

29

/

Report 1, on Visit to District Jail, Chhattarpur in MP by Dr Vinod Aggarwal Special Rapporteur on 5th June, 2018.

Format of Jail report is annexed to the report. The jail was built in 1818 but no records are available of more than 100 years. The Royalty of Bundelas had established this jail. The capacity of the jail is Male: 272, females: 20; total 292, but at present it houses, Male: 295 Female: 18 Total: 313 + 02 Children, who are living in this jail. More than the capacity is the present occupancy of the jail. The remand inmates who are in the jail: male: 197, females: 18, total: 215.

Recommendation after the visit, Discussion with Jail Superintendent, Physician, other functionaries and inmates are as follows.

1. The jail is very old and completed at-least 100 years after establishment. Although from facade, didn't that old, and can be used for another 30-40 years, but it would be desirable that the usability certificate for earthquake or other type of natural or other disasters may be obtained and may be used till the economics of the Government improves and a new jail is built, with modern design and facility could be given to the jail and inmates may have a comfortable life
2. The jail is meant to house only 292 prisoners but at present almost as per the capacity, 313 inmates are kept in this jail. There is very little over-crowding in various wards.
3. Jail campus is spread over 6 acres, 6 wards are newly build which house almost half of inmates. The new portions are satisfactory. It would be desirable that the old portions are replaced with 2 storey construction and the jail could add up to 500 inmates, hospital and industrial production centre for about 200 inmates can be housed by planning.
4. There are 300 inmates, out of which 97 are under rigorous imprisonment, but as there is no industrial unit at all, in this jail. Only few of inmates could be employed which are helping in cooking, cleaning and other routine activities and up-keep of the jail. The wage given to the inmates is also quite low and wages as per BPRD norms are not paid. Employment to all those who want to work should be provided.
5. The jail should have a 20 bed hospital, but in actual there is no hospital. A doctor is posted at the hospital although bigger jails are without doctor. A lady

doctor also visits the jail twice a month. This jail requires a hospital which is missing completely.

- 6. The Kitchen definitely requires up-gradation, in the form of Provision of Chimney, Automatic door closure, Impermeable walls, wire mesh in the windows, Fly catcher in the kitchen, and chapatti making machines, along with modern platform are the immediate need.
- 7. The no. of cage latrines are in sufficient, seeing the number in inmates in each ward or barrack, but creation as per norms would not be easily possible.
- 8. Out of 215 under-trials who are under-trials,

Period	Male	Female
upto 3 months	80	06
3-6 months	26	06
6-12 months	19	03
1-2 years	44	01
2-3 years	21	01
3-5 years	06	01
about 5years	1	

- 9 There were 8 who were imprisoned more than 3 years. These are the cases should be reviewed by the visitors and these cases should be decided fast by the judiciary, as it is said justice delayed is justice denied.
- 10 One major complaint, by the inmates of the prison, was that, the outside food and fruits etc. have been dis-allowed by the Jail Authorities. The jail Superintendent, showed me an order issued by Jail Head quarters after Bhopal Jail- break of 30/11/16 on 09/12/2016 which clearly mentions that food articles brought by family members, relatives and other persons coming to meet a prisoner have been disallowed and food article don't reach the inmates through such sources. But this issue could have been resolved by providing milk and fruits on payment to the inmates who are in position to pay or Govt. should rethink.
- 11 There is tremendous shortage of staff in the jail. The post created are few and only 50% are only filled up, which require some attention.
- 12 The jail has major problem of water, which was brought to the information of the district magistrate of Chhattarpur to find a permanent solution to the shortage of water. Also availability of potable water would be the next step.
- 13 The cage latrine and other toilets lacked the flush and piped water facility which is the need.

6

14 The posts of Sociologist, social worker, Psychologist are the need of hour in the jails. Besides the creation of positions of the supervisors in the production of various items they will impart training to the inmates.


13/6/18
Dr Vinod Aggarwal
Special Rapporteur

Office of Superintendent, District Jail Chhataripur (M.P.)

