

DISTRICT JAIL, SHILLONG, MEGHALAYA

1. **Date of Visit:** I visited Shillong District Jail on April 1 & 2, 2014, both days around 11. 30 AM. I was accompanied by Shri. B. Mawlong, MCS, ADC, Shillong-cum-Superintendent, District Jail, Shillong. The senior-most Jailer, Shri. Union Kyndiah, was also in attendance.
2. **Introduction:** This Jail was last visited by Shri. H. Marwein, IAS, Principal Secy., Govt. of Meghalaya, on 14/01/2011. Looking through my old inspection note of this jail done on 16/9/2000 as IG Prisons, I find that this jail was built ~~some time during the 1880's~~. It was meant to accommodate 150 inmates (135 M; 15 F).
3. **Prison Population:** Today, there are 405 inmates (M-398; F-7) which show overcrowding at its worst and **human rights violation at its grossest**. One of the reasons for this overcrowding is the presence of inmates from different districts, different sub-divisions and different courts where there is no jail. These are Nongpoh (Ri Bhoi District), Nongstoin (West Khasi Hills District), Mawkyrwat, Mairang and Sohra.

The breakup of the inmate population is as follows:

Sl. No.	Name of Courts	KMS from Shg.	UTPs		Convicts	Total
			Male	Female		
01	Shillong Court	2	207	5	42	254
02	Nongpoh Court	70	51	2	01	54
03	Nongstoin Court	110	56	Nil	05	61
04	Mawkyrwat Court	70	23	-	-	23
05	Mairang Court	60	08	-	-	08
06	Sohra Court	50	05	-	-	05
	Total		350	7	48 (Male)	405

Their classification is as follows:

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DISTRICT JAIL, SHILLONG, MEGHALAYA

Sl. No.	Type	Male	Female
01	MPDAs	09	-
02	Sessions	19	01
03	UTPs	324	06
04	Convicts (SI)	16	-
05	Convicts (RI)	32	-
	Total	398	7 = 405

In other words, out of 405 inmates **only 48 are Convicts** (SI + RI), while the rest **357 are UTPs**. A further classification of these UTPs is those facing trail after a Charge-Sheet has been filed in a court of law by the police and those whose cases are still under investigation by the police at the police station level.

Of these 357, **170 are facing trail** while the cases of **187 are under investigation** by the police. These figures are:

SNo.	Court	Pending Trail	Pending Investigation	Tot
01.	Session Court, Shg	31	13	44
02.	CJM, JMFC, Shg	44	98	142
03.	Spl. Judge, Nongstoin	12	04	16
04.	ADM, Nongstoin	17	22	39
05.	Nongpoh Court	22	31	53
06.	Sohra Court	03	02	05
07.	Mawkyrwat Court	08	15	23
08.	Mairang Court	06	02	08
09.	District Council Court	27		27
	Sub-Total	170	187	357
10.	Convicts			48
	TOTAL	170	187	405

4. **Staff:** There are 81 staff members in District Jail, Shillong. This includes the Senior Medical and Health Officer as well as the Armed Branch of the Jail Department. One post each of Asst. Jailor, Craft Instructor and that of a Cook, are vacant. Out of the 46 male warders, as many as 23 of them have been appointed on an officiating basis, some of them since the year 2012. Every six months their services are terminated and the next day they are re-appointed. This is also a **human rights violation** of sorts as these officiating warders do not have any security of service or other ~~benefits~~ emanating from a permanent Government job.

The strength of the staff is at **Annexure 'A'** while the list of permanent staff and that of officiating staff is at **Annexure 'B'**. Most of them are housed within the jail complex in Type II and Type IV Quarters. A sketch map of the entire jail complex is at **Annexure 'C'**.

5. **Land and Building:** The area of the jail complex is 5.6 acres. There is a high wall enclosing the entire jail complex. A total of 4 Watch Towers also exist. However, of them, one is damaged. An Armed Branch component of the district police, man the watch towers.

There are 9 wards, including the High Security Ward and the Female Ward to house the inmates. However, there is a tremendous amount of over-crowding in the male section of the jail as noted earlier. The situation is such that **inmates are sleeping below the beds of other inmates of all the wards.**

As per Rule 701 of the 'Rules for Management of Jails in Assam' contained in 'Assam Jail Rules' Part III made under the Prisoners Act, 1894, (**Annexure 'D'**), the accommodation capacity required for each inmate is laid down. Owing to non-observance of this rule, a massive over-crowding of this jail is seen.

Further, Rule 284 of the 'Rules for Management of Jails in Assam' contained in 'Assam Jail Rules' Part III made under the Prisoners Act, 1894, (**Annexure 'E'**), provides for the dimensions of the bed allotted to each inmate. The fact that the vast majority of the inmates are forced to occupy the space below the bed of another inmate and to sleep on the ground, is a **grave violation of human rights of such inmate.**

The number of inmates, the dimension of the wards and the authorized capacity of each ward is detailed below:

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Wards	L	B	Sq. Ft	UTPs	Convicts	Tot.	Authorised Capacity
I	57 ft	17 ft	969	76	03	79	27
II	34 ft	17 ft	578	44	0	44	16
III	32 ft	17 ft	544	0	21	21	16
IV	12 ft	17 ft	204	19	01	20	6
V	66 ft	17 ft	1122	01	02	03	31
VI	25 ft	16 ft	400	78	04	82	11
VII	54 ft	27 ft	1458	49	04	53	40
Kitchen	25 ft	16 ft		65	05	70	
Hospital	44 ft	19 ft	836	14	08	22	15
Female G Floor	45 ft	29 ft		07	-	07	15
1 <sup>st</sup> Fl	21 ft	16 ft					
2 <sup>nd</sup> Fl	14 ft	16 ft					
High Security	27 ft	29 ft		04	-	04	
1 <sup>st</sup> Fl	17 ft	29 ft					
2 <sup>nd</sup> Fl							
Total ...				357	48	405	177

**6. Sanitation:** The overall sanitary condition in the jail premises is satisfactory. The Female Ward, with only 7 female inmates, is far cleaner than the rest of the area with 398 male inmates. The Jailer pointed out a much-needed drain constructed recently which has kept the campus of the jail clean inside the wards. However, proper cleanliness cannot be maintained owing to the sheer overcrowding. Also, there are only two sweepers for the entire jail complex. This is considered to be vastly inadequate for the large number of inmates, the number of wards and for the administrative block.

**7. Food and Kitchen:** There is a cook shed for all the male inmates of the jail. Besides the two cooks, one UTP and 2 Convicts help in the daily cooking of food. The cooking facility for female inmates is located within the female ward complex. There is cooking gas available here.

**8. Clothing and Bedding:** There are no uniforms for the 48 convicts who are supposed to wear a convict's uniforms as per Rule 235 of the 'Rules for Management of Jails in Assam' contained in 'Assam Jail Rules' Part III made under the Prisoners Act, 1894, (**Annexure 'F'**). Also, mosquito nets are not provided by the jail authorities. The mattress given to the inmates, who sleep below the beds of other inmates, appears to be in dire need of replacement.

**9. Education:** The Jailer, Shri Union Kyndiah, has done a good job by starting an Adult Literacy Programme since his joining here in Shillong Jail in the year 2012. Three convicts have taken it upon themselves to teach the illiterate, but willing inmates, Khasi, English and Hindi. Classes are held from 1 pm till 3 pm. In the Khasi section, there are 18 students while other 20 inmates attend the English and Hindi Sections. A letter was written to the District Coordinator, Sarva Shiksha

Abhiyan on November 7, 2013. However, the SSA has not responded till date. A photocopy of the letter is at **Annexure 'G'**.

**10. Prison Industries:** In the female ward there are 8 sewing machines. Unfortunately, 6 of them are out of order. While interacting with the female inmates they expressed a desire to learn sewing but as there were no teachers, there was no one who could teach them. As such, even the two operational sewing machines are lying idle.

In the male section, the carpentry unit is **doing well** as there is an instructor available. As such, good pieces of furniture are being produced by this unit. I was informed that orders are received from outside the prison for custom-built furniture. Weaving with plastic cane is also being done. The hot-house, with plenty of plants, is also available. A photo copy of a letter written by the Superintendent, District Jail, Shillong to the Industrial Training Institute, Shillong is at **Annexure 'H'**.

**11. Interviews:** This facility is granted everyday to the inmates, except Sunday and holidays. The timings are from 12 noon to 3 pm with limit time of 10 mins. per inmate. Each inmate is allowed a visitor once a week. The place for this interview can accommodate 4 inmates at a time. For the female inmates, a separate interview area has been earmarked.

**12. Correctional programme:** There are no Counsellors in this District Jail. However, NGOs like Kripa Foundation, Impulse NGO Network, Meghalaya Aids Control Society as well as a number of religious bodies, visit the jail quite often. A chart showing their allotted date and time, is at **Annexure 'I'**.

**13. Recreational Activities:** Indoor and outdoor games like chess, ludo, carom, volley-ball, are available for both male and female inmates. Some musical instruments, like guitars, are also available.

**14. Health and Hospital:** Dr. Tynghshainlang Wallang, the Senior Medical and Health Officer, along with a pharmacist, are available in the jail premises. Also, there are 2 medical attendants and 3 convict helpers for the 22 sick inmates in the hospital wards. The Doctor felt handicapped by the lack of female medical attendant and a female nurse to help him treat the female inmates of the jail. Free medicines are provided by the National Rural Health Mission (NRHM) and by the Director Health Services (DHS). Those medicines which were not available either with the NRHM or the DHS, are bought from Government-approved firms in the open market.

**15. Remission:** Remission is practised in the jail as per the norms contained in **Annexure 'J'**. In 2013, one convict by the name Yobin, was granted remission. This year, two convicts, namely, Salman Makhroh and Albest Mylliempdah, were granted remission in their sentences.

**16. Leave and Parole:** This is being practiced here.

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17. **Pre-mature Release:** There are two convict in Shillong Jail who deserve to be released pre-maturely. Life convict, Shri. Himson Shira was arrested on 11/4/1998 and sentenced to life imprisonment. He completed 14 years of his sentence on 10/4/2012. He completes 20 years of his sentence on 10/4/2018. He was not granted any remission as he was not assigned any work owing to his mental health. He was admitted to Meghalaya Institute of Mental Health and Neurological Sciences (MIMHANS) Shillong on three occasions, that is, on 22/09/2005, 01/03/2007 and 10/07/2007. His case is placed at **Annexure 'K'**.

Similarly, Shri. Anil Basumatry was convicted on 14/09/2006 and sentenced to life imprisonment. His due date for release is 08/09/2024. However, he has been diagnosed with complete blindness and is a fit case for pre-mature release. His case is placed at **Annexure 'L'**.

18. **Status of Investigation and Trial pending against UTPs:**

There are 187 inmates who are incarcerated in Shillong Jail, whose cases are under investigation by the police at the police station level. Some of these cases are 3 years old. The details are:

<u>Year</u>	<u>No. of cases</u>
2012	04
2013	43
2014	140
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Tot:	187

There appears to be a strong need to appeal to the Magistrates concerned to release those inmates who are behind bars for over 60 or 90 days as per provisions of 167 CrPC. This would not only look after the human rights of these inmates but would also de-congest this jail.

19. **Appeal:** Only one case from this jail is pending in the Supreme Court. This refers to a father-son team of Shri. Dwik Lyngdoh and Shri. Santibok Kharnaair. Their advocate has moved their joint appeal in 2012 in respect of FTC (S25/2006) u/s 302/34 IPC.

20. **Legal aids for inmates:** Almost all the inmates who interacted with me complained that the advocates assigned to them by the Meghalaya State Legal Services Authority (MSLSA) did not meet them. This is a **gross human rights violation** as these indigent inmates have no one else to turn to for legal redress of their grievances.

21. **Board of Visitors:** The Board of Visitors for the 4 Jails of Meghalaya was notified by the Government on July 24, 2012. Though they are to visit to the Jail every quarter, there is no record to show that they have visited the Jail. Similarly, the Under Trial Review Committee, notified by


the Government on March 9, 2012 for the 4 District Jails, does not appear to meet at all. Photo copy of this Notification is at **Annexure 'M'**.

**22. Departmental Inspections:** The Inspection Register has been mixed up with the Visitor's Book. Rule 11 and Rule 12 of the 'Rules for Management of Jails in Assam', contained in 'Assam Jail Rules' Part III made under the Prisoners Act, 1894, contain instructions regarding Inspections of jails by the Inspector-General and its transmission to the Superintendent of the concerned jail (**Annexure 'N'**).

