

**Report on the visit of Sri Damodar Sarangi, Special Rapporteur NHRC, [East Zone-1] to Midnapore Central Correctional Home Midnapore, from 01.02.2011 to 03.02.2011.**

I visited Midnapore Central Correctional Home from 1.2.2011 to 3.2.2011 to verify the living conditions of the inmates and to determine if the human rights of the inmates are being adequately protected by the prison and other authorities. Sri Kalyan Parmanick, Addl IG Prisons, Sri Sovan Kumar Din, DIG Prisons, and Sri Prahallad Singh Kumar, superintendent of the Correctional Home, took me round the wards and facilitated my interactions with the prisoners and the staff. They also furnished relevant information required for the finalisation of my report to the Commission, besides highlighting various problems faced by them in discharging their duties. On 4.2.2011, I met the Home Secretary and the ADG Prisons at Writers Buildings Kolkata, shared my observations with them, and obtained their views on the same.

## **2. Historical Background**

This prison was established in the year 1868. Many prominent freedom fighters were incarcerated by the colonial British Government in this prison. It is here that the following freedom fighters were martyred.

- |     |                                  |  |
|-----|----------------------------------|--|
| i   | Martyr Pradyut Bhattarcharjee    | Hanged on 12.01.1933 for killing the then District Magistrate of Midnapore, Mr. Douglas.             |
| ii  | Martyr Harendranath Chakravarty  | Both were hanged on 05.06.1934 for their attempt to kill Englishmen at Chitagong Paltan gound.       |
| iii | Martyr Krishna Chandra Choudhury |  |
| iv  | Martyr Braja Kishore Chakravarty | All of them were hanged on 25.10.1934 for killing Mr. Burje, the then District Magistrate, Midnapore |
| v   | Martyr Ramkrishna Roy            |  |
| vi  | Martyr Nirmal Jiban Ghosh        |  |

A martyrs' column has been raised inside the prison to commemorate them. Many others braved torture and deprivations in their fight for the freedom of the motherland from the shackles of colonial rule. The state and the central government should consider giving Heritage status to this monumental structure as a fitting tribute to these great sons and daughters of India.

## **3. Prison Population**

Against a sanctioned capacity for 2018 prisoners (1988 male and 30 female) 1053 prisoners(1017 male and 36 female) are presently lodged in this Correctional Home. The breakup of the prison population is as follows.

<b>Classification</b>	<b>Male</b>	<b>Female</b>
Condemned Prisoners	Nil	Nil
Remands(UTP)	213	19
Sessions (UTP)	60	03
S.I.	31	02
R.I.	717	12
<b>TOTAL</b>	<b>1021</b>	<b>36</b>

Some interesting features of the prison population are as follows

- i. 400 of the prisoners are life convicts, of whom 58\* have completed 14 years of actual imprisonment.
- ii. As many as 101 of the convicts have been sentenced for committing offences u/s 498A/304B IPC and other related sections.
- iii. As many as 33 UTPs including 8 women have been detained for their alleged involvement in cases registered u/s 498A IPC
- iv. 77 of the UTPs, including 6 women, have been detained for alleged unlawful activities attributed to left wing extremism.
- v. 53 of the prisoners are mentally ill.
- vi. A large number of prisoners are above 65 years of age.\*\*

\* This is as per the report of the superintendent. The actual number should be much higher as has been discussed in paragraph 17 of this report.

\*\*As per the superintendent there are 13 such prisoners. The actual number should be much higher as has been discussed in paragraph 9 ( ii) of this report.

#### **4. Land and Buildings**

Area wise, this is one of the largest prisons in the country. As has already been discussed, its historical significance has been phenomenal. The area within its boundary walls measure 92 *bighas*. Jail land lying outside the boundary walls, is much larger and is yet to be properly demarcated. Over the years, a substantial chunk part of the prison land has been encroached by outsiders. The offices, wards, cells and other units of the prison are located in imposing structures, some of which have been ruined and abandoned due to continued neglect and lack of maintenance. Trees and bushes have grown on the walls and roofs of many of these structures. If the superintendent is to be believed, some of these abandoned buildings are infested by poisonous snakes. Yet it seems possible to protect these historical structures by suitable repairs.