Inspection format

Jail's Name - District Jail Chhataripur

Date - 05.06.2018

1 Name of the prison		District Jail Chhataripur (M.P.)					
2 Sanctioned capacity of the prisons		Male - 272		Female - 20		Total: 292	
3 Prisoners profile		As on 05.06.2018					
3.1 Actual strength of the prisoners-		S.No	1	Details	Male	Female	Total
		(A)	1	Under trial (Remand inmates)	197	18	215
			2	Session trial (session inmates)	0	0	0
			3	Upper Division (division -I remand)	0	0	0
			4	POTA (released on bail in POTA case but detained in other case sanction)	0	0	0
				Total (A)	197	18	215
				Simple Imprisonment	0	0	0
			2	Rigorous imprisonment	97	0	97
			3	Death Sentence	0	0	0
				Total (B)	97	0	97
				NSA	1	0	1
			2	Civil sentence	0	0	0
				Total (C)	0	0	0
				Grand Total (A+ B+ C)	295	18	313
				Children (with Mother)	2	0	2

3.2 The details of the prisoners including Male- 02 and Female -0 Total- 02 inmates presently serving imprisonment for life and under death sentence-- 00 undergoing life imprisonment and under death sentence Prisoners

A

3.3 Daily average strength of the previous month	300.12
--	--------

4 Accommodation	
Area of the Jail	
Age of the buildings	100 years
Status of building- to what extent. The provisions of model prison manual have been complied with in terms of location away from congested location of various blocks at a prescribed distance from the perimeter wall. Separate enclosures for the female ward etc. Keeping the principles of safety and security uppermost in mind?	Yes
Problem of seepage, leakage etc.	No
Lighting and ventilation	Well
Institutional arrangements for repairs and maintenance	Yes, PWD dept.
Number of wards/ Barracks	12 Barracks
Number of special cells	4 (General cells)
Any other provisions	NO
4.1 Arrangement of seperation of-	
Under trial	Yes
Young prisoners	Yes
Women prisoners	Yes
Mentally sick prisoners	NO
Drug addicts	NO
Suffering from infectious disease like TB etc	Yes

5 Staff ANNEXURE (C) enclosed

Sanctioned strength (in various categories)	Serial No.	Post	Sanctioned	Posting	Vacancy
Actual strength (in various categories) Adequacy of otherwise of sanctioned and available staff Steps taken to fill up the vacancies. Terms and conditions of service and employment of all categories of personnel keeping the service and morale in view. Has any objective and dispassionate assessment of the service condition vis-a-vis operational efficiency been made if so, what are the findings and what corrective measures have been taken	1	Superintendent	1	1	0
	2	Deputy Superintendent	1	0	1
	3	Resident Medical Officer cum Superintendent	0	0	0
	4	Specialist Medical Officer Psy.	0	0	0
	5	Medical Officer	1	0	1
		Medical Staff (on contract basis whole time)	0	0	0
	6	Dental Technician	0	0	0
	7	Jailor	0	0	0
	8	deputy Jailor (Assistant Superintendent)	3	1	2
	9	Video conferencing operator	0	0	0
	10	Computer operator	0	0	0
	11	Clerk (Upper division clerk)	0	0	0
	12	Lower division clerk	0	0	0
		Cashier	0	0	0
		Junior Accountant	0	0	0
	13	Chief Head Warder	0	0	0
	14	Head Warder	8	3	5
	15	Warder	40	21	15
	16	Female Warder		4	
	17	Nurse (male)	1	1	0
	18	Nurse (Female)	0	0	0
19	Teacher	1	1	0	
20	Cook	0	0	0	
	Factory Supervisor	0	0	0	
21	Compounder	0	0	0	

6

22	Tailor master	0	0	0
23	Weaving master	0	0	0
24	Blacksmith Master	0	0	0
25	Carpentry master	0	0	0
26	Barber	0	0	0
27	Sweeper	2	2	0
28	Driver	1	0	1
29	Bagwan	0	0	0
30	Peon	0	0	0
31	generator operator	0	0	0
TOTAL:		59	34	25