**23. Interaction with inmates:** Most of the inmates I interacted with had just one complaint – their appointed advocates hardly met them.

**24. Summary and Recommendations:**

1. The inhuman living conditions of the inmates, owing to the massive over-crowding in this jail, are a cause for serious concern and a gross human rights violation. Besides bringing this to the notice of the Government and of the Courts, perhaps bunker-type beds, as in train compartments of II and III-tiers, may be thought of. As there is a vibrant carpentry unit available here, perhaps, bunker-type beds (top, middle, lower) may be made in the carpentry section and brought into the wards.
2. The jails under construction at Nongpoh and at Nongstoin may be expedited to de-congest this jail.
3. The services of the 23-odd warders may be clearly defined. It may affect the security of the jail if almost half the warders are not regular employees.
4. Convicts may be issued their proper uniforms. This applies to the jail staff also, as all of them are without any uniform.
5. Some basic books are required for those convicts who have volunteered to teach the other inmates of the jail.
6. Vacancies of the Asst. Jailor, Craft Instructor and that of a Cook, may be filled up as early as possible.
7. There is also a need for female medical attendants and of a female nurse here. The sewing machines may be repaired and a sewing instructor thought of.
8. A post of a Counsellor may be created as the inmates have no one to counsel them.

  
10/04/2014  
(Shri. A. Pradhan) IPS (Retd.)  
Special Rapporteur, NE Zone  
National Human Rights Commission

STRENGTH OF STAFF OF DISTRICT JAIL: SHILLONG AS ON MARCH 2014.

Sl. No.	Designation	Sanctioned strength	Actual Staff Strength
01.	Superintendent	01	01
02.	S.M.& H.O.	01	01
03.	Jailer	01	01
04.	Assistant Jailer	02	01
05.	Head Warder	04	04
06.	Warder (Male)	46	46
07.	Warder (Female)	03	03
08.	Upper Division Asstt.	01	01
09.	Lower Division Asstt.	01	01
10.	Pharmacist	01	01
11.	Craft Instructor	01	NIL
12.	Carpentry Instructor	01	01
13.	Plumber cum Electrician	01	01
14.	Driver	02	02
15.	Barber	01	01
16.	Sweeper	02	02
17.	Cleaner	01	01
18.	Medical Attendant	02	02
19.	Cooks	03	02
20.	Havildar (Arm Branch)	01	01
21.	Naiks ( Arm Branch)	07	08
	Total :-	<b>83</b>	<b>81</b>



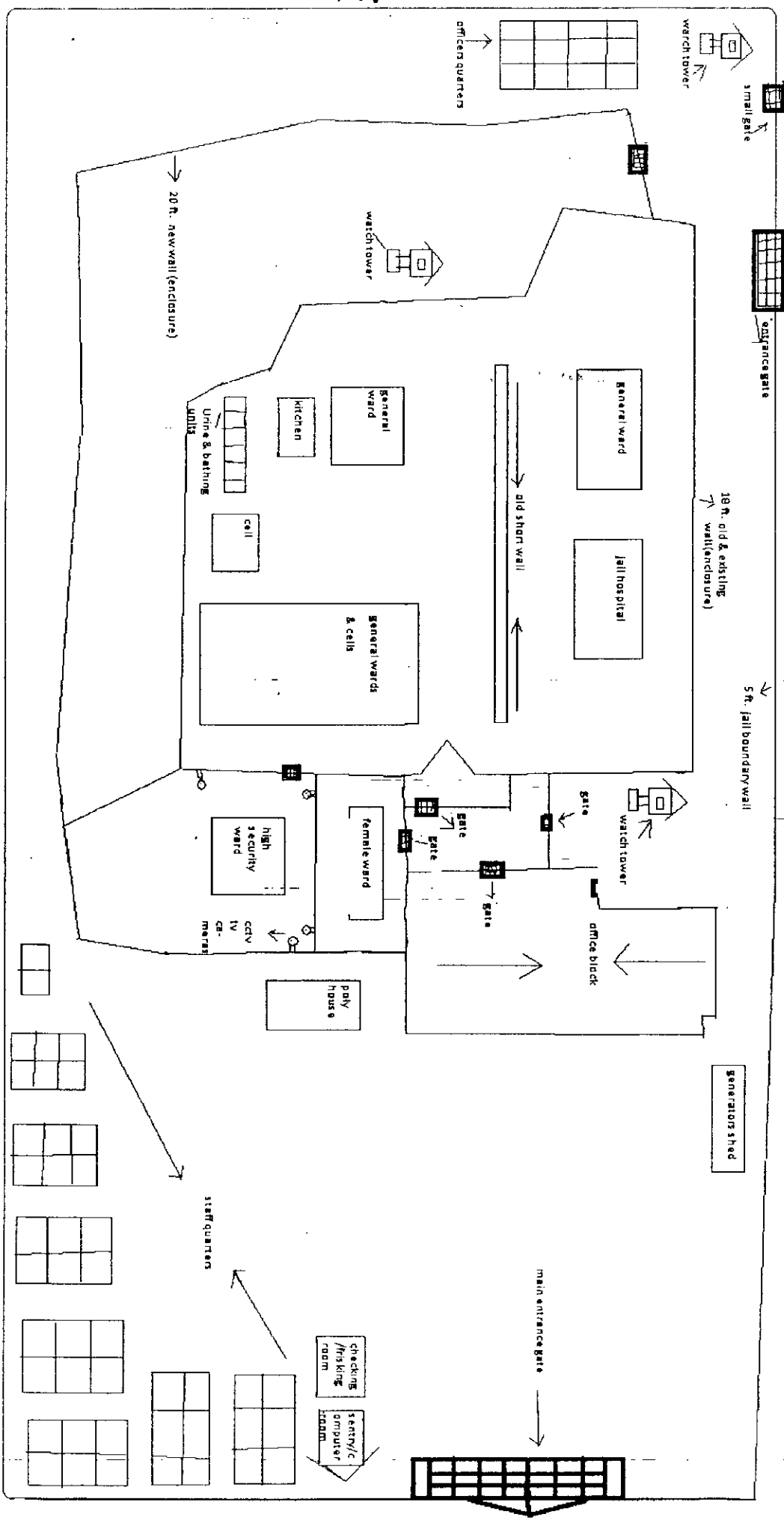
**LIST OF PERMANENT STAFF ::DISTRICT JAIL::SHILLONG**

Sl. No.	Name of incumbent	Designation
01	Shri. B. Mawlong MCS	Superintendent
02	Shri. Union Kyndiah	Jailor
03	Shri. Texster D. Marak	Asstt. jailor
04	Dr. T. Wahlang	Sr. M & H.O
05	Smti. Bina Sangma	UDA
06	Smti. Wanelangmon Pyrbot	UDA
07	Shri. Ramnaresh Singh	Head Warder
08	Shri. Bathskhem L. Marhillong	-do-
09	Shri. Benjamin Lyngdoh	-do-
10	Shri. Ramjee Upadhya	Warder
11	Shri. Sanjay Kr Singh	-do-
12	Shri. Ferdinand Lyngdoh	-do-
13	Shri. Bal Shabhong	-do-
14	Shri. Genesis Diengdoh	-do-
15	Shri. Avtar Singh	-do-
16	Shri. Purno Sangma	-do-
17	Shri. Bathjingthon Marak	-do-
18	Shri. Dominic Warjri	-do-
19	Shri. Gilbert Jyrwa	-do-
20	Shri. Lamphrang Lyngdoh	-do-
21	Shri. Mongol Singh	-do-
22	Shri. Ociwell Majaw	-do-
23	Shri. Tun Tun Tiwari	-do-
24	Shri. Hiranya Kr. Das	-do-
25	Shri. Kenneth Laitthma	-do-
26	Shri. Raju Sunar	-do-
27	Shri. Julius Sohtun	-do-
28	Smti Cicilia Sohtun	Female H. Warder
29	Smti. Anita Wahlang	F. Warder
30	Smti. Bibaline Marak	-do-
31	Shri. Field Marshall	Carpentry Inst.
32	Shri. Banri Marwein	Medl. Attd.
33	Shri. John Lyttan	-do-
34	Shri. Banpynshai Nongsiej	Pharmacist
35	Shri. Bankitdor Nongrum	Electrician - cum - Plumber
36	Shri. Augustine Kurbah	Driver
37	Shri. Bestwell Khyriem	-do-
38	Shri. Mukesh Balmiki	Sweeper
39	Smti. Indu Devi	-do-
40	Smt Kulwant Kaur	-do-
41	Smti. Jovial M. Sun	Cook
42	Shri. Teiboklang Syiemlich	Cook
43	Shri. Surajnath Thakur	Barber
44	Shri. Robust Shadap	Havilder (AB)

45	Shri. Sandip Sinha	Naik
46	Shri. Heipormie Lyngdoh	Naik
47	Shri. Rius Suting	-do-
48	Shri. Henry Rangslang	-do-
49	Shri. Santosh Thakur	-do-
50	Shri. Pyrkhatlang Marngar	-do-
51	Shri. Dewin Momin	-do-
52	Shri. Straparlin Warbah	-do-

**LIST OF OFFICIATING STAFF::DISTRICT JAIL, SHILLONG**

SL. No.	Name of Officiating Warders	Designation	Date of first Appointment
01	Shri. Bantielang Nongsiej	Officiating warden	30-09-2012
02	Shri. Andrew Jackson Kshir	-do-	29-09-2012
03	Shri. Mathias Mawrie	-do-	29-09-2012
04	Shri. Charles Tariang	-do-	11-10-2012
05	Shri. John Paul Lyngdoh	-do-	01-12-2012
06	Shri. Killson Marak	-do-	26-10-2012
07	Shri. Rikermiki Myrchiang	-do-	15-01-2013
08	Shri. Jonhn Starwell Nongrum	-do-	01-12-2012
09	Shri. Herickson Nongrum	-do-	12-07-2013
10	Shri. Kedarwood Buhphang	-do-	04-09-2012
11	Shri. Ram Chandra Rabha	-do-	23-12-2012
12	Shri. Wanlambok Shullai	-do-	04-09-2012
13	Shri. Phrangngi Kyndiah	-do-	28-11-2012
14	Shri. Balajied Kharmalki	-do-	23-11-2012
15	Shri. Edminson Jeten	-do-	10-06-2013
16	Shri. Donborlang Mutyent	-do-	12-01-2013
17	Shri. Skhembor Synrem	-do-	26-01-2013
18	Shri. Kitdor Arthur Kharnaio	-do-	12-07-2013
19	Shri. Bhakta Prallad Das	-do-	12-07-2013
20	Shri. Lodikya Lyngkhai	-do-	16-07-2013
21	Shri. Rupam Kuri	-do-	16-07-2013
22	Shri. Luckystar Kharbudnah	-do-	16-07-2013
23	Shri. Damangki Pde	-do-	21-09-2011



Extract of Rule 701 of the 'Rules for Management of Jails in Assam'  
contained in 'Assam Jail Rules' Part III made under the Prisoners  
Act, 1894

S. 7.

## ANNEXURE 'D'

Rule 701. **Accommodation capacity.** The accommodation capacity of sleeping wards, cell and other buildings intended for the occupation of prisoners shall be calculated in accordance with the following table:

	Superficial area per prisoner Square feet	Cubic capacity per prisoner Cubic feet
Wards	36	540
Cells	75	1,000
Hospital	54	900

Extract of Rules 284 of the 'Rules for Management of Jails in Assam' contained in 'Assam Jail Rules' Part III made under the Prisoners Act, 1894

**ANNEXURE 'E'**

Rule 284. **Provision of sleeping berths.** Every prisoner, except an epileptic prisoner, shall, in upper as in lower-storeyed buildings, have a raised berth assigned to him in his proper ward or cell at least 18 inches in height, 6 feet long and 2 feet broad, to make certain that each prisoner sleeps in a separate bed, and does not touch any other prisoner; and the head of one berth shall be opposite the foot of that next to it. The number of berth in each ward shall be, in accordance with its capacity, calculated on the scale prescribed in Chapter XXXVII. No explicit rule can be laid down as to the character of raised berths, as the character, of the ward, the nature of the soil and atmosphere, etc., must be considered.