The prisoners' barracks are large and spacious with high ceilings. There are enough fans and lights. There is however no provision for cup boards or almirahs for storing the belongings of the inmates, which are haphazardly slung from pegs in the walls. The jail authorities should provide for adequate cup boards/ almirahs for storing of the personal belongings of the inmates. No cot or raised platform has been provided in the general wards. The buildings, being very old, are leaking at places from the walls and ceilings.

The jail kitchen is in very bad state of repairs. The floors and the 'chulas' are mostly broken. Diesel is being used as fuel for cooking. The kitchen walls are covered with black exhaust shoots. There is no dining hall.

ii. Against a sanctioned strength of 306 officers and men in the jail staff, only 43 residential quarters are available. Of these, 3 are lying vacant as they are not habitable pending through repairs. 28 condemned quarters are waiting to be demolished. 18 of these are illegally occupied by members of the staff, many of whom have retired/ shifted to other units on transfer. In addition, unauthorised sheds and shanties, some very close to the jail walls, have been raised, some of which are being used as canteens and tea shops and the rest for the purpose of unauthorised residential accommodation. The encroachers are stealing electricity by hooking the transmission lines. Besides being a security threat, these structures and their continued occupation by unauthorised persons, adversely affect the hygiene and sanitation in the prison. The state government, besides taking immediate action for the eviction of illegal occupants from the buildings and premises of the prison, should take immediate measures for constructing additional quarters for the prison staff,

iii. The Reserve barrack, located right in front of the main prison gate has been forcibly occupied by the Paschim Banga Kararakhi Samity, one of the three staff unions of the guarding staff, affiliated to the Revolutionary Socialist Party. The waiting shed for visitors has likewise been forcibly occupied by the Kararakhi Samity Paschimbanga (pro CPIM). The Bangiya Kararakhi Samiti (pro TMC) has forcibly occupied a room near the pump house in front of the main gate.

The ADG in his letters nos.1258/IG/10 dated 19.5.2010, 1269/IG/10 dated 20.5.2010 and 1265/IG/10 dated 20.5.10 had directed the DIG to evict the encroachers with the help of the district administration, to lodge FIRs with the police against 23 employees stealing electricity and to initiate proposals for stopping the pension of retired staff to ensure vacation of quarters illegally occupied by them. It is a pity that the state government has not been able to evict these people from the premises of the Correctional Home.

## 5. Sanitation

Most drains in the prison are open. Mosquitoes are all over the place. Mosquito nets are issued only to inmates admitted in the prison hospital. The jail administration should issue nets to all the inmates. Immediate action should be taken to cover the drains. There is no pipe water supply to the wards or to the bath platforms. Under

ground water is pumped at fixed locations and carried to the wards, kitchen, bath platforms and other units on the shoulders of prisoners, many of whom are old and are in no position to bear the burden. Water points should be provided in each of the wards, toilet blocks and bathing platforms. Most prisoners complained that the quality of water is not good. Till it is possible to centrally cure and disinfect the water, the jail administration should provide water filters to each of the barracks and cells.

All the 9 sweepers and 2 barbers sanctioned for the prison are in place. 50 grams of washing powder is weekly issued to each prisoner for washing clothes. A cake of lifebuoy soap weighing 100 grams is issued to each convict for month for their bath. Earlier, each UTP was getting a cake of lifebuoy soap weighing 50 grams once every fortnight. Many UTPs complained that they are now getting one such cake per month. The prisoners also complained that the quality of mustard oil issued to them for inunction is very poor.

## 6. FOOD

A copy of the prisoners' diet chart, showing the daily scales of diet admissible to adult prisoners, child prisoners and patients is enclosed with this report at **Annexure-1**. Major grievances of the prisoners pertaining to the quality and quantity of food supplied to them is as follows.

