inmates of the prison. Presently 45 cows and calves are kept there. Milk produced is sold and the proceeds are deposited in the welfare fund of prisoners.

Gardening

The inmates of the jail grow vegetables in the jail compound.

Library

A library was set up in the jail on 15th August, 2010, with more than 2000 books under different categories. Rs.55, 000 was allotted to the jail under the budget.

Cultural programs

Different cultural programs including music, dance drama as well as PT are being regularly organised. Musical instruments are available to prisoners for practice. I was happy to observe a tribal dance called *Maria* being performed by the prisoners. Two of the prisoners presented soulful music before the visitors.

Sports

Sport activities are organised for prisoners on regular basis. Facilities are available for both indoor and outdoor games and sports.

Religious activities

Religious programs are organised during various festivals of different communities.

Yoga

With the help of *The Art of Living Organisation* Jagadapur, Yoga camps are being organised for the prisoners.

TV/News papers

28 TV sets and 15 News papers are being provided for the recreation of prisoners.

Vocational Training

With Rs.3, 24,500/- made available by the Panchayat Bastar/Jagadalpur 160 convicts were trained by 9 trainers in various trades in 2009-10; similarly in 2010-11 200 convicts were trained by 12 trainers with Rs.3, 94,000/- made available by the Panchayat.

Inspections

There have been nine inspections by judicial and 30 inspections by non-judicial authorities in the last one year.

Observations/ Recommendations:-

My visit to District Jail Jagadalpur was an unscheduled one. I am happy to say that the District jail, jagadalpur, like the Central Jail Raipur, could easily be one of the few well-run jails in India. One would not expect to see such a jail located in heart of extremism. The jail not only has good infrastructure but the ambience needed for providing good quality life to the inmates. The wards are airy, well lighted and well kept and provide adequate space for the free movement of the prisoners. Needs of women and children were taken care of to a large extent. The jail had full facilities for taking care of the spiritual, cultural and physical needs of the prisoners. The handicrafts and artefacts produced by the prisoners themselves speak volumes about the innate ability of men and women to reach high levels of artistic achievements, when they are assured of a good quality life. The Jail Superintendent and his team deserve appreciation for the good management of the jail. However it needs to be remembered that despite the good quality life provided in the prisons, the inmates invariably desire is to go back to their freedom at any cost.

The recommendations are:-

1. Having said good things about the jail one cannot ignore the fact that the jail administration has the onus of ensuring high security in the jail due to constant threat posed by the extremists. Security of the jail should be the No.1 priority of the jail Administration
2. As mentioned in the Report, out of 1618 prisoners, 415 are under trials. Most of them belong to the extremist category. Some of them have been in the jail for long periods. Each of their cases should be reviewed

to find out the extent of their involvement in extremist activities. 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, which may further strengthen the extremist movement,

3. Immediate action should be taken for production of under trials in courts. Those who are unable to get sureties should be assisted.
4. Video- conferencing facility should be more efficiently used.
5. Accountability of officials in the jail/police administration should be fixed for reducing the under trial population in the jail.
6. Medical camps are no substitute for regular healthcare. Medical officers and Para-medical Staffs should be posted on regular basis in the jail.
7. All vacant positions of staff should be filled up immediately, keeping in view the strategic importance of the jail.
8. 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.
9. Where ever 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

दिनांक 12.09.2012 प्रातः का लॉक-अप

विवरण	पुरुष	महिला	योग	बच्चे
सश्रम बंदी	579	14	593	02 (06 वर्ष की आयु से कम) ✓
अश्रम बंदी	01	—	01	— ✓
विचाराधीन बंदी	379	36	415	06 (06 वर्ष की आयु से कम)
विशेष सुरक्षा विचा.बंदी	545	61	606	03 (06 वर्ष की आयु से कम)
विशेष सुरक्षा सश्रम बंदी	03	—	03	—
योग	1507	111	1618	11

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Annexure-II

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- 1- Name of the Prison :- Central Jail Jagdalpur
- 2- Capacity of the Prison (Male/Female) :- 569+ 60 = 629

(i) Number of wards	(ii) Sanctioned Capacity of each ward	(iii) Present strength in each ward	(iv) Present strength of Prisoners in the Jail
01	50	126	Male- 1507 Female-111 <u>Total-1618</u>
02	50	155	
03	50	139	
04	-	Video conf. hall	
05	25	58	
06	20	47	
07	25	82	
08	25	80	
09	20	89	
10	50	118	
11	20	84	
12	20	44	
13	25	70	
14	30	34	
15	30	-	
16	20	58	
17	20	59	
18	25	88	
19	25	83	
20	25	91	
Femal-1	20	39	
Femal-2	20	38	
Femal-3	20	34	
Cell	14	02	
Total	629	1618	11 Childs