In wards the berths shall be numbered and to each prisoner shall be allotted a particular berth which he shall not be allowed to change and which he shall not leave without the permission of the night watchman on duty, and then only to use the latrine.

Extract of Rules 235 of the 'Rules for Management of Jails in Assam' contained in 'Assam Jail Rules' Part III made under the Prisoners Act, 1894

ANNEXURE 'F'

Rule 235. **Clothing for Convicts.** Every prisoner sentenced to rigorous imprisonment shall be provided with jail clothing according to the scale laid down in Chapter XXII.

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GOVERNMENT OF MEGHALAYA.  
OFFICE OF THE SUPERINTENDENT:.....DISTRICT JAIL:.....SHILLONG.

No.DJS.93/2013/47,

Dated Shillong, the 7<sup>th</sup> November 2013

From : The Superintendent,  
District Jail, Shillong.

To : The District Co-Ordinator,  
SSA,  
O/o. the Deputy Commissioner,  
East Khasi Hills, Shillong.

Sub : Providing of Reading Materials.

Sir/Madam,

I have the honour to request you, kindly to provide this Jail with the following reading materials for the Adult Education programme to be started for the Inmates incarcerated in this Jail.

Sl.No.	Name of materials	Qty. reqd.
1.	Adult & Non-formal Education	As per convenient for 50 Inmates
2.	Adolescence & Adolescence Education	-do-

It may also be stated that at present 2(Two) Inmates has been selected from among Literate Inmates as Teachers in the programme but if possible 1(One) primary teacher also may kindly be provided for the aforesaid purpose above from your end.

This is for favour of your kind information please.

Yours faithfully,



(A.C.Baruah)  
Superintendent,  
District Jail, Shillong.

*J.C.*

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GOVERNMENT OF MEGHALAYA.

OFFICE OF THE SUPERINTENDENT:.....DISTRICT JAIL:.....SHILLONG.

No.DJS.93/2013/89,

Dated Shillong, the 9<sup>th</sup> January 2014.

From : The Superintendent,  
District Jail, Shillong.

To : The Principal,  
ITI, Rynjah, Shillong.

Sub : Vocational training for the Inmates.

Sir,

Kindly find herewith a copy of WT Message No.PRI.13/2011/125, Dtd. 8.1.2014 from the Director General of Prisons, Meghalaya, which is self explanatory; for favour of your kind ready reference.

In this connection, I am to request you, kindly to provide this Jail with assistance available in your Institute, so as to impart Vocational training to the potential/eligible trainees(Inmates) confined in this Jail.

Your early action and kind co-operation in this respect will be highly appreciated and the same will go a long way towards achieving the goal of reforming the Inmates of this Jail.

Yours faithfully,



(A.C.Baruah)  
Superintendent,  
District Jail, Shillong.

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**CHART/LIST OF VISITORS FROM DIFFERENT DENOMINATIONS/NGOs. ETC TO DISTRICT JAIL, SHILLONG**

	Days	From	To		No. of visitors	Mob No.
1 <sup>st</sup> WEEK	Monday	-	-	KRIPA foundation	4- male 2-female	-
	Tuesday	11:00AM	12:30PM	Jingiaseng Kynthei, KJP Synod Sepngi	4-male 2-female	98620-10568 0364-2229276
	Wednesday	1:30 PM	2:30PM	Faith in Christ Ministry	4-male 2-female	0364-2225788
	Thursday	11:00AM	12:30PM	Jingiaseng Kynthei Laitumkhrah Meghalaya AIDS control Society	4-male 2-female	98630-97423
	Friday	1:30PM 2:00PM	2:30PM 3:00PM	Repentance of Soul Ministry	4-male 2-female	0364-2500289
	Saturday	11:00Am	12:30PM	Jaiaw Presbyterian Church	4-male 2-female	-
	Sunday	-	-	-	-	-
2 <sup>nd</sup> Week	Monday	-	-	-	-	-
	Tuesday	11:00AM	12:30PM	Jingiaseng Kynthei KJP Synod Sepngi	-	-
	Wednesday	11:00AM	12:30PM			
	Thursday	-	-	Jingiaseng Kynthei Laitumkhrah		
	Friday	2:00PM	3:00PM	Repentance of Soul Ministry	4-male 2-female	0364-2500289
	Saturday	11:00AM	12:30PM	Jaiaw Presbyterian Church	-	-
	Sunday	-	-	-	-	-

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	Days	From	To		No. of visitors	Mob No.
3 <sup>rd</sup> week	Monday	11:30AM	12:00PM	KJP Synod Sepngi	4-male 2-female	-
	Tuesday	-	-	-	-	-
	Wednesday	11:00AM	12:30PM	Impulse NGO Network	4-male 2-female	96124-38637
	Thursday	1:30PM	2:30PM	Meghalaya AIDS Control Society Jingiaseng Kynthei Laitumkhrah		98630-97423
	Friday	2:00PM	3:00PM	Repentance of Soul Ministry	-	-
	Saturday	11:00AM	12:30PM	Jaiaw Prebyterian Church	-	-
	Sunday	-	-	-	-	-
4 <sup>th</sup> week	Monday	11:00AM	12:30PM	KRIPA Foundation	4-male 2-female	
	Tuesday	11:00AM	12:30PM	Jingiaseng Kynthei KJP Synod Sepngi	-	98620-10568 0364-2229276
	Wednesday	-	-	-	-	-
	Thursday	11:00AM	12:30PM	Meghalaya AIDS Control Society Jingiaseng Kynthei Laitumkhrah	-	98630-97423
	Friday	2:00PM	3:00PM	Repentance of Soul Ministry	4-male 2-female	0364-2500289
	Saturday	11:00AM	12:30	Jaiaw Presbyterian Church	-	-
	Sunday					

S <sup>th</sup> week	Monday	-	-	-	-	-
	Tuesday	11:00Am	12:30PM	Jingiaseng Kynthei KJP Synod Sepngi	4-male 2-female	-
Wednesday	-	-	-	-	-	-
Thursday	-	-	-	-	-	-
Friday	-	-	-	-	-	-
Saturday	-	-	-	-	-	-
Sunday	-	-	-	-	-	-

Form No. 15D.

[Approved in letter No. 5076, d. 27-10-08.]

### ABSTRACT OF REMISSION RULES.

#### I.—ORDINARY REMISSION.

1. Government has ordered that all eligible prisoners who behave themselves and perform their task shall be granted remission of sentence, as follows:—

To ordinary prisoners	...	4 days' remission in every month.
To Convict Night Watchmen	...	5 days' " " "
To Convict Overseers	...	6 days' " " "
To Convict Warders	...	8 days' " " "

2. Prisoners who work on Sundays and holidays may be awarded any extra 3 days' remission in each quarter.

3. But no ordinary remission will be granted for the month in which a prisoner is admitted to, or released from, jail.

4. Any prisoner who does no work for one calendar month will be eligible for only two days' remission for that month.

5. Every prisoner who is not punished for a prison offence for one whole year from the 1st day of the month following the date of his sentence or the date on which he was last punished for a prison offence, shall be awarded 15 days' remission in addition to any other remission earned.

#### II.—SPECIAL REMISSION.

6. Special remission may be awarded for special services, as for example:—

- (1) Assisting in detecting or preventing breaches of prison discipline or regulations;
- (2) Success in teaching handicrafts.
- (3) Special excellence in, or greatly increased output of, work of good quality;
- (4) Protecting an officer of the prison from attack;
- (5) Assisting an officer of the prison in the case of outbreak, fire or similar emergency;
- (6) Economy in wearing clothes.

7. 30 days' remission is equal to one month's remission.

[Copies of this form are to be exposed for general information in wards, workshops, and other places.]

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GOVERNMENT OF MEGHALAYA.  
OFFICE OF THE SUPERINTENDENT:::DISTRICT JAIL:::SHILLONG.

---

No.DJS.22/2007/Pt.I/67,

Dated Shillong, the 4<sup>th</sup> September 2013.

From : The Superintendent,  
District Jail, Shillong.

To : The Director General of Prisons,  
Meghalaya, Shillong.

Sub : Nominal Roll in respect of Life Convict Shri Himson Shira, S/o.  
Chason Marak of Village Ryngekubah, P.S. Mawsynram, Dist: East  
Khasi Hills, Meghalaya.

Sir,

With reference to the subject cited above, I have the honour to forward herewith a nominal roll(in duplicate) in respect of the above-named Life Convict; for favour of taking necessary action from your end in accordance with Rule 571 of the Assam Jail Manual(as adopted by the State of Meghalaya). The Convictee was not granted any remission as he was not assigned with any kind of labour(light or heavy) owing to his mental health. The Convict was admitted in MIMHANS, Shillong on 3(Three) occasions i.e. on 22.09.2005, 01.03.2007 and 10.07.2007. He was transferred to District Jail, Tura on 12.09.2012 and transferred back to District Jail, Shillong on 20.03.2013 vide D.G. of Prisons's Order No.PRI.30/1999/Vol.II/356, Dtd:08.03.2013.

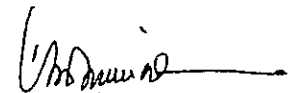
The details of Date of Admission into this Jail(DOA), Date of Conviction(DOC) and Date of Release(DOR) on completion of Sentence are given below.

DOA(as UTP) : 11.04.1998  
DOC : 08.01.2004  
DOR : 10.04.2018(on completion of 20 years and on applying provisions  
of section 428 of C.r.p.c.).  
DOR : 10.04.2012(on completion of 14 years and on applying provisions  
of section 428 of C.r.p.c.).

This is for favour of your kind information and necessary action please.

Encl : Nominal Roll as stated  
above.

Yours faithfully,



(A.C.Baruah)  
Superintendent,  
District Jail, Shillong.

oOo

Form No. 85.  
NOMINAL ROLL OF LIFE CONVICT PRISONERS FOR THE PREMATURE RELEASE FROM DISTRICT JAIL, SHILLONG.

1	2	3	4	5	6	7	8	9	10	11
Register No. of Prisoner and Class	Name of prisoner with father's or husband's name	Age on conviction and sex.	Race, religion, caste.	Residence.	Height, description and other distinguishing marks.	Crime with section of Penal Code.	Sentencing authority.	Sentence.	Remission earned in days. Date of expiration of sentence after deducting remission.	Unexpired period of sentence.
				Village, Police, Thana, District		Date	Nature			
182, Dtd.8.1.2004, Convict	Shri Himson Shira S/o. Chason Marak	34 yrs. , Male	Garo, Christianity, Schedule Tribe	Ryngkubah, Mawsynram P.S., East Khasi Hills	1.62 cm, 54 Kg, Black mole on the (lt) upper eye lid	Murder, U/s. 302 IPC	Judge, Fast Track Court, Shillong	Life Imprison- ment	Y. M. D. Nil	Y. M. D. Nil

NOMINAL ROLL OF LIFE CONVICT PRISONERS FOR THE PREMATURE RELEASE FROM DISTRICT JAIL, SHILLONG.

12	13	14	15	16		17	
Precious occupation and state of education	If appealed result and date "thereof". Whether period for appeal has expired.	Character of Prisoner in Jail.	How often punished.	Health and Weight on admission.	Present health and Weight.	Class of labour on which employed at present-hard, medium or light.	Remarks by Superintendent of Jail.
Labour	Nil	Good	Nil	Healthy, 56 Kg	Old case of Schizophrenia. But now the patient is better but needs regular medication and check up. <sup>Wt</sup> 54 Kg.	Nil	The Convict's conduct has been good during his stay in the Jail and he is fit to be released.

Dated Shillong, the 4<sup>th</sup> Sept. 2013.

*[Signature]*  
Jailor,  
District Jail, Shillong.

*[Signature]*  
Medical Officer,  
Senior Medical & Health Officer  
District Jail, Shillong.

*[Signature]*  
Superintendent,  
District Jail, Shillong.

GOVERNMENT OF MEGHALAYA  
OFFICE OF THE SUPERINTENDENT::DISTRICT JAIL::SHILLONG  
No. DJS. 6/2012/01 Dated Shillong, the 9<sup>th</sup> July, 2012

From The Superintendent,  
District Jail, Shillong.

To The District Magistrate,  
East Khasi Hills, Shillong.

Subject: Released of convict.