- a. The quantity of rice served to them is inadequate. Most of the prisoners are rice eaters. They do not get rice with the evening meal and are forced to eat chapattis which are hard and dry. One UTP, Aswini Das produced five chapattis issued to him for the evening meal which were as hard and dry as pieces of dried animal hides.
- b. The quantity of fish and meat served once in a week is not more than 50 gm though the prescribed scale is 75 gm.
- c. For breakfast, they are issued Mudhi, and Chida without anything to marinate it with.
- d. The quality of rice served to them is very bad.
- e. The quality of vegetables is also poor. Very little oil and condiments are added to it.

In the nearby state of Orissa 615 gm of rice /atta is issued per day per prisoner. There is a case for issue of identical quantity of rice /wheat to prisoners in West Bengal.

Dietary items are purchased on the basis of competitive tenders. The accepted rates of rice and wheat (Rs1660.00 and Rs1324.00 per quintal respectively) are comparable with the prevailing market price. The accepted price of fish, mutton, eggs, pumpkin, banana, papita, etc is way below the market price. For example the

accepted rate of "male goat meat" is Rs168.00 per kg whereas the prevailing market price is Rs270/- to Rs280/- a kg. The price of whole 'pona' fish is not less than Rs100/- a kg in the market. The accepted rate is Rs77.90 per kg. The accepted rate of *Patal* is Rs8.5/- a kg, and that of of lemon is Rs0.86 paise a piece, which is much less than the prevailing market price. It appears the tender committees are accepting the lowest of the quoted rates without insisting on quality.

## **7. Beddings and clothing**

Each prisoner is supplied with 3 blankets. Only one bed sheet is issued in a year. Neither any mattress nor any pillow is issued. No footwear issued. Except in the hospital, no mosquito net is issued. As there is no cot or raised platform in the wards, it is considered necessary to issue at least a duree/mattress to each prisoner for spreading on the floor. At least two bed sheets should be issued to each prisoner. They should be issued a pair of slippers.

One full pant, one half pant, one 'gamcha' and one shirt is issued every six months to each of the convicts. A few of the UTPs complained that they do not have proper clothes and they are in no position to fetch such clothes from their relatives and friends as they live far away from the prison and do not have the required means. The superintendent should issue clothes to all indigent UTPs.

## **8. Education, recreation and cultural activities**

There is a primary school teacher in the staff of the prison. He, with the help of educated convicts, imparts primary education to the convicts. There are as many as 21 illiterate convicts in this prison. The jail authorities should be able to teach them the three Rs within a time frame. There is a library in the prison. There are 3954 books in the library of which only 39 have been issued to the inmates. Books available in the stock, cover a wide range of subjects including fiction, travel, history, biography religion etc. Some of these books were received from the Prison Directorate. The rest have been received from charitable organisations like the Ramkrishna Mission, Diganta and Don Bosco. The last lot of 115 books were received from the Prison Directorate on 25.11.2010. Compared to the number of books in the stock, the number of books issued to the inmates is very low. The superintendent may encourage the inmates to borrow books from the library for self study. The UTPs complained that they are not allowed to borrow books.

In the year 2009, one prisoner, Ramprasad Deghoria successfully appeared in the MA examination from this jail. 4 prisoners i.e. Bikash Mahata, Prasanta Mahata, Dhiri Ranjan Mahata and Sukh Santi Baskey are expected to appear in the S.F. examination this year. Ashim Bhattacharya, another inmate, is expected to appear in the BA examination this year.

With the help of Don Bosco Prison Ministry, the Prison authorities have initiated a programme for the education of the dependants of the prisoners back home.

Facilities for out door and indoor games like football, volleyball, ludo, chess, carom and cards are available in the prison. UT Prisoners however complained that they are not allowed to take part in outdoor games. Annual sports are organised. TVs have been provided in the wards. Cable connections have however not been taken. The inmates requested for cable facilities at least for the duration of the cricket world cup.

Musical instruments have been provided. The prisoners are encouraged to perform traditional folk dance programmes like Chow and Santhal dances. They are also encouraged to stage Drama, Jatra and variety entertainment programmes on festive days. Festivals like Durga Puja, Kalipuja, Holi, Bengali New Year etc are celebrated, as also the Independence and Republic Days .