5.1 Human Resource Development

Institutional arrangements for training of officers and staff in various categories.	No
Duration of training of each category	Not Available
Arrangements of the content quality and impact of training on correctional behaviour inside and on rehabilitation of the convicts after release need for further strengthening	Not Available
6 Right of Prisoners:	
6.1 Right to speedy trial	
No. of UTP's lodged in prison	215
What is the average duration for which they have been lodged in prison	Not Available
What are the contributory factors to delay in disposal of cases of UTP's?	Delay in the trial process
Specific suggestions to reduce this duration.	Speed up the trial process

6.2 Right to be released on bail	
No of petitions pending in the trial court for disposal	0
No of case where prayer for bail has been rejected but the advocate concerned has not yet communicated the reasons for rejection	Data not available
No. of cases where the prisoners are unable to arrange sureties	Data not available
No of cases where the bail amount is high. What are the specific suggestions to improve the situation and register expeditious disposal of pending bail applications.	Data not available

6.3 Rights of the convict to appeal:	
No. of cases where appeal petitions are pending in the High Court	Data not available
No. of years for which these petitions are pending contributory factors specific suggestions for expeditious disposal	Data not available

6.4 Rights of convicts for premature release/ Remission	
What is the composition of the State sentence review board	1). Secretary (Jail Department) 2). DG & IG of Jail Department, Jaipur 3). Distric Magistrate 4) Police Supdt. 5) Jail Supdt.
No. of cases pending for review	Data not available
Duration for which they are pending & reasons for pendency specific suggestions to expedite disposal	Release is pending for final consideration of the Board.
Procedure followed as per guidelines of NHRC and Sec 433 CrPc.	YES
Whether meeting SS R Board is held. Mention dates	Data not available

8

E-5 Right to food	
Scales of diet for various categories of Prisoners	enclosed Herewith
Storage of articles	General godown
Arrangement of cooking and distribution of food	LPG cooking system in General kitchen
Means and mode of preparation of food	LPG cooking system in General kitchen
Menu of food provided to the inmates procurement of eatables etc.	Edible articles are purchased through E tender presided by DG & IG of Jaipur (Rajasthan)
Does the kitchen have the following	
i. A modern chimney regardless of the type of fuel used	NO
ii. Sufficient no. of exhaust fans	YES
iii. Fly proof automatic closing doors	NO
iv. Floors made of an impermeable material	YES
v. A platform for washing, cleaning and cutting vegetables	YES
vi. An electric kneader for preparing paste out of Atta prior to making chapattis	Yes
vii. Chapatti making machines/ mixers and Grinders	NO
viii. Adequate no. of taps inside the kitchen	YES
ix. LPG and Hotplates	LPG cooking system
x. Container made of stainless steel to keep the cooked food hot prior to being served	Yes
xi. Cooking and serving utensils to be of stainless steel	For Cooking using Iron Utensils and for serving utensils to be stainless steel

6.5 Right to water-	Whether sufficient, clean and purified drinking water is supplied in the jail source of water.	YES, Drinking water supplied by Tube-well
	whether periodical cleaning of water storage tanks are done	Yes
	whether sufficient water supply is provided in toilets and for bathing and cleaning of clothes purpose.	YES
	General cleaning around source of water	YES
6.7 Right to sanitation	Does every barrack used for sleeping have sufficient no. of W.C.s, urinals, and washing places at the ratio of 1 unit for every 10 prisoners	Yes
	Are the latrines of sanitary type with arrangements for flushing	NO
	Is it ensured that toilets are placed on an impermeable basis higher than the surrounding ground and are so built that the sun rays can easily enter the latrines and that rainwater is kept out	YES
	Is it ensured that the latrines are so designed that all excreta and wash materials get into receptacles without fouling the sites.	Yes
	have the inside walls of the latrine been fitted with glazed ceramic tiles upto a height of 1 meter from the floor level as far as possible	YES
6.8 Right to personal hygiene	Does the prison provide covered cubicles for bathing @ one for every 10 prisoners with proper arrangements to ensure privacy	Yes