Sir,

I have the honour to inform you that convict Shri. Anil Basumatary S/o. Seha Ram Basumatary, hailing Ratanpan, P.s. Merapani, Golaghat, Assam was convicted on 14<sup>th</sup> September, 2006 by the Hon'ble Court of the Session Judge, Shillong in connection with Session Case No. 5/2004 U/s. 364(A)/34 IPC and sentenced to undergo Imprisonment for life and also to pay a fine of Rs. 1000/- only in default of payment of fine to undergo another 1(one) month imprisonment and whereby his date of release will be done on 08.09.2024.

The accused was detected and diagnosed by the then Sr. Medical & Health Officer, Jail Hospital that he was suffering form eye disease and was forwarded to Civil Hospital, Shillong on 17.11.2004 and thereafter to Sankar Dev Nethralaya, Beltola, Guwahati. Medical records in this connection are enclosed herewith for favour of your kind perusal.

In this regard, referring to the provisions of the Assam jail Manual 987 9 adopted by the Govt. of Meghalaya) in Rule 569 under the caption "Release of blind of decrepit convicts (Copy of extract enclosed). I am to request you kindly to examine the case of the said convict and perhaps consider for moving the Government of Meghalaya for his premature release from Jail as to enable him to be under the proper care of his family members.

This is for favour of your kind information and further necessary action please.

Yours faithfully,  
Superintendent,  
District Jail, Shillong.



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GOVERNMENT OF MEGHALAYA  
OFFICE OF THE SUPERINTENDENT, DISTRICT JAIL, SHILLONG

No. DJS.60/2012/89

Dated Shillong, the 4<sup>th</sup> December, 2012

From The Superintendent,  
District Jail, Shillong.

To The District Magistrate,  
East Khasi Hills, Shillong.

Subject: Released of Shri. Anil Basumatary, Convict.

Ref: No. DJS. 6/2012/01 dated 09.07.2012.

Sir,

In continuation to the reference above, I have the honour to request you kindly to examine the case of Shri. Anil Basumatary, Convict, who has been medically examined and declared that both his eyes had been damaged and cannot see anything not even light perception.

In this regard, I am to request you kindly look into the matter for his premature release from Jail as to enable him to be under the proper care of his family members. ( Previous letters along with medical documents enclosed)

This is for favour of your kind information and necessary action.


Encl: As stated.


Memo No. DJS. 60/2012/89-A,

Copy to:-

The Director General of Prisons, Meghalaya, Shillong for favour of kind information necessary action.

Yours faithfully,

  
Superintendent,  
District Jail, Shillong.  
Dated Shillong, the 4<sup>th</sup> Dec/2012.

  
Superintendent,  
District Jail, Shillong.

o/c

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GOVERNMENT OF MEGHALAYA  
OFFICE OF THE DEPUTY COMMISSIONER EAST KHASI HILLS DISTRICT  
SHILLONG

NO. EKL. 20/16/2012/23 /383

Dated Shillong the 20<sup>th</sup> December, 2012.

To,

The Superintendent,  
District Jail, Shillong.

Sub: - Released of Shri. Anil Basumatary, Convict.

Ref: - Your letter No. DJS 60/2012/89 Dated 4. 12. 12.

Sir,

With reference to your letter above, please find enclosed herewith copy of the observation made by the board of visitors in connection with the release of the above convict.

In this regard the said convict was supposed to be taken to NEIGRIHMS for medical examination. I am therefore to request you to kindly furnish the report of the status of the convict's health by the competent Govt. doctor for further necessary action from this end.

*Yours faithfully,*

  
Additional Deputy Commissioner,  
East Khasi Hills District,  
Shillong.

Observations of the Board of Visitors on the visit to District Jail, Shillong on 7<sup>th</sup> September 2012.

The Board of Visitors paid its first visit to the District Jail Premises, Shillong on the 7<sup>th</sup> September 2012. The members who visited the Jail were Shri. S. Goyal, I. A. S. Deputy Commissioner Cum Chairman of the Board of Visitors East Khasi Hills, Shillong, Smti. R. R. Marak, M. C. S. Additional Deputy Commissioner I/C Judicial Branch, Shri. W. H. D. Syngkon, Dr. O. P. Agarwala and Smti. Theilin Phanbuh members of the Board. The Board took a tour of the entire premises and inspected the cells of the inmates, the kitchen, the Jail hospital and interacted with the inmates. The Board made the following observations and suggested some measures accordingly:-

Sl. No	OBSERVATION	SUGGESTION
1.	It was observed that the aqua guards installed were out of order.	The District Jail Warden was suggested to get them repaired at the earliest possible.
2.	During interaction with the inmates it was learnt that the Undertrial Prisoners under the Jurisdiction of the District Council Court were not being produced before the courts regularly.	It was suggested to intimate the Ld. Judge, District Council Courts about the complaint so that he takes necessary action from his end. Accordingly, the Superintendent Jail to take action on the issue.
3.	It was also observed that the utensils of the Jail were in a bad shape.	It was suggested that Inspector General (Prisons) shall be intimated for necessary action from his end. Action:- Superintendent/Warden, District Jail, Shillong.
4.	It was also observed that the jail kitchen was in a bad shape and needed renovation immediately.	It was suggested to intimate Inspector General (Prisons) for necessary action from his end. Action:- Superintendent/Warden, District Jail, Shillong.
5.	The Chairman observed that there were no C. C. T. Vs. installed in the Jail Premises.	It was suggested that the warden should write to the concerned authorities and move for installation of C. C. T. V. Cameras in the Jail Premises. Action:- Superintendent/Warden, District Jail, Shillong

Sl. No

OBSERVATION

SUGGESTION

- 6. Convict, Shri. Anil Basumatary S/O Shri. Seha Ram Basumatary Convict in Sessions C/No. 5/2004 u/s 364 (A)/34 IPC undergoing sentenced of Imprisonment of Life was produced before the Board of Visitors. It was found that the said convict was already blind but there is no certificate from a Govt. Doctor.  
It was suggested to send him to NEIGRHMS Eye Department for opinion from a competent Medical Doctor. Action:- Superintendent/Warden, District Jail, Shillong.
- 7. During inspection of the cells it was found that some inmates were being given the privilege of cooking extra inside the wards/cells and allowed to keep additional cooking items like eggs etc.  
The Chairman instructed the warden not to allow such activities/nor give special treatment to any of the inmates. Action:- Superintendent/Warden, District Jail, Shillong.
- 8. It was also found that music system were being used by individual prisoners.  
The Chairman instructed that the music systems should not be allowed inside the cells it should be removed forthwith. Action:- Superintendent/Warden, District Jail, Shillong.
- 9. It was observed that some of the watch towers were not manned.  
The Board suggested the Jail Authority to immediately augment the jail security.

No. EKI. 20/16/2012/17.

Copy to:

- (1) Chief Secretary, Govt. of Meghalaya, Shillong for favour of kind information.
- (2) Director General of Police for favour of kind information.
- (3) Director General of Prisons for favour of kind information and necessary action.
- (4) All members present for information

Sd/-  
District Magistrate,  
East Khasi Hills District.  
Dated Shillong, the 21<sup>st</sup> September 2012.

Sd/-  
District Magistrate,  
East Khasi Hills District



No. NEIGR/MS/2013/27

Dated 11<sup>th</sup> January 2013

To

✓ The Superintendent  
District Jail  
Shillong

**Sub:** Eye specialist opinion in respect of Shri. Anil Basumatary, s/o (L) S.R. Basumatary, Convict

**Ref:** Letter No. DJS.60/2012/93 dated Shillong, the 7<sup>th</sup> January 2013

Sir,

With reference to the subject mentioned-above, kindly find the Medical opinion from the In-Charge, Department of Ophthalmology, NEIGRIHMS, Shillong for your information.

Yours faithfully

(Prof. A.C. Phukan)  
Medical Superintendent  
NEIGRIHMS, Shillong

Copy to:

1. P.A. to the Director, NEIGRIHMS for information.
2. Dr. T. Natung, Asst. Professor, Department of Ophthalmology, NEIGRIHMS for information.
3. The Medical Record Officer, NEIGRIHMS for information.
4. The Security Officer, NEIGRIHMS for information.
5. Office File.

Medical Superintendent  
NEIGRIHMS, Shillong



**NORTH EASTERN INDIRA GANDHI REGIONAL INSTITUTE OF HEALTH & MEDICAL SCIENCES**

(An autonomous Institute, Ministry of Health and Family Welfare, Government of India)

Mawdiangdiang, Shillong-793018, Meghalaya

DEPARTMENT OF OPHTHALMOLOGY

[www.neigrihms.nic.in](http://www.neigrihms.nic.in)

Ph. No. (0364-253305)

**TO WHOM SO EVER IT MAY CONCERN**

This is to certify that this patient Mr. Anil Basumatry, Age 40 years, Male, Cr. No 309848 presented to Ophthalmology OPD on 7<sup>th</sup> January, 2013 with the complaints of No Vision in both eyes for the past 2 years. He had poor vision in both eyes for around 7 years. There is history of Vitreo-Retinal surgery of Right Eye in 2005 (no details available). Records of Bawri Nethralaya and Civil Hospital, Shillong show blindness of both eyes.

**On examination:-**

Vision: PL Negative in both eyes

**Anterior Segments:**

Right Eye: Hazy cornea with multiple bullae (Bullae keratopathy)

Left Eye: Severe Corneal vascularisation in 4 quadrants.

Iris details: Hazy in both eyes

Digital Tonometry: Very high in both eyes (stony hard).

IOP Right Eye: 60mmHg, Left Eye: 50mmHg (as noted by applanation tonometry)

**Fundus:**

Right eye- media hazy, retinal laser scars present, total cupping of disc seen


Left Eye -No glow

**Impression:**

Right eye: Operated vitreo retinal surgery with end-stage glaucoma with total blindness

Left eye: Neovascular glaucoma with total blindness.

Dated Shillong the 08<sup>th</sup> Jan. '13.

  
08/01/13  
Dr. T. Natung  
Assistant Professor & I/C  
Department of Ophthalmology  
NEIGRIHMS

GOVERNMENT OF MEGHALAYA  
OFFICE OF THE SUPERINTENDENT::DISTRICT JAIL::SHILLONG

NO. DJS. 60/2012/98

Dated Shillong, the 5<sup>th</sup> April, 2013

From The Superintendent,  
District Jail, Shillong.

To The District Magistrate,  
East Khasi Hills, Shillong.

Subject: Pre-mature release of Anil Basumatary (a life convict), undergoing imprisonment  
in the District Jail, Shillong.

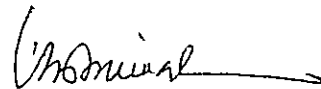
Ref: This office letter No. DJS.60/2012/94 dated 18.01.2013.

Sir,

In inviting a reference to the above-mentioned letter and its enclosures, I have the honour to forward herewith a prescribed proforma (duly filled in), for favour of recording your comments/remarks/opinion etc (to be recorded on the proforma in the space provided there) and to return the same to this office when done away with, for further necessary action from this end.

Encl: As stated.

Yours faithfully,



( A. C. Baruah )  
Superintendent,

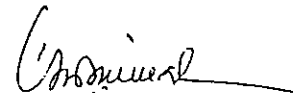
District Jail, Shillong.

Dated Shillong, the 5<sup>th</sup> April, 2013

Memo No. DJS. 60/2012/98-A,

Copy to:-

The Director General of Prisons, Meghalaya, Shillong for favour of his present information.



Superintendent,  
District Jail, Shillong.

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223.4  
For N/A P:  
-110  
01.11.13

**GOVERNMENT OF MEGHALAYA**  
**OFFICE OF THE INSPECTOR GENERAL OF PRISONS,**  
**MEGHALAYA, SHILLONG**  
\*\*\*\*\*

No.PRI.28/2003/293

Dt. Shillong, the 21<sup>st</sup> Oct., 2013

To : The Superintendent,  
District Jail, Shillong.

Sub : Premature release of life convict Anil Basumatary.

Enclosed please find herewith letter No.PDS.64/2010/94 dtd. 24.10.2013 and to kindly get the concurrence of a court which convicted the person.



*[Handwritten Signature]*  
Asstt. Inspector General of Prisons,  
Meghalaya, Shillong.





**GOVERNMENT OF MEGHALAYA  
PRISONS DEPARTMENT**

No. PDS. 64/2010/94

Dated Shillong the 24<sup>th</sup> October, 2013.