## 9. Health and hospital

There is a sanctioned hospital with 104 beds (100 for male and 4 for female prisoners) inside the prison. 3 MOs are engaged on contractual basis. There is a sanction for 2 pharmacists against which one is posted. There is no post of a technician nor is there any laboratory. Whenever necessary patients are taken to the local medical college hospital for pathological and other diagnostic tests. Even there, facilities for MRI, 24 hrs Urine Test etc are not available.

At times prisoners are sent to nursing homes and hospitals in Kolkata for such tests and treatments.

741 indoor and 30970 outdoor patients were treated in this hospital during the whole year 2010. In an average 90 patients have been treated in the outdoor every day. This is almost 10% of the entire prison population, and in itself gives a poor account of the state of health of the inmates.

### i. Mental Health

The jail administration submitted a list of 14 UTPs and 39 Convicts who are suffering from mental illness. The list is reproduced below.

Sl. No	Ward No.	Name of the Prisoner	Age	UTP/ Convict
01	7B	Afser Khan	25	UTP
02	7B	Bikas Elli	22	UTP
03	7B	Sk Sanu	19	UTP
04	7B	Sk Imtiyaz	22	UTP
05	7B	Milan Ari	28	UTP
06	7B	Nobi Boksh	34	Convict
07	9	Khudiram Kha	65	Convict
08	14	Jayadeb Roy	47	Convict

Sl. No	Ward No.	Name of the Prisoner	Age	UTP/ Convict
09	4	Sudarsan Garai	55	Convict
10	8	Manik Bagdi	57	Convict
11	13	Biswanath Chakravarty	58	Convict
12	6	Sadhan Kulia	42	Convict
13	6	Durga Charan Mandi	50	Convict
14	4	Ananda Nandi	56	Convict
15	11C	Ramprasad Deghoria	32	Convict
16	8	Satyabrata Sarkar	54	Convict
17	9	Khokan Ari	53	Convict
18	13	Sunil Mahato	35	Convict
19	8	Subal Samanta	50	Convict
20	13	Jayasen Pande	53	Convict
21	9	Kajal Bauri	34	Convict
22	8	Santosh Rana	45	Convict
23	9	Sukumar Das	29	Convict
24	4	Sk Rejabul	45	Convict
25	8	Gour Gopal Saha	46	Convict
26	6	Deb Charan Mandol	38	Convict
27	7A	Raghab Chandra Parmanik	40	Convict
28	14	Hansu Mandol	40	Convict
29	6	Manan Khan	29	Convict
30	4	Santosh Ghosh	41	Convict
31	5	Sankar Mahato	53	UTP
32	7B	Kalipada Giri	28	UTP
33	7B	Bhanu Bhanja	42	UTP
34	7B	Chinmaya Bera	32	UTP
35	7B	Uttam Shaw	36	UTP
36	7B	Satyajit Shaw	42	UTP
37	7B	Gurupada Laya	33	UTP
38	7B	Sk Raju	35	UTP
39	7B	Ashok Kar	36	UTP
40	7B	Haripada Shaw	46	Convict
41	7B	Sabyasachi Batabyal	74	Convict
42	7B	Dipak manna	50	Convict
43	7B	Gurupada Mal	42	Convict
44	7B	Sudam Bauri	52	Convict
45	7B	Laxman Bhuyan	36	Convict
46	7B	Manohar Majhi	36	Convict
47	7B	Bamapada Sarkar	26	Convict
48	7B	Paritosh Jana	48	Convict
49	7B	Nirmal Mandol	50	Convict
50	7B	Jawahar Mandol	30	Convict
51	7B	Anadi Kaiti	37	Convict
52	7B	Himansu Patra	24	Convict
53	7B	Biswanth Burai	41	Convict

Dr. T.K. Ganguly a psychiatrist from Midnapore District Hospital was attending to these patients once every month. The last time he visited the patients was on 1<sup>st</sup>

July 2010. On 31.1.2011, just a day before my visit, Dr Ashis Acharya, a psychiatrist posted at Howrah General Hospital came to this prison, examined the psychiatric patients and prescribed medicines for them. The patients complained that the MO in charge of the prison hospital is reluctant to purchase these medicines as they do not figure in the approved list of medicines. The superintendent however advised the MO in my presence to issue the medicines prescribed by the psychiatrist to the patients immediately.

