

4/19/2012 - PRDEP

Report of S. Jalaja, Special Rapporteur, NHRC on her visit to District Jail, Sangrur, Punjab on 29-11-2012.

The District Jail, Sangrur was constructed in 1954 and from that year onwards it has been functioning as a District Jail.

Land and infrastructure The jail has a total area of about 32 acres, out of which an extent of approximately 09 acres are occupied by Jail buildings. About 8 acres are occupied by Staff Quarters.

Manpower The total sanctioned staff strength of the jail is 131, out of which 49 posts are vacant. Apart from the Superintendent of the jail, one Deputy Superintendent and 4 Assistant Superintendents are posted in the jail. There is only one post of Medical Officer in the jail against which one doctor is functioning on deputation basis. The single Pharmacist in the jail is, at present, on deputation.

Jail capacity and occupancy There are altogether 14 barracks and 62 cells which are being used for housing various categories of prisoners.

Category-wise details of prisoners The sanctioned capacity of the jail is only 550 (484 male; 66 female) against which the actual occupancy is 1157 (1043 male; 114 females). Thus there is considerable overcrowding in the jail. There are 458 male prisoners undergoing rigorous imprisonment, while there are 47 RI category female prisoners. 3 male prisoners are undergoing simple imprisonment, whereas none of the female prisoners belong to this category. There are no civil prisoners. 579 male prisoners as well as 67 female prisoners are under trials. Six children are living inside the jail with their mothers. There are 03 Pak Detenus in the jail. Details are at Annexure 1.

Condition of Prisoners The barracks for male prisoners were in good condition. I received complaints from many prisoners, including Swaranjit Singh s/o Gurdev Singh, Pritpal Singh s/o Ram Singh, Dimple Singh s/o Juga Singh and Malki Singh who are allegedly involved in murder cases. Gurpreet Singh, another prisoner, is allegedly involved in a motor cycle theft case. They all pleaded not guilty and wanted to be released quickly.

One Sukha Singh complained about his non-release from the prison even after orders to that effect passed by the High Court. He stated that his friends who were co-accused have been released from the jail. The jail authorities were requested to look into the matter quickly. Wariyam Sing, another prisoner, 65 years old also pleaded not guilty.

Under-trial Prisoners As stated above out of 1157 prisoners 646 (579 male; 67 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 and 36 prisoners for 2-3 years. It was stated that action has been taken for production of under trial prisoners before courts with the help of video- conferencing facility. There is no delay in the production of prisoners in courts or hospitals due to non availability / timely availability of police escort.

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.

Despite all the steps taken by the administration, fast-track courts need to 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.

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 female barracks were in good condition. I met some of the women prisoners. Balwinder Kaur 31 is a convict serving her life term. She has

spent 3 years in jail. **Gurdev Kaur 80 years is in jail in a dowry related case involving the death of her grandson's wife.** Devender Kaur 65 has been booked in a NDPS case. Gurmeet Kaur and her daughter Paramjeet kaur are in jail charged with murder of the son-in-law who was having allegedly an illicit affair with another woman.

It may kindly be noted that most of the women prisoners have been booked either under the provisions of 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 family members of the accused.* Because of pressure from the victim's families Police arrest all members of the family indiscriminately, 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.*

There are 6 children staying inside the jail with their mothers. It was doubtful whether the directions given by the Apex Court in Upadhyay vs. State of Andhra Pradesh Dated 1-11-2000 were being implemented in the jail. The Court had directed that health care and education of the children staying in prisons should get top priority. An economically advanced state like Punjab should have no problem in fully implementing these directives. Pregnant and mothers with newborns require special consideration. With no regular Lady Doctor or supporting staff posted in the jail, it is not clear how the jail authorities will be in a position to implement the directions of the Court. A well established jail like Sangrur District Jail ought to have fully taken care of the facilities provided to prisoners.

Prisoners from Pakistan Three PAK Security Prisoners undergoing trial have been transferred to this jail from J&K. They are Md. Abdulla s/o Hassan Bakhsh R/o Kashba Chak no.2, Multan, Pakistan, Syed Sajad Ali Bakhari, s/o Syed Shapal R/o Mandyari Muzaffarabad, POK and Md. Yousuf Kwaja S/o Md. Atoub Kwaja Nakote, Muzaffarabad, POK. They pleaded that they are innocent and should be released from jail urgently.

Mentally ill prisoners It was stated that only one 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 No custodial death has been reported in the last one year. 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.

Basic amenities

Water supply and Sanitation Water supply in the jail is through 3 tube wells. There is no pipe water supply in the jail. Man to toilet ratio is 10-12:1 toilet. There are two toilets located within each barrack. Cleaning of barracks, bathrooms and toilets is regularly carried out. Cleanliness inside the jail was good.

Power Supply Powersupply 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 (1200 calories per person). Cooking is done by the prisoners themselves with the help of LPG stoves.

Education Post of a regular teacher is vacant. One lady teacher is teaching 10 female prisoners. Seven prisoners are teaching prisoners in the jail at present. 90 prisoners are attending classes.