**From:** Smti B. Ch. Sangma,  
Under Secretary to the Govt. of Meghalaya,  
Prisons Department.

**To,** The Director General of Prisons,  
Meghalaya, Shillong.

**Subject:** Premature release of life convict Anil Basumatary

**Reference:** No. PRI. 28/2003/270, dated 30.8.2013.

Sir,

With reference to your letter on the above cited subject, I am directed to request you to kindly get the concurrence of a Court which convicted the person.

This has the approval of the Competent Authority.

Yours faithfully

Under Secretary to the Govt. of Meghalaya  
Prisons Department

*to instruct the Special Magistrate*  
*AK*

*Dist. J.C.*  
*Pls. pln. to be done*  
*27/10/13*

GOVERNMENT OF MEGHALAYA.  
OFFICE OF THE SUPERINTENDENT:.....DISTRICT JAIL:.....SHILLONG.

Dated Shillong, the 8<sup>th</sup> January 2014.

No.DJS.60/2012/110 ,

From : The Superintendent,  
District Jail, Shillong.

To : The Hon'ble Court of the District & Session Judge,  
East Khāsi Hills, Shillong.

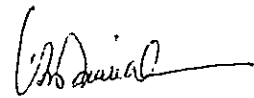
Sub : Premature-release of Life Convict Shri Anil Basumatary,  
(Convictee in Session Case No.5/2004 U/s. 364(A)/34 IPC.

Ref : This Officer letter No.DJS.60/2012/109, Dtd.1.11.2013.

Sir/Madam,

In inviting a reference to the above, I have the honour to request you, kindly to lend the required concurrence of your Hon'ble Court to facilitate the proposed premature release of the Life:

Yours faithfully,



(A.C.Baruah)  
Superintendent,  
District Jail, Shillong.

GOVERNMENT OF MEGHALAYA  
PRISONS DEPARTMENT

NOTIFICATION

Dated Shillong , the 24<sup>th</sup> July, 2012

No. PDS.62/2011/21 : The Governor of Meghalaya is pleased to constitute a Board of Visitors to the District Jails in Meghalaya with effect from ~~the date of issue~~ of this Notification for a period of 2 (two) years. The Board shall consist of the following members:-

1. East Khasi Hills, Shillong

- Chairman - District Magistrate , East Khasi Hills  
Members - 1. Shri W.H.D.Syngkon. Senior Advocate ,  
Mawkhar Main Road, Shillong 793001  
2. Dr. O.P.Agarwala,  
Opposite Pine Mount School, Shillong  
3. Smti C.Lamin, (Retired Govt. Employee)  
Mawlai Nonglum, Shillong 793008  
4. Smti Theilin Phanbuh, President,  
Lympung Ki Seng Kynthai,  
Lachumiere, Shillong

2. Jaintia Hills, Jowai

- Chairman - District Magistrate, Jaintia Hills  
Members - 1. Dr. J.N.Shullai, Project Director of  
Mihmyntdu Social Welfare Association, Mission Compound  
2. Rev. Fr. Ferdinand Dkhar ,  
Director of Jaintia Hills Development Society  
3. Shri C.Rymbai,  
Dolloi , Jowai  
4. Shri C.S.Kyndiah,  
Advocate of Jowai Bar Association

3. West Garo Hills, Tura

- Chairman - District Magistrate West Garo Hills  
Members - 1. Shri Bentinck M. Sangma, Retd. Joint Director,  
Soil & Water Conservation , Lower Wadanang, Tura  
2. Shri Ashutosh Sil, Retd J.P Tura D C Office, Tura  
3. Smti Presilda P. Marak, Retd H.A, DHO Tura,  
C/o Hawakhana Baptist Church, Tura  
4. Shri Jillyn Ridge K. Marak  
Akhongiri , P.O.Tura

Jain  
P.

13/7/12

4. East Garo Hills, Williamnagar

Chairman - District Magistrate East Garo Hills

Members - 1. Shri M.N. Marak, MLA,

Williamnagar

2. Smti G.T.R. Marak,

Member Immoral Trafficking of Women &amp; Children,

Williamnagar

3. Shri M.D. Sangma, Ex-Chairman

Williamnagar municipal Board

4. Smti L.W. Momin

President Women's Federation

Williamnagar

The functions and powers of the Board of Visitors are as follow:-

1. The Board of visitors shall pay a joint visit of inspection to the Jail, every quarter. At each quarterly meeting of the Board, The Chairman shall draw up a roster of visits to be paid by each visitor during the next three months. This roster should ordinarily be drawn up so as to provide for fortnightly visits, but if any Board expresses a desire for weekly visits the Chairman should arrange accordingly. Save in exceptional circumstances, visitors shall not visit the jail after lock up or Sundays. Visitors shall not ordinarily visit the jail on jail holidays but if considered necessary permission to do so may be accorded at the discretion of the jail Superintendent.
2. It is the duty of the visitor to satisfy himself that the law and rules regarding the management of prisons and prisoners are duly carried out in the jail, to visit all parts of the jail and to see all prisoners and to hear and enquire into any complaint that any prisoner may make.
3. A visitor may call for and inspect any book or other record in the jail, provided that the Superintendent may decline to produce any book, paper or record for inspection if, for reasons to be recorded in writing, he considers such production undesirable.
4. The Board of visitors shall meet at the Jail, inspect all building and prisoners, hear any complaints and petitions that may be preferred, inspect the prisoner's foods and see it is of good quality and properly cooked, examine the punishment book and satisfy themselves that it is up to date and that punishments awarded are in accordance with the rule, and scrutinize any case of long detention of under trial prisoners.

Principal Secretary to the Govt. of Meghalaya  
 @ Prisons Department

Memo No. PDS. 62/2011/21-A

Dated Shillong the 24<sup>th</sup> July 2012

Copy forwarded to :-

1. All Members
2. Director General of Prisons, Meghalaya, Shillong
3. Director of Printing & Stationery, Meghalaya for publication in the next issue of the Gazette.
4. Superintendent, District Jails, Shillong/Jowai/Tura/Williamnagar

By order etc.,



Under Secretary to the Govt. of Meghalaya  
Prisons Department

GOVERNMENT OF MEGHALAYA  
PRISONS DEPARTMENT

NOTIFICATION

Dated Shillong, the 9<sup>th</sup> March, 2012

No. PDS. 63/2011/12 : The Governor of Meghalaya is please to constitute the Under Trial Prisoners Review Committee in the following District of the State of Meghalaya.

1. East Khasi Hills.

- |   |   |          |
|---|---|----------|
| 1. District & Sessions Judge East Khasi Hills, Shillong | - | Chairman |
| 2. Superintendent of Police East Khasi Hills            | - | Member   |
| 3. Superintendent District Jail, Shillong.              | - | Member   |
| 4. Public Prosecutor East Khasi Hills                   | - | Member   |

2. Jaintia Hills

- |   |   |          |
|---|---|----------|
| 1. District Magistrate Jaintia Hills      | - | Chairman |
| 2. Superintendent of Police Jaintia Hills | - | Member   |
| 3. Superintendent of District Jail, Jowai | - | Member   |
| 4. Public Prosecutor Jaintia Hills        | - | Member   |

3. West Garo Hills

- |   |   |          |
|---|---|----------|
| 1. District Magistrate West Garo Hills      | - | Chairman |
| 2. Superintendent of Police West Garo Hills | - | Member   |
| 3. Superintendent of District Jail, Tura    | - | Member   |
| 4. Public Prosecutor West Garo Hills        | - | Member   |

4. East Garo Hills

- |  |   |          |
|--|---|----------|
| 1. District Magistrate East Garo Hills           | - | Chairman |
| 2. Superintendent of Police East Garo Hills      | - | Member   |
| 3. Superintendent of District Jail, Williamnagar | - | Member   |
| 4. Public Prosecutor East Garo Hills             | - | Member   |

The function of the Under Trial Prisoners Review Committee is as follows:-

- (1) To review every three months the cases of Under Trial Prisoners lodged for more than 3 (three) months in prisons
- (2) To hold regular monthly co-ordination meeting to discuss pending cases of Undertrials for expediting disposal.

The Committee shall come into force with effect from the date of issue of this Notification.

*Sd/-*

( Shri H. Marwein IAS)

Principal Secretary to the Govt. of Meghalaya  
Prisons Department

GOVERNMENT OF MEGHALAYA.  
OFFICE OF THE SUPERINTENDENT:::DISTRICT JAIL:::SHILLONG.

No.DJS.100/2013/02,

Dated Shillong, the 9<sup>th</sup> September 2013.

From : The Superintendent,  
District Jail, Shillong.

To : The Director General of Prisons,  
Meghalaya, Shillong.

Sub : Visits by Board of Visitors.

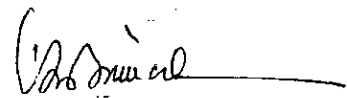
Ref : Your letter No.PRI.83/2006/78, Dtd.05.09.2013.

Sir,

With reference to the above, I have the honour to forward herewith the following information as desired, for favour of your kind information and necessary action please.

1. No. of visits by Board of Visitors to Jail from 01.01.2012 till date - **Thrice**.
2. No. of visits by members of Board of Visitors to Jail from 01.01.2012 till date - **Official is once and Non-Official is 8(Eight)**.

Yours faithfully,



(A.C.Baruah)  
Superintendent,  
District Jail, Shillong.

oOo

7c

Extract of Rules 11 and 12 of the 'Rules for Management of Jails in Assam'  
contained in 'Assam Jail Rules' Part III made under the Prisoners Act, 1894

11. **Inspection of jails by Inspector-General - (1)** He shall inspect all departments of every jail at district headquarters and at Shillong at least once a year and of every jail at sub-divisional headquarters and at Tura, Kohima and Aijal at least once in two years.

(2) During each inspection he shall personally see every prisoner then in confinement in the jail, he shall give every prisoner a reasonable opportunity of making any application or complaint and shall investigate and dispose of such as relate to jail discipline.

(3) He shall inspect the yards, wards, cells, worksheds, and other enclosures, shall examine the garden, enquire into the character of the water-supply, the conservancy arrangements, and the medical administration, shall see the food and ascertain that it is of proper quality and quantity, and generally satisfy himself that the building and premises are in proper order.

(4) He shall inspect all journals, registers and books maintained in every department of the jail, and initial or countersign them in token that he is satisfied that they are maintained in accordance with rules. He shall satisfy himself that the orders of Government regarding the arrangement and periodic destruction of records are observed.

(5) He shall inspect the warder establishment, satisfy himself as to its proficiency in drill and musketry, inspect its arms and accoutrements, and test the ability of each jail officer of the upper subordinate establishment to drill the guard.

12. **Memorandum of inspection to be supplied to Superintendent** - Immediately after the inspection the Inspector-General shall furnish the Superintendent with a memorandum embodying his opinion of the manner in which the jail is administered, the extent to which the officers appear familiar with their duties, together with any suggestions or order for the guidance of the Superintendent.



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DISTRICT JAIL, JOWAI, MEGHALAYA

1. **Date of Visit:** I visited Jowai District Jail on April 7, 2014, around 11. 00 AM. I was accompanied by Shri. James D. Marbaniang, Jailor, District Jail, Jowai and Shri. Batskhem Nongbri, Astd. Jailor. Other staff members of the jail were also present.

2. **Introduction:** This Jail was last visited by the following Officers:

1. Shri. Sanjay Goel, IAS, DC, Jowai - 24/07/2008
2. Shri. H. Nongpluh, IPS, SP, Jowai. - 16/09/2006
3. Shri. F.R. Kharkongor, IAS, DC, Jowai - 04/08/2005
4. Shri. M. R. Vijaya Kumar IPS IG Prisoner - 29/03/1003

Looking through my old inspection note of this jail done on 13/09/2000, as IG Prisons, I find that this jail was inaugurated on 02/11/1992. The inmates, however, were shifted from Shillong District Jail only on 12/06/1993. The capacity of the jail is 130 inmates (M 120; F 10).

3. **Prison Population:** Today, there are 228 inmates (M 224; F 4) which show overcrowding at its worst and **human rights violation at its grossest**. One of the reasons for this overcrowding is the presence of only one convict and the rest, 227 UTPs.

The breakup of the inmate population is as follows:

Sl. No.	Categories	Male	Female
01	M. P. D. A. Detenues	16	Nil
02	Sessions/ N. D. P. S.	10	Nil
03	Under Trial	197	04
04	Rigorous Imprisonment	01	Nil
05	Simple Imprisonment	Nil	Nil
	Total	224	04
			228

This is at **Annexure 'A'**.