<p>Is it ensured that every prisoner takes bath as frequently as necessary for better personal hygiene according to climatic conditions</p>	<p>YES</p>
<p>Is it ensured that prisoner washes his clothing at least once a week</p>	<p>YES</p>
<p>If so have you ensured the use of necessary washing materials (soap, washing powder, detergent etc.) has been authorised for both male & female prisoners</p>	<p>YES</p>
<p>Is there a mechanised laundry to wash items of clothing and bedding at the time of return of these items to the clothing store</p>	<p>NO</p>
<p>6.9 Right to clothing The model prison manual provides this right and the manner of exercise of this right both the convicts as well as the UTPs</p>	<p>Clothing is provided to all the convict prisoners and to those Under trial prisoners who require the same</p>
<p>Is it ensured that these provisions are being complied with</p>	<p>Clothing is provided to all the convict prisoners and to those Under trial prisoners who require the same</p>
<p>6.10 Right to health and medical care The model prison manual provides this right and the manner of exercise of this right both the convicts as well as the UTPs</p>	<p>Yes</p>
<p>Is hospital accommodation available on the scale of 5% of the daily average of the inmate population</p>	<p>No</p>
<p>Is the location of the hospital sufficiently away from the barracks</p>	<p>Yes</p>
<p>are the floors and walls of the hospital of impermeable material</p>	<p>Yes</p>
<p>Is there arrangement of uninterrupted supply of potable water and electricity</p>	<p>Yes</p>

is there a hospital kitchen with arrangements for proper upkeep and maintenance	No
is it ensured that ailing prisoners who have been admitted to the prison hospital get their diet (inclu milk) according to approved scales	No
Are samples being sent to approved laboratories for testing	Yes like HIV & TB & Routine Blood Investigation
If so at what interval & with what findings	Regularly
what preventive and corrective measures have been taken to ensure the water is free from Impurities & Is potable	Purification of drinking Water by PHED & Jail
7	
No of Doctors	1 permanent M.O.
No of Para Medical personnel	1
No Of Beds	No
Availability of medicine, Adequate/ inadequate	Adequate
Visits by specialists	No
isolation/ segregation of patients suffering from Infectious diseases	Yes
No of patients suffering from T.B.	6
No of patients suffering from HIV/ AIDS	1
Arrangement for detection and prevention of HIV/ AIDS	A.R.T CENTER Govt, BMC Sagar & Distt. Hospital Chhatarpur (M.P.)
Are instructions about medical examination of each prisoner on admission being followed	Yes
Ambulance service	Yes
No of prisoners suffering from other chronic diseases like heart, cancer, irreversible kidney failure, cardio respiratory, leprosy etc and details of their treatment	HEART-01, Diabetes - 04
Drug de-addiction and counselling services	Yes

8. Mental illness:

How many mentally ill persons have been detained in the jail and for what duration	02 inmates
HOW MANY TIMES THE I.G. OF PRISONS HAS VISITED THEM U/S 39(1) of mental health Act 87?	No
What are the main observations	No
How many times these persons have been visited by a psychiatrist or where a psychiatrist is not available by a medical officer empowered by the State Govt. u/s 39(4) of mental health Act 1987	Patients are sent to Mental Hospital Gwalior for regular checkup
9 Children staying with mothers (Convicts)	0

Rules are Follow

What checks and safeguards are being observed to promote health, safety, education, nutrition, immunization of children in 0-6 group while allowing them to stay with their mothers (convicts) in terms of the directions of the Supreme court in R.D. Upadhyay Vs. State of Andhra Pradesh & others, WP No. 559 of 1994 with Criminal Appeal No. 69 of 2009 decided on 01/11/2000

10 Institutional treatment

Classification institutional routine educational vocational training and work spiritual development organised recreation	No
Rehabilitation assistance canteen facilities	NO