## ii. Geriatric prisoners

The superintendent submitted a list of 12 convicts and one UTP, all above the age of 65 ( 11 of them are above the age of 70 and six above 80. The list, is reproduced below. The convicts are serving sentences mentioned against them. The lone UTP, has been recently admitted.

Sl. No-	Name of the patient	Age	Status	Case reference	Date of sentence	Sentence
1	Sripati Sahis	85	Con	S.C. no- 81/88, ST. no- 29/95, U/S- 148/149/302 IPC.	24/07/2003	Life
2	Sankar Patra	82	Con	S.C. no- 6(6)89, ST. no- 1(3)95, U/S- 304 IPC.	27/04/2004	5 Years
3	Sahebram Mahato	71	Con	S.C. no- 41/99, U/S- 302/148/149 IPC.	23/09/2005	Life
4	Bhairab Das	75	Con	S.C. no- 26(5)07, ST. no- 3(6)07, U/S- 498A/302/34 IPC.	26/08/2010	7 Years
5	Satish Mandal	85	Con	ST 6(4)/07 SC 12(2)/07 U/S 498/A,306 ipc	06/10/2010	5 Years
6	Kedar Patra	83	Con	ST. no- IX/Feb/90, U/S- 302 IPC.	04/11/2008	Life
7	Khedan Mahato	72	Con	S.C. no- 38/89, ST. no- 8/91, U/S- 312 IPC.	24/02/2009	7 Years
8	Phuchu Ansary	67	Con	S.C. no- 38/89, ST. no- 8/91, U/S- 312 IPC.	24/02/2009	7 Years
9	Khirood Hatui	83	Con	ST. no- VII/Nov/81, U/S- 148/304 part I, 149/307/323/324 IPC.	29/10/2009	5 Years
10	Phanibhusan Singha Mahapatra	73	Con	S.C. no- 3(8)92, ST. no- 1(7)93, U/S- 304B part ii IPC.	31/01/2007	6 Years
11	Tribeni Yadab	81	Con	ST. no- X/Nov/91, U/S- 302 IPC.	30/11/1995	Life
12	Sabyasachi Batabyal	74	Con	S.C. no- 2(6)90, ST. no- 5(8)91, U/S- 498/302 IPC.	11/07/1991	Life
13	Panchanan Bhattacharjee	70	UT.	KGP(L) PS- case no- 416/10 dt. 02/11/10, U/S- 498A/304B/34 IPC.	Date of Admission 04/01/2011	



This does not appear to be a complete list. The number of geriatric prisoners could be much more. Among the inmates admitted in the prison hospital, I found 23 of them, including 9 who are above the age of 80. The superintendent should compile a reliable list of all the geriatric prisoners. A separate geriatric ward with reasonable comfort should be organised for them immediately. The quality of medical attention available to them at present leaves much to be desired. Those of them who are admitted in the geriatric ward of the hospital were found lying on the floor in dishevelled condition. It was argued that cots can not be provided to them as they could fall down from the same and sustain injuries. This alibi is absurd to say the least. The Jail administration must arrange to issue cots to these patients. To avoid accidents, the cots may be specially designed. Whether in the wards or in the hospital, adequate nursing assistance should be made available to them.

Some of them have completed 14 years of actual imprisonment. The state government may consider their case for premature release sympathetically. SL no 2, prisoner Sankar Patra is 82 years old and is blind in both the eyes. As reported by the superintendent, he has been sentenced to 5 years RI on 27/04/2004 in ST case no. 1(3)95 u/s 304 IPC. It is not understood why he is still in prison. He should be released immediately unless wanted in some other case/cases.

UTP, Panchanan Bhattacharya, admitted in this prison on 4.1.11, is 70 years of age and is a psychiatric patient. The state government may arrange for his release on bail.

iii. On the date of my visit, 65 patients (61 male and 4 female prisoners) were admitted in the prison hospital. 8 others were under observation. There were 8 patients in the surgical wards, 8 in the Fever Ward, 8 in the Bowl ward, and 29 in the geriatric ward.