42  
DISTRICT JAIL, JOWAI, MEGHALAYA

In other words, out of 228 inmates, **only 01 is a Convict (RI)**, while the rest **227 are UTPs**. A further classification of these UTPs is those facing trail after a Charge-Sheet has been filed in a court of law by the police and those whose cases are still under investigation by the police at the police station level.

Of these 227, **109 are facing trail** while the cases of **102 are under investigation** by the police. The remaining 16 are MPDA detainees. These figures are:

SNo.	Court	Pending Trail	Pending Investigation	Total
01.	Jowai Court	49		49
02.	District Council Court	08		08
03.	Amlarem Court	07		07
04.	Khliehriat Court	45		45
05.	Jowai Police Station		42	42
06.	Dwaki Police Station		02	02
07.	Amlarem Police Station		01	01
08.	Khliehriat Police Station		56	56
09.	Saipung Police Station		01	01
	Sub-Total	109	102	211
10.	Convicts			01
11.	MPDA			16
	TOTAL	109	102	228

4. **Staff:** There are 45 staff members in District Jail, Jowai. This includes the Senior Medical and Health Officer. The Armed Branch component consists of 1 Hav. plus 4 NKs. One post each of the Superintendent, Head Warder and 2 posts of Female Warders are vacant. One Female Warder, Smt. Cassandra Lyngdoh, is drawing her salary from this jail but is performing duty in Shillong Jail. Out of the 17 male warders, 4 are officiating warders, one of them since the year 2011. Every six months their services are terminated and the next day they are re-appointed. This is also a **human rights violation** of sorts as these officiating warders do not have any security of service or other benefits accruing from a permanent Government job. The list is at **Annexure 'B'**.

**5. Land and Building:** The area of the jail complex is 10.70 acres. There is a 19 foot high wall enclosing the entire jail complex. A total of 4 Watch Towers also exist. However, a small portion of the outer boundary wall is damaged owing to road construction below it. The Armed Branch component of 25 personnel (ABSI-1; Havildar-5, Constables-20) of the 3<sup>rd</sup> MLP Bn., man the Watch Towers. The list is at **Annexure 'C'**.

There are 5 wards, and one Female ~~Ward to house~~ the inmates. However, there is a tremendous amount of ~~over-crowding~~ in the male section of the jail as noted earlier. The situation is such that **inmates are sleeping below the beds of other inmates of all the wards.**

As per Rule 701 of the 'Rules for Management of Jails in Assam' contained in 'Assam Jail Rules' Part III made under the Prisoners Act, 1894, (**Annexure 'D'**), the accommodation capacity required for each inmate is laid down. Owing to non-observance of this rule, a massive over-crowding of this jail is seen.

Further, Rule 284 of the 'Rules for Management of Jails in Assam' contained in 'Assam Jail Rules' Part III made under the Prisoners Act, 1894, (**Annexure 'E'**), provides for the dimensions of the bed allotted to each inmate. The fact that the vast majority of the inmates are forced to occupy the space below the bed of another inmate and to sleep on the ground, is a grave violation of human rights of such inmate.

- The number of inmates, the dimension of the wards and the authorised capacity of each ward is detailed below: \_

Ward	L	B	Sq. Ft	UTPs	Convicts	MPDA	Tot.	Authorised Capacity
I	40 ft	20 ft	800	60		04	64	22
II	25 ft	16 ft	400	27		04	31	11
III	25 ft	16 ft	400	33		01	34	11
IV	25 ft	18 ft	450	27	01	04	32	12
V	40 ft	20 ft	800	60		03	63	22
Female	39 ft	16 ft	624				04	17
Total ...				207	01	16	228	95

**6. Sanitation:** The sanitary condition in the jail premises is very good. The inmates and the staff have kept the premises neat and clean. The only problem faced by the inmates is the absence of a latrine inside the ward. This forces them to use the bath area inside the ward as a toilet, thus spoiling the cleanliness of the jail. Toilets are located outside the wards at a distance. After the inmates are locked up for the night, they have no option but to use the bath area. This arrangement is a **health hazard.**

**7. Food and Kitchen:** There is a cook shed for all the male inmates of the jail. There are two cooks - one for the day and the other for the

DISTRICT JAIL, JOWAI, MEGHALAYA

evening meal. One convict and 4 UTPs help in the daily cooking of food. The cooking facility for female inmates is located within the female ward complex. The fuel used is still firewood but the Jailor informed me that they would be switching to cooking gas very soon.

**8. Clothing and Bedding:** There is no uniform for the lone convict who is supposed to wear a convict's uniforms as per Rule 235 of the 'Rules for Management of Jails in Assam' contained in 'Assam Jail Rules' Part III made under the Prisoners Act, 1894, (**Annexure 'F'**). The mattress used by the inmates who sleep below the beds of other inmates, needs replacement.

**9. Education:** Three MPDA detainees and three UTPs make up the teaching staff to teach the illiterate, but willing inmates. Classes are held for an hour each day. Currently, there are 20 inmates who are enrolled in the class. These classes are basically for totally illiterate inmates. At the end of the course they are able to at least sign their names, instead of using their thumb impressions.

**10. Prison Industries:** Craft and carpentry instructors are available in this jail. Dry flower arrangements and manufacture from wax are being done by the inmates. When I visited this section, there were 4 UTPs who were busy at manufacturing a flower arrangement. These inmates are paid according to the rates laid down by the Government of Meghalaya (**Annexure 'G'**).

**11. Interviews:** This facility is granted everyday to the inmates, except Saturdays and Sundays. The timings are from 11 am to 3 pm with a limit time of 10 mins. per inmate, sometimes stretching to half an hour. The place for this interview can accommodate 2 inmates at a time. For the female inmates, a separate interview area is ear marked.

**12. Correctional programme:** There are no Counsellors in this District Jail. However, NGOs like 'Manbha Foundation' and 'Art of Living', visit the jail every fortnight. Also, representatives from the local church come to meet the inmates every Sunday. Master P. Toi from the 'Art of Living' organisation conducted a 'Smart Prison Course' in November and December, 2013. This was received quite enthusiastically by the inmates.

**13. Recreational Activities:** Indoor and outdoor games like chess, ludo, carom, volley-ball, football Chinese checkers, are available for both male and female inmates. Some musical instruments, like guitars, are also available. However, there is no library in the Jail premises.

**14. Health and Hospital:** Dr. Defender Pariat, District Medical and Health Officer, along with one pharmacist and one male attendant, are available in the jail premises. A female attendant is required here. The DM&HO regretted that all medicines have to be indented from the open market and that there was no supply from the National Rural Health

DISTRICT JAIL, JOWAI, MEGHALAYA

Mission (NRHM) or the Director Health Services (DHS). There is a 5-bedded hospital here.

15. **Remission:** There is only one convict here. Also, there is confusion whether remission is allowed in NDPS cases.

16. **Leave and Parole:** There in only one convict here.

17. **Pre-mature Release:** There in only one convict here.

18. **Status of Investigation and Trial pending against UTPs:**

There are 102 inmates who are incarcerated in Jowai Jail, whose cases are under investigation by the police at the police station level. Some of these cases are 3 years old. The details are:

Courts	2011	2012	2013	2014	Total
Jowai Court		3	8	28	39
District Council Court				1	1
Amlarem Court				3	3
Khliehriat Court	1	6	26	26	59
Total	1	9	34	58	102

There appears to be a strong need to appeal to the Magistrates concerned to release those inmates who are behind bars for over 60 or 90 days as per provisions of 167 CrPC. This is especially true of those cases which are yet to be chart sheeted of the years 2011, 2012, and 2013. This measure would not only look after the human rights of these inmates but would also de-congest this jail.

19. **Appeal:** None.

20. **Legal aids for inmates:** Almost all the inmates who interacted with me complained that the advocates assigned to them by the Meghalaya State Legal Services Authority (MSLSA) did not meet them. This is a **gross human rights violation** as these indigent inmates have no one else to turn to for legal redress of their grievances. A list of the legal aid council assigned by the MSLSA is at **Annexure 'H'**.

21. **Board of Visitors:** The Board of Visitors for the 4 Jails of Meghalaya was notified by the Government on July 24, 2012. Though they are to visit to the Jail every quarter, there is no record to show that they have visited the Jail. Similarly, the Under Trail Review Committee, notified by the Government on March 9, 2012 for the 4 District Jails, does not appear to have met at all. Photo copy of this Notification is at **Annexure 'I'**.

**22. Departmental Inspections:** The Inspection Register has been mixed up with the Visitor's Book. Rule 11 and Rule 12 of the 'Rules for Management of Jails in Assam', contained in 'Assam Jail Rules' Part III made under the Prisoners Act, 1894, contain instructions regarding Inspections of jails by the Inspector-General and its transmission to the Superintendent of the concerned jail (**Annexure 'J'**).

**23. Interaction with inmates:** Most of the inmates I interacted with had just one complaint - their appointed ~~advocates~~ **hardly met** them.

1. Brian La - UTP - Khliehriat - Not taken to court. Custody Warrant indicates he was last produced on 19/03/2014. Police failed to produce him.

2. Sujit Namo - UTP - Entitled to bail. Informed him to talk to the Magistrate during the Jail Trail scheduled for 22/04/2014.

3. Ramesh Tirki - UTP - Entitled to sentencing.

4. Skhem Shylla - 22/04/2014 - Jail trial.

5. Babul Kurci - 22/04/2014 - Jail Trial.

6. Augustine Kharsynteiw - Convict - 26/09/2006 - 10 yrs - Remission.

7. Smt. Lohka Sayoo - Kidnapping - 22/04/2014.

8. Smt. Lovely Lamrang - Kidnapping - 22/04/2014.

9. Pappu Major - Theft - 22/04/2014.

10. Govind Dkhar - Robbery - 22/04/2014.

11. Anthony Pyngrope - Wrongful confinement.

12. Mananuddin Laskar - 22/04/2014.

13. Suman Das - Indian National - 22/04/2014.

**24. Summary and Recommendations:**

1. The inhuman living conditions of the inmates owing to the massive over-crowding in this jail, is a cause for serious concern and a gross human rights violation. Besides bringing this to the notice of the Government and of the Courts, perhaps bunker-type beds may be thought of.
2. The services of the 4 officiating warders may be clearly defined. It may affect the security of the jail if warders are not regular employees.

DISTRICT JAIL, JOWAI, MEGHALAYA

4. The lone convicts may be issued a proper uniform. This applies to the jail staff also, as all of them are without any uniform.
5. Some basic books are required for those convicts who have volunteered to teach the other inmates of the jail.
6. Vacancies of the Superintendent, Head Warder and 2 posts of Female Warders, may be filled up as early as possible.
7. There is also a need for a ~~female medical attendant~~ here. Also, supply of medicines may be thought of from Government agencies.
8. A post of a Counsellor may be created as the inmates have no one to counsel them.
9. Investigation into cases pending at the police station level since 2011 may be expedited.
10. The maximum number of cases pending trial is at Khliehriat Court. The Jailor as well as the inmates informed me that they are not being produced in this Court regularly. Perhaps, the scheduled Jail Trial on 22/04/2014 may clear up the backlog.
11. Inmate Suman Das claims to be an Indian National, hailing from Silchar, Assam. It is not understood how he was booked under section 14, Foreigners Act.
12. The Meghalaya State Legal Services Authority (MSLSA) may be persuaded to review the progress of the cases they have appointed lawyers to. Perhaps, it is a case of non-payment of the dues of the appointed lawyers.



10/04/2014

(Shri. A. Pradhan) IPS (Retd.)

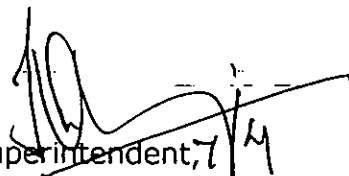
Special Rapporteur, NE Zone

National Human Rights Commission

GOVERNMENT OF MEGHALAYA  
OFFICE OF THE SUPERINTENDENT: DISTRICT JAIL: JOWAI

JAIL POPULATION AS ON 07-04-2014

	CATEGORIES	Male	Female
01.	M.P.D.A. Detenues	16	Nil
02.	Sessions/ N.D.P.S.	10	Nil
03.	Undertrial	197	04
04.	Rigorous Imprisonment	01	Nil
05.	Simple Imprisonment	Nil	Nil
	TOTAL :-	224	04
			228

  
Superintendent, District Jail, Jowai.