केन्द्रीय जेल जगदलपुर हेतु स्वीकृत/भरें/रिक्त पदों की सूची

क्र०	पद नाम	स्वीकृत पद	भरे पद			रिक्त पद
			पुरुष	महिला	योग	
1.	अधीक्षक	01	01	—	01	—
2.	मेडिकल ऑफिसर	01	—	—	—	01
3.	उप जेल अधीक्षक	02	—	—	—	02
4.	सहायक जेल अधीक्षक	14	04	—	04	10
5.	कल्याण अधिकारी	01	01	—	01	—
6.	उप अधीक्षक उद्योग	01	01	—	01	—
7.	वरिष्ठ बुनाई प्रशिक्षक	01	—	—	—	01
8.	वरिष्ठ बढई प्रशिक्षक	01	01	—	01	—
9.	सिलाई प्रशिक्षक	01	01	—	01	—
10.	बढई प्रशिक्षक	01	01	—	01	—
11.	बुनाई प्रशिक्षक	01	01	—	01	—
12.	लेखापाल	01	—	—	—	01
13.	सहायक ग्रेड-3	01	01	—	01	—
14.	मेल नर्स	01	—	—	—	01
15.	लेब टेक्नीशियन	01	—	—	—	01
16.	कम्पाऊण्डर	03	—	—	—	03
17.	शिक्षक	02	02	—	02	—
18.	मेट्रन	01	—	—	—	01
19.	प्रमुख मुख्य प्रहरी	02	—	—	—	02
20.	मुख्य प्रहरी	14	14	—	14	—
21.	प्रहरी	114	37	16	53	61
22.	रिजर्व गार्ड मुख्य प्रहरी	01	—	—	—	01
23.	रिजर्व गार्ड प्रहरी	04	—	—	—	04
24.	व्यायाम प्रशिक्षक	01	01	—	01	—
25.	वाहन चालक (वरिष्ठ श्रेणी)	01	01	—	01	—
26.	वाहन चालक (कनिष्ठ श्रेणी)	01	01	—	01	—
27.	भृत्य	02	02	—	02	—
28.	स्वीपर	04	01	01	02	02
29.	डाटा एंट्री आपरेटर	01	—	—	—	01
30.	परिचारिका नर्स	01	—	—	—	01
	कुल योग	181	71	17	88	93

जेल अधीक्षक
केन्द्रीय जेल जगदलपुर

बंदियों को जेल नियमानुसार दिये जाने वाले डाईट चार्ट

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क्रमांक	वस्तु का नाम	प्रति दंडित बंदी (ग्राम में)	प्रति विचाराधीन बंदी (ग्राम में)
01	चॉवल भोजन	640	525
02	चॉवल नाश्ता	115	115
03	आटा भोजन	585	465
04	आटा नाश्ता	90	90
05	दाल	115	115
06	तेल	25	25
07	सब्जी	235	235
08	नमक	30	25
09	मसाला	10	10
10	शक्कर चाय हेतु	20	20
11	चायपत्ती	04	04
12	दूध चाय हेतु	60	60

- 1- बच्चों का पालन करने वाली प्रति माताओं के लिए साधारण आहार के अतिरिक्त चॉवल/आटा-115 ग्राम एवं सरसों तेल-30 ग्राम दिया जाता है।
- 2- 01 से 1 वर्ष के बीच के प्रति बालकों के लिए दूध-350 ग्राम, चॉवल/आटा-115 ग्राम, दाल-30 ग्राम दिया जाता है।
- 3- 1 से 2 वर्ष के बीच के प्रति बालकों के लिए दूध-235 ग्राम, चॉवल/आटा-235 ग्राम, दाल-30 ग्राम दिया जाता है।
- 4- प्रति बंदी प्रत्येक रविवार हलुआ हेतु आटा-60 ग्राम, शक्कर-60 ग्राम एवं वनस्पति घी-30 ग्राम दिया जाता है।
- 5- 14 विशेष त्योहार पर पूड़ी हेतु प्रति दंडित बंदी / विचा. बंदी को वनस्पति घी -75 ग्राम/60 ग्राम दिया जाता है। इसके अतिरिक्त इन त्योहारों पर हलुआ डाईट देने का प्रावधान है।

राजेन्द्र गायकवाड़
अधीक्षक

केन्द्रीय जेल, जगदलपुर

Cell. N. 94252
56196

Children
in the
Jail
with
the
Superintendent

District
Jail,
Lajasal, 1909
Bastar



District Jail Jagdalpur
Bastar

Maoria dance by tribal prisoners.