5 of the admitted inmates are psychiatric patients, 5 are TB patients. Others were admitted with complaints of heart diseases, Asthma, COPD, Diabetes, Multiple Geriatric problem, Bronchitis, RTI, HTN, Arthritis etc. A list of these patients is reproduced below.

Sl .No	Ward No	Name of the Patient	Age (Years)	UTP/ Convict	Reason for Admission
1	11B	Debabrata Giri	52	Convict	Diabetic
2	11B	Nisith Baran Kumar	64	Convict	Heart Disease
3	11B	Anant Hembram	70	Convict	AGE
4	11B	Patit Paban Mandol	66	Convict	Diabetic + Cataract
5	11B	Sk Habibur Rehman	64	Convict	Asthma + Fever
6	11B	Panchanan Bhattacharjee	70	UTP	HTI
7	11B	Sk Habib	42	UTP	Colloid Cyst in Brain
8	11B	Ajit Shit	26	UTP	Chest Pain
9	11B	Dolagobinda Nath	50	UTP	UTI
10	11C	Sankar Patra	82	Convict	COPD + Blindness in both eyes

Sl .No	Ward No	Name of the Patient	Age (Years)	UTP/ Convict	Reason for Admission
11	11C	Khirod Hatui	83	Convict	COPD
12	11C	Bhairab Das	75	Convict	Arthritis
13	11C	Santosh Mandol	85	Convict	COPD
14	11C	Lakhan Malik	60	Convict	Diabetic
15	11C	Chunu Murmu	65	Convict	COPD
16	11C	Gobinda Jana	75	Convict	COPD + Fever
17	11C	Sripati Sahis	85	Convict	COPD + Geriatric Problem
18	11C	Sita Majhi	86	Convict	Geriatric Problem + Osteoporosis
19	11C	Kedar Patra	83	Convict	Multiple Geriatric Problem
20	11C	Khedan Mahato	72	Convict	COPD
21	11C	Phuchu Ansari	67	Convict	Multiple Geriatric Problem
22	11C	Sahib Ram Mahato	71	Convict	Geriatric Problem
23	11C	Panchanan Mandol	88	Convict	COPD
24	11C	Phani Bhusan Singh Mahapatra	73	Convict	Kidney + HTN
25	11C	Tribeni Yadav	81	Convict	COPD
26	11C	Milan Hatui	64	Convict	Bronchial Asthma
27	12A	Rabindranath Mandi	40	Convict	HTN
28	12A	Jagannath Jana	28	Convict	LBP
29	12A	Bhukul Kalindi	61	Convict	CVA
30	12A	Samarjit Haldar	23	UTP	Left Hand Injury
31	12A	Amiya Kundu	61	UTP	Bleeding P/R + LBP
32	12A	Gautam Dey	34	UTP	Cerebral Palsy
33	12A	Manmohan Das	61	UTP	LBP
34	12A	Sk Mofil	50	UTP	Foot Heel Lacerated Injury
35	12A	Sk Nazimi	25	UTP	Head Injury
36	12A	Manik Ghose	58	Convict	Heart Disease + Neck Pain
37	12A	Ranjan Mal	65	Convict	TIA
38	12A	Sudhir Jana	54	Convict	HTN + Convulsion
39	12A	Kumar Singh Shera	42	Convict	Epilepsy + Arthritis
40	12A	N. Tarakeswar Rao	48	UTP	UTI
41	12A	J. Shankar Rao	38	UTP	RTI
42	12A	Deepak Hansada	21	UTP	RTI
43	12A	Ujjawal Chakravarty	35	UTP	RTI
44	12C	Krishna Chandra Panja	72	Convict	Progressive Nephritis + HTN
45	12C	Sk Banu	85	Convict	HTN
46	12C	Jayanta Manna	50	Convict	Heart Disease + Asthma
47	12C	Srikanta Maity	56	Convict	Asthma
48	12C	Tushar Ganguly	38	Convict