## LIST OF STAFF AND DATE OF JOINING IN JOWAI JAIL.

Sl.No.	Names of staff	Designation.	Date of Joining at Jowai Jail.	No of sanction post.	No of vacant post
1.		Superintendent.		1.	1
2.	Dr. Defender Pariat.	Sr. M&HO.	01-09-2009.	1.	
3.	Shri James D. Marbaniang.	Jailor.	24-01-2013.	1.	
4.	Shri Batskhem Nongbri.	Asstt. Jailor.	01-11-2012.	1.	
5.	Smti Manroi Shilla.	UDA.	12-07-1989.	1.	
6.	Smti Jessica M. Shylla.	LDA.	09-04-2007.	2.	
7.	Shri Michael Dympep	LDA.	20-08-2013.		
8.	Shri Wanebor Passah.	Pharmacist.	12-06-2003.	1.	
9.	Shri Ramjee Upadhya.	Head Warder.	23-01-2014.	3.	1
10.	Shri Kul Bh. Thapa.	-do-	20-06-2012.		
11.		-do-			
12.	Shri Brijnandan Rai.	Warder	13-03-2009.		
13.	Shri RajKishore Singh	Warder			
14.	Shri Synsharlang Nongsiej.	Warder	01-02-2012.	16	
15.	Shri Syrpai Manik Syiem .	-do-	21-10-2011.		
16.	Shri Augustine Kurkalang .	-do-	17-07-2009.		
17.	Shri Makhon S Lyngdoh.	-do-	-03-2014.		
18.	Shri Raghubansh Rai.	-do-	16-10-2009.		
19.	Shri Dinesh Das.	-do-	01-05-2010.		
20.	Shri Madhav Sharma.	-do-	20-07-2009.		
21.	Shri Rajiv Kr. Singh.	-do-	23-02-2010.		
22.	Shri Shyam Sharma.	-do-	13-08-2009.		
23.	Shri Bijli Yadav.	-do-	04-08-2005.		
24.	Shri Kermanick Syiem.	-do-	08-01-2012.		
25.	Shri Bunki Najjar.	Officiating Warder.	06-08-2012.		
26.	Shri Shibait Suchiang.	-do-	01-11-2011.		
27.	Shri Emiki Dhar.	-do-	23-03-2013		
28.	Shri John Nongbri.	-do-	12-04-2014.		
29.	Smti Sandra D. Lamare.	Female Warder	05-01-2012.	4	2
30.	Smti Cassandra Lyngdoh.	-do-	07-06-2012.		
31.		-do-			
32.		-do-			
33.	Shri Dol Bh. Thapa.	Cook.	25-10-1989.	2	
34.	Shri Arki Kharbuli.	Cook.	04-04-1998.		
35.	Smti Meena Devi.	Female sweeper.	12-02-2004.	2	
36.	Shri Arbiroy Kharbuli.	Male Sweeper.	01-12-2004.		
37.	Smti Isynei Rymbai.	Female Med/attendant.	11-10-2008.	2.	
38.	Shri Vigilius Nongkseh.	Plumber.	14-05-1997.	1	
39.	Smti Entymala Pohlong.	Peon.	05-06-1990.	1	
40.	Shri Anis Swer.	Driver.	09-10-2011.	1	
41.	Shri Mukesh Rai.	Havildar.	14-09-2012.	1	
42.	Shri Sephrine Kharsahnoh.	Naik.	15-07-2009.	4	
43.	Shri Tithanath Rabha.	-do-	19-07-2009.		
44.	Shri Andrew Muktieh.	-do-	24-07-2009.		
45.	Shri Probin D Sangma.	-do-	16-04-2008.		
46.	Shri Risly Siangbood.	Craft Instructor.	01-06-2012.	1	
47.	Shri Wailad Sukhlain.	Carpentry Instructor.	01-06-2012.	1.	
48.	Shri Vicky Prince Wann.	Officiating Med/attendant			

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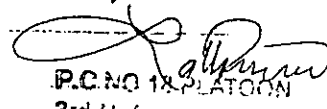
NOTE: Smti Cassandra Lyngdoh, female warder was transferred to Jowai Jail and performed her duties at Shillong Jail.

Shri Brijnandan Rai, warder (Sl. No. 12) has been transferred to Tura Jail, but is yet to be released from this office

Superintendent,  
District Jail, Jowai.

Memorial list of 50  
District Jail for the month of March 2014.

S/NO	Ranks	Name of Btl personnel's
01	ABSI	Lattuokung Hmar
02	NAV	Khraoboo mallai
03	11	Goeping sangma
04	11	Sunil. H. sangma
05	11	Thonin Rance
06	BMC/477	Bankam Blam
07	BMC/791	George sangma
08	BMC/799	Jenes D. Sna
09	BMC/544	Ribanjore wari
10	BMC/524	Phost Khastat
11	BMC/581	Ferish y monim
12	BMC/577	Ramananda Singh
13	BMC/535	Rajoh L. Kynshi
14	BMC/620	Elton Paptue
15	BMC/724	Strickson marak
16	BMC/766	Medontad L Honglait
17	BMC/763	Horbirth Lane
18	BMC/765	Omit Snaikang
19	BMC/729	Polbin A. sangma
20	BMC/928	Lakbirth S. sangma
21	BMC/930	Holbind m. marak
22	BMC/931	Satjira R. marak
23	BMC/971	Manish K. Singh
24	BMC/972	Mofidur Rahman
25	BMC/974	Raju Lama
	COK	
26		Stepingstone Khazphuli

  
P.C NO 18 PLATOON  
3rd M.L.  
West  
Date 7/3/2014

Extract of Rule 701 of the 'Rules for Management of Jails in Assam'  
contained in 'Assam Jail Rules' Part III made under the Prisoners  
Act, 1894

**ANNEXURE 'D'**

Rule 701. **Accommodation capacity.** The accommodation capacity of sleeping ~~wards, cell~~ and other buildings intended for the occupation ~~of prisoners~~ shall be calculated in accordance with the following table:

	Superficial area per prisoner Square feet	Cubic capacity per prisoner Cubic feet
Wards	36	540
Cells	75	1,000
Hospital	54	900

Extract of Rules 284 of the 'Rules for Management of Jails in Assam' contained in 'Assam Jail Rules' Part III made under the Prisoners Act, 1894

**ANNEXURE 'E'**

Rule 284. **Provision of sleeping berths.** . . . Every prisoner, except an epileptic prisoner, shall, if in upper as in lower-storeyed buildings, have a raised berth assigned to him in his proper ward or cell at least 18 inches in height, 6 feet long and 2 feet broad, to make certain that each prisoner sleeps in a separate bed, and does not touch any other prisoner; and the head of one berth shall be opposite the foot of that next to it. The number of berth in each ward shall be, in accordance with its capacity, calculated on the scale prescribed in Chapter XXXVII. No explicit rule can be laid down as to the character of raised berths, as the character, of the ward, the nature of the soil and atmosphere, etc., must be considered.

In wards the berths shall be numbered and to each prisoner shall be allotted a particular berth which he shall not be allowed to change and which he shall not leave without the permission of the night watchman on duty, and then only to use the latrine.

Extract of Rules 235 of the 'Rules for Management of Jails in Assam' contained in 'Assam Jail Rules' Part III made under the Prisoners Act, 1894

**ANNEXURE 'F'**

Rule 235. **Clothing for Convicts.** Every prisoner sentenced to rigorous imprisonment shall be provided with jail clothing according to the scale laid down in Chapter XXII.

GOVERNMENT OF MEGHALAYA  
PRISONS DEPARTMENT

OFFICE MEMORANDUM

No. PDS. 31/2009/38

Dated Shillong, the 9<sup>th</sup> December, 2013.

Subject: Fixation of minimum wages to convict labourers and Under Trial Prisoners.

The matter relating to the fixation rates of minimum daily wages for payment to the convict labourers has been under active consideration of the State Government.

The Governor of Meghalaya after careful consideration and in conformity/compliance with the order of the Hon'ble Supreme Court has decided to fix minimum wages for convict labourers at 50 % of the minimum wages approved by Labour Department for various category-wise as follows :

<u>Category of Workers</u>	<u>Wages fixed by labour Deptt.</u>	<u>Wages for convict labourers</u>
1. Skilled labour	₹140/-	₹70/-
2. Semi-Skilled labour	₹120/-	₹60/-
3. Unskilled labour	₹100/-	₹50/-

Payment of wages to the Under Trial Prisoners shall be in the same rate and line of wages for convicts on condition that any item to be manufactured by the workmanship of Under Trial Prisoners in the jail workshop should either be sold in the market and sales proceeds to be credited to Government Account as revenue or the furniture etc., to be manufactured in such workshops may be utilized for use in the Department.

This order shall come into force with immediate effect.

*Adt*

( Smti B. Ch. Sangma )  
Under Secretary to the Govt. of Meghalaya  
Prisons Department

Memo. No. PDS. 31/2009/38-A

Dated Shillong, the 9<sup>th</sup> December, 2013.

Copy to;=

1. P.S. to Minister in-charge Prisons Department, Meghalaya, Shillong.
2. Principal Secretary to the Govt. of Meghalaya, Prisons Department.
3. Director General of Prisons, Meghalaya, Shillong.
4. Commissioner of Labour, Meghalaya, Shillong.
5. Superintendents of all District jails in the State of Meghalaya. Jowai
6. Deputy Secretary to the Govt. of Meghalaya, Finance (E) Department.

By order etc.,

*NSF*  
Under Secretary to the Govt. of Meghalaya  
Prisons Department.

**LIST OF UNDER TRIAL PRISONERS PROVIDED WITH LEGAL AID COUNSEL**

Sl. No.	Name of Undertrial Prisoners	Name of Court	Name of Legal Aid Counsel assigned by the MSLSA
1	Smti Lovely Lamurong	Jowai Court	Smti C.Lyngkhoi, East Khasi Hills.
2	Smti Ioka Sayoo	Khliehriat Court	Do
3	Shri Deklis Siangshai	Do	Do
4	Shri Vicky Dhar	Jowai Court	Do
5	Shri Tom Nongpluh	Do	Do
6	Shri Janaiki sayoo	Do	Do
7	Shri Salanmiki Phawa	Jowai Court	Smti E.Rynjah
8	Shri Salon Bareh	Do	Do
9	Shri Don Dhai	Do	Do
10	Shri Subhash Sangma	Do	Do
11	Shri Nimarwiang Lyngdoh	Do	Do
12	Shri Rilutmon Suchiang	Do	Do
13	Shri Talbinus Dhar	District and Session Court	Smti B.Hynniewta
14	Shri Bris Langstang	Do	Do
15	Shri Daiwanchanmi Lyngdoh	Do	Do
16	Shri Kamwathmu Dkhar	Do	Do
17	Shri Lidar Shadap	Do	Do
18	Shri Banrap Myrchiang	Do	Do
19	Shri Pradip Lywait	Jowai Court	Smti Phnyoosi Yobin
20	Shri But Suchiang	Do	Do
21	Shri Sngaplang Mukhim	Do	Do
22	Shri Boloram Palan	ADM, Khliehriat Court	Do
23	Shri Ganesh Satnami	Do	Do
24	Shri Bitar Dkhar	Jowai Court	Do
26	Shri Toshi Pala	Judicial Magistrate, Jowai	Smti S.Kyndiah
27	Shri Banson K.Pantiah	Judicial Magistrate, Jowai	Smti S.Kyndiah
28	Shri kitboklang Pasi	Do	Do
29	Shri Erwin Gatphoh	Do	Do
30	Shri Kom Rasmus	Do	Do
31	Shri Dapura Sten	Do	Do
32	Shri Meshanbha siangshai	Judicial Magistrate, Jowai	Shri B.Bama

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33.	Shri kurlan Nongdhar	Do	Do
34.	Shri Monbih Phawa	Do	Do
35.	Shri Mihsalan Maskut	Do	Do
36.	Shri Micheal Sumér	Do	Do
37.	Shri Thrynit phawā	Juducial Magistrate, Jowai	Shri Iqbal. Ahmed
38.	Shri Karlus Kanai	Do	Do
39.	Shri Ratanashwar Borah	ADM, khliehriat	Do
40.	Shri Amson sangma	Do	Do
41.	Shri Sanjay Dev	Do	Do
42.	Shri Jalaluddin	Do	Do
43.	Shri Maruk Talukdar	ADM, Khliehriat	Shri K.K.Gupta
44.	Shri Sujit Namó	Do	Do
45.	Shri Suresh Tamang	Do	Do
46.	Shri Manoj Kumār	Do	Do
47.	Shri santosh Chattri	Do	Do
48.	Shri Raju Dorji	Do	Do
49.	Shri Manjan Rai	ADM, Khliehriat	Shri A. Sharma
50.	Shri Anthony Pyngrope	Do	Do
51.	Shri living Dkhar	Do	Do
52.	Shri Rilang I Synnah	ADM, khliehriat	Smti Poonam Yadav
53.	Shri Babu Thapa	Do	Do
54.	Shri Willing Poshna	Do	Do
55.	Shri Babul kuri	Do	Do
56.	Shri Brom Pohlong	Amlarem Sub Division	Smti Poonam Yadav
57.	Shri Omphri sari	Do	Do
58.	Shri Three Sungoh	Do	Do
59.	Shri Mer Chyrmang	ADM, Khliehriat	Do
60.	Shri Stai Gympad	Do	Do
61.	Shri Damin Paslein	ADM, Khliehriat	Shri Abhijit Modak
62.	Shri Mardap Suchiang	District and Session Judge, Jowai	Do
63.	Shri Wansalan langstang	Do	Do
64.	Shri Wanki Talang	ADM, Khliehriat	Do
65.	Shri Winlyroi Sungoh	District and Session Judge, Jowai	Do
66.	Shri Rinus Dkhar	District and Session Judge, Jowai	Shri A. Sharma
67.	Shri Singh Rabon	ADM, Khliehriat	Do
68.	Shri Shisha Phawa	District and Session Judge, Jowai	Do
69.	Shri Richard Lyngdoh	ADM, Khliehriat	Do
70.	Shri Damehi Suting	District and Session Judge, Jowai	Do
71.	Shri Emkyrdan Bhoi	District and Session Judge, Jowai	Smti S. Kyndiah
72.	Shri Kamli Khongwang	Do	Do



73.	Shri Tynraimon Pohlong	ADM, Khliehriat	Do
74.	Shri Skhem Shylla	Do	Do
75.	Shri Loket Paschiang	Do	Do
76.	Shri Micheal suja	ADM, Khliehriat	Shri Bijay Dele
77.	Shri Ribat Dkhar	Judicial Magistrate, Jowai	Do
78.	Shri Ngaitlang Lyngdoh	ADM, Khliehriat	Do
79.	Shri Rom Dkhar	Do	Do
80.	Shri Brian Iongla	Do	Do
81.	Shri kyrshan Rymbai	District and Session Judge, Jowai	Shri Phuyoosa Yobin
82.	Shri Trik Chyrmang	ADM, Khliehriat	Do
83.	Shri Swit Phawa	Do	Do
84.	Shri Kot Lyngshiang	District and Session Judge, Jowai	Do
85.	Shri Kyrdan Wann	Do	Do
86.	Shri Romesh Thirki	District and Session Judge, Jowai	Shri O.D.V. Ladia
87.	Shri Bharat Gurung	Do	Do
88.	Shri Roming Paplah	Do	Do

  
 Superintendent,  
 District Jail, Jowai

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GOVERNMENT OF MEGHALAYA  
PRISONS DEPARTMENT

NOTIFICATION

Dated Shillong, the 24<sup>th</sup> July, 2012

No. PDS.62/2011/21 : The Governor of Meghalaya is pleased to constitute a Board of Visitors to the District Jails in Meghalaya with effect from the date of issue of this Notification for a period of 2 (two) years. The Board shall consist of the following members:-

1. East Khasi Hills, Shillong

- Chairman - District Magistrate, East Khasi Hills  
Members - 1. Shri W.H.D.Syngkon, Senior Advocate,  
Mawkhar Main Road, Shillong 793001  
2. Dr. O.P.Agarwala,  
Opposite Pine Mount School, Shillong  
3. Smti C.Lamin, (Retired Govt. Employee)  
Mawlai Nonglum, Shillong 793008  
4. Smti Theilin Phanbuh, President,  
Lympung Ki Seng Kynthei,  
Lachumiere, Shillong

2. Jaintia Hills, Jowai

- Chairman - District Magistrate, Jaintia Hills  
Members - 1. Dr. J.N.Shullai, Project Director of  
Mihmyntdu Social Welfare Association, Mission Compound  
2. Rev. Fr. Ferdinand Dkhar,  
Director of Jaintia Hills Development Society  
3. Shri C.Rymbai,  
Dolloi, Jowai  
4. Shri C.S.Kyndiah,  
Advocate of Jowai Bar Association

3. West Garo Hills, Tura

- Chairman - District Magistrate West Garo Hills  
Members - 1. Shri Bentinck M. Sangma, Retd. Joint Director,  
Soil & Water Conservation, Lower Wadanang, Tura  
2. Shri Ashutosh Sil, Retd J.P Tura D C Office, Tura  
3. Smti Presilda P. Marak, Retd H.A, DHO Tura,  
C/o Hawakhana Baptist Church, Tura  
4. Shri Jillyn Ridge K. Marak  
Akhongiri, P.O.Tura

*Jailor*  
*Pt.*  
*A. B. P. H. 12*

4. East Garo Hills, Williamnagar

Chairman - District Magistrate East Garo Hills

Members - 1. Shri M.N. Marak, MLA,  
Williamnagar

2. Smti G.T.R. Marak,  
Member Immoral Trafficking of Women & Children,  
Williamnagar

3. Shri M.D. Sangma, Ex-Chairman  
Williamnagar municipal Board

4. Smti L.W. Momin  
President Women's Federation  
Williamnagar

The functions and powers of the Board of Visitors are as follow:-

1. The Board of visitors shall pay a joint visit of inspection to the Jail, every quarter. At each quarterly meeting of the Board, The Chairman shall draw up a roster of visits to be paid by each visitor during the next three months. This roster should ordinarily be drawn up so as to provide for fortnightly visits, but if any Board expresses a desire for weekly visits the Chairman should arrange accordingly. Save in exceptional circumstances, visitors shall not visit the jail after lock up or Sundays. Visitors shall not ordinarily visit the jail on jail holidays but if considered necessary permission to do so may be accorded at the discretion of the jail Superintendent.
2. It is the duty of the visitor to satisfy himself that the law and rules regarding the management of prisons and prisoners are duly carried out in the jail, to visit all parts of the jail and to see all prisoners and to hear and enquire into any complaint that any prisoner may make.
3. A visitor may call for and inspect any book or other record in the jail, provided that the Superintendent may decline to produce any book, paper or record for inspection if, for reasons to be recorded in writing, he considers such production undesirable.
4. The Board of visitors shall meet at the Jail, inspect all building and prisoners, hear any complaints and petitions that may be preferred, inspect the prisoner's foods and see it is of good quality and properly cooked, examine the punishment book and satisfy themselves that it is up to date and that punishments awarded are in accordance with the rule, and scrutinize any case of long detention of under trial prisoners.

Principal Secretary to the Govt. of Meghalaya  
Prisons Department

Memo No. PDS. 62/2011/21-A

Dated Shillong the 24<sup>th</sup> July 2012 .

Copy forwarded to :-

1. All Members
2. Director General of Prisons, Meghalaya, Shillong
3. Director of Printing & Stationery, Meghalaya for publication in the next issue of the Gazette.
4. Superintendent, District Jails, Shillong/Jowai/Tura/Williamnagar

By order etc.,



Under Secretary to the Govt. of Meghalaya  
Prisons Department

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GOVERNMENT OF MEGHALAYA  
PRISONS DEPARTMENT

NOTIFICATION

Dated Shillong, the 9<sup>th</sup> March, 2012

No. PDS. 63/2011/12 : The Governor of Meghalaya is please to constitute the Under Trial Prisoners Review Committee in the following District of the State of Meghalaya:

1. East Khasi Hills.

- |   |   |          |
|---|---|----------|
| 1. District & Sessions Judge East Khasi Hills, Shillong | - | Chairman |
| 2. Superintendent of Police East Khasi Hills            | - | Member   |
| 3. Superintendent District Jail, Shillong.              | - | Member   |
| 4. Public Prosecutor East Khasi Hills                   | - | Member   |

2. Jaintia Hills

- |   |   |          |
|---|---|----------|
| 1. District Magistrate Jaintia Hills      | - | Chairman |
| 2. Superintendent of Police Jaintia Hills | - | Member   |
| 3. Superintendent of District Jail, Jowai | - | Member   |
| 4. Public Prosecutor Jaintia Hills        | - | Member   |

3. West Garo Hills

- |   |   |          |
|---|---|----------|
| 1. District Magistrate West Garo Hills      | - | Chairman |
| 2. Superintendent of Police West Garo Hills | - | Member   |
| 3. Superintendent of District Jail, Tura    | - | Member   |
| 4. Public Prosecutor West Garo Hills        | - | Member   |

4. East Garo Hills

- |  |   |          |
|--|---|----------|
| 1. District Magistrate East Garo Hills           | - | Chairman |
| 2. Superintendent of Police East Garo Hills      | - | Member   |
| 3. Superintendent of District Jail, Williamnagar | - | Member   |
| 4. Public Prosecutor East Garo Hills             | - | Member   |

The function of the Under Trial Prisoners Review Committee is as follows:-

- (1) To review every three months the cases of Under Trial Prisoners lodged for more than 3 (three) months in prisons
- (2) To hold regular monthly co-ordination meeting to discuss pending cases of Undertrials for expediting disposal.

The Committee shall come into force with effect from the date of issue of this Notification.

*Sd/-*  
(Shri H. Marwein IAS)

Principal Secretary to the Govt. of Meghalaya  
Prisons Department

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GOVERNMENT OF MEGHALAYA.  
OFFICE OF THE SUPERINTENDENT:.....DISTRICT JAIL:.....SHILLONG.

No.DJS.100/2013/02,

Dated Shillong, the 9<sup>th</sup> September 2013.

From : The Superintendent,  
District Jail, Shillong.

To : The Director General of Prisons,  
Meghalaya, Shillong.

Sub : Visits by Board of Visitors.

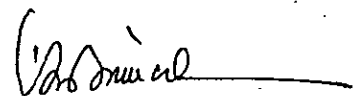
Ref : Your letter No.PRI.83/2006/78, Dtd.05.09.2013.

Sir,

With reference to the above, I have the honour to forward herewith the following information as desired, for favour of your kind information and necessary action please.

1. No. of visits by Board of Visitors to Jail from 01.01.2012 till date - **Thrice.**
2. No. of visits by members of Board of Visitors to Jail from 01.01.2012 till date - **Official is once and Non-Official is 8(Eight).**

Yours faithfully,



(A.C.Baruah)  
Superintendent,  
District Jail, Shillong.

oOo

ajc

Extract of Rules 11 and 12 of the 'Rules for Management of Jails in Assam'  
contained in 'Assam Jail Rules' Part III made under the Prisoners Act, 1894

11. **Inspection of jails by Inspector-General** - (1) He shall inspect all departments of every jail at district headquarters and at Shillong at least once a year and of every jail at sub-divisional headquarters and at Tura, Kohima and Aijal at least once in two years.

(2) During each inspection he shall personally see every prisoner then in confinement in the jail, he shall give every prisoner a reasonable opportunity of making any application or complaint and shall investigate and dispose of such as relate to jail discipline.

(3) He shall inspect the yards, wards, cells, worksheds, and other enclosures, shall examine the garden, enquire into the character of the water-supply, the conservancy arrangements, and the medical administration, shall see the food and ascertain that it is of proper quality and quantity, and generally satisfy himself that the building and premises are in proper order.

(4) He shall inspect all journals, registers and books maintained in every department of the jail, and initial or countersign them in token that he is satisfied that they are maintained in accordance with rules. He shall satisfy himself that the orders of Government regarding the arrangement and periodic destruction of records are observed.

(5) He shall inspect the warder establishment, satisfy himself as to its proficiency in drill and musketry, inspect its arms and accoutrements, and test the ability of each jail officer of the upper subordinate establishment to drill the guard.

12. **Memorandum of inspection to be supplied to Superintendent** - Immediately after the inspection the Inspector-General shall furnish the Superintendent with a memorandum embodying his opinion of the manner in which the jail is administered, the extent to which the officers appear familiar with their duties, together with any suggestions or order for the guidance of the Superintendent.