11 Daily wages prescribed both time rate and piece rate for:

Trainees	NO.
Semi skilled workers	Semi skilled Rs. 62/- per day
skilled workers	Skilled Rs. 110/- per day
mean and mode of payment of wages	Technical Brokharo only last 4 days

12 Condition of Undertrials:

Detention period as on 05.06.2018	
upto 3 months	86
3-6 months	32

6-12 months	22
1-2 years	45
2-3 years	22
3-5 years	7
above 5 years	1
Are Undertrials kept separate from convicted prisoners	Yes.
No of UTP granted bail but unable to seek release because of failure to arrange sureties	Data not available
Is there any problem of providing escorts to UTP for court appearance	Yes, No Sufficient escort available from police Sp Bikaner
Holding of Lok Adalats in jail premises	NIL

13 Custodial death: Annual statement of deaths for last three years

Annual statement of escape from the prison/ Escorts for the last 3 years	1
Annual statement of deaths in last 3 years	1
Have these deaths been investigated? If so what are the findings & general observations	Yes.
What checks and safeguards have been adopted to prevent suicides of prisoners	Counselling, Yoga, meditation, Psychotherapy etc.

14 Women prisoners:

Sanctioned capacity	20
Actual strength	18
Details of staff	4 Female Warder
No of Children with women prisoners and their age group	2
are women prisoners kept in separate accommodation	No
Facilities for special care, education and recreation of young children staying with women prisoners	No

14

General comments on health facilities for women prisoners and children staying with them with special mention of availability or otherwise of a separate female ward in prison hospital and inoculation programme for the children	Yes
Facilities of vocational training for women prisoners	Yes
No. of women prisoners suffering from T.B. and psychiatric problems	Psychiatric- 02, T.B.- 01

15 Basic Amenities:

Letters (receiving, despatching and distribution system feed back by the senior officers and records maintained in this regard, if any	YES
Whether prisoners rights have been displayed in the prison	YES

16 Interviews of the prisoners

16.1 Interviews of the prisoner by jail/ District officials

Mean and mode of interview details of redressal of complaints, if any	By jail officers and Judicial officers and monitoring committee
---	---

16.2 System of Interviews with family members and Lawyers

What is the procedure which is in vogue for grant of such interviews	Through application process
How many such requests on an average are being received	More than 40 per day
HOW MANY REQUESTS HAVE BEEN TURNED DOWN & REASONS THERE OF?	Requests are turned down only

17 NO OF VISITS/ Inspections during the last one year by :

Judicial authorities	Regularly once a month
Non judicial authorities	

15

16 Involvement of NGOs and social activists in prison activities:	YES
18.1 Functioning of board of visitors:	
When was the board of visitors last constituted	Nil in the year of 2017
What is the frequency of visits of the jail by the BOV	Nil in the year of 2017
Are the observations recorded by the BOV soon after the visit?	N.A.
What is the current status of compliance with these observations?	N.A.
19 General remarks:	
On the functioning of the prison administration, problems and Grievances and suggestions for improvement	

16


 Superintendent
 District Jail Chhatarpur (M.P.)

कार्यालय अधीक्षक जिला जेल छतरपुर (मोप्रो)

श्रीभार: द्वारा निरीक्षण दिनांक 05.06.2018 के पालन में बिन्दु संख्या 12.13 की सूचना निम्नानुसार सादर प्रेषित है।

12. Undertrial Prisoners confined in Chhatarpur Jail (more than 05 Years) due to non disposal of cases in hon'ble courts

13.

क्रमांक	जेल का नाम	बंदी का नाम एवं पिता का नाम	आयु	मृत्यु दिनांक	बंदी की मृत्यु का स्थान	मृत्यु का कारण
1.	जिला जेल छतरपुर	हरदास पुत्र पकुआ उर्फ राजाराम कुशवाहा	24	5/2/2018	गजरा राजा मेडिकल कालेज ग्वालियर	—

जिला जेल छतरपुर(मोप्रो)