Jail Hospital A 20 bedded Prison hospital is available in the jail with average bed occupancy of 7. No isolation wards have been set up in the hospital. No regular doctors have been posted. Doctors visit the jail on rotation basis. Every 15 days one lady doctor attends to the female patients. On the average around 173 patients attend the OPD. There are

two Pharmacists posted in the jail. It would appear that no regular screening for TB or HIV/AIDS is being done. It was stated that screening of prisoners for TB and other ailments is done at the time of admission. This position is unacceptable because in crowded prisons the chance of contamination after admission of prisoners to jail. Therefore, regular screening for TB and other contagious diseases and HIV/AIDS ought to be undertaken. No HIV/AIDS case has been reported. At present only one patient has TB.

It was stated that special attention is given to seriously sick patients. On the advice of the Medical Officer they are shifted to a civil hospital for treatment.

Once in 15 days a lady doctor reportedly visits the prison. **Women's health care would be adversely affected in the absence of manpower, funds for medicines and proper testing facilities.**

Video-conferencing

A video-conferencing system has been installed in the jail, but the system is not being put to optimum use. According to the prison administration on the average only 2-3 prisoners are being before the court on daily basis. Keeping in view the large under trial population in the jail, there is a need to fully utilise the facility. If put to good use, video-conferencing can increase efficiency of operation, improving the outcomes many fold. The jail authorities stated that after being fully operational 60-70 prisoners could be produced daily before courts.

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. 105 inmates have been provided free legal aid during the year.

Lok Adalat The Chief Judicial Magistrate, Sangrur 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.

Recreation Facilities are available for to the prisoners.

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. Bhangra, Gidha and drama teams have been formed. A magic show was organised for the benefit of inmates recently.

Sports Sport activities are organised for prisoners on regular basis. Facilities are available for playing volley ball, Kabaddi, badminton and other games by the prisoners.

Religious activities All religious festivals are celebrated by the inmates collectively.

Yoga To keep inmates stress-free yoga classes have been started with a guru from outside for male prisoners, and, a female yoga teacher for training female prisoners.

TV/News papers All barracks have been provided with TV sets.

Vocational Training **Vocational** trainings are being organised in the jail. A small factory is set up wherein soaps, phenyl etc are produced. Carpet making and weaving are taken up by male prisoners. Female prisoners are engaged in knitting and weaving etc.

Inspections The District and Sessions Judge, Sangrur visits the jail every month. His last visit was on 27-11-2012. Other members of the higher judiciary also visit the jail.

Board of Visitors The Board of District Authorities comprising of the District and Sessions Judge, the District Magistrate and the Senior Superintendent of Police, Sangrur, have quarterly inspection of the jail.

Visitors Meetings with family members are allowed on request for about 20 minutes. A common room is provided for this purpose.

Security 8 CCTVs have been installed in the jail. The jail has eight watch Towers. Six mobile jammers have also been installed. Due to shortage of jail warder guards the watch tower around the main wall was unmanned. 16 jawans of IRB Battalion and 25 Home guards have now been provided. No watch tower is unmanned at present.

Budget Allocation of funds received under the budget is considered adequate.

Observations/ Recommendations:-

After visiting the District Jail Sangrur, I have been compelled to make observations/suggestions similar to those I had recorded in respect of Central Jail, Bathinda.

1. Although the District Jail, Sangrur is one of the oldest jails in Punjab, it has several limitations in realising its full potential. The jail certainly has the necessary infra structure. However, it is not being 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.
2. 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.
3. As mentioned in the Report, out of 1157 prisoners, 646 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.. Immediate action should be taken for production of under trials in courts.

4. In drug-related cases all the prisoners appeared to me as petty peddlers or addicts from ordinary households. I was not able to notice any big racketeer/or kingpin/ politician (without whose nexus drug trade cannot be successful) involved in drug trade within the prison, especially when even elderly women have been lodged in jail for being a family member of a drug trader.
5. Video- conferencing facility is, at present not being efficiently being used in the jail. However with little efforts this facility could be put to optimum use. 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.
6. The quality of health care provided to the inmates, especially women, should be improved. There is need to upgrade 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.
7. 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.
8. 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. The jail administration needs to upscale/expand vocational activities which can help the prisoners achieve physical and mental well-being as well.
9. Screening for TB and HIV/AIDS should be done regularly.
10. Screening for mental illness should be done regularly with the help of professionals in the field. It is difficult to believe that there is only one prisoner who is mentally ill in the jail.
11. 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

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.

Annexure T

**POPULATION STATEMENT IN RESPECT OF
DISTRICT JAIL SANGRUR
DATED 28.11.2012 IS AS UNDER**

1. CONVICT R.I MALE	458 /
2. CONVICT R.I. FEMALE	047 ✓
3. UNDERTRIAL MALE	579 ✓
4. UNDERTRIAL FEMALE	067 ✓
5. PSA (PAK DETENUS of J&K)	003
6 CONVICT (S.I.)	003 /
7 CIVIL PRISONER	000
TOTAL	----- 1157 -----

Authorised Strength	-	Male	Female	
		484	66	= 550

Sham
Superintendent
District Jail Sangrur
28/11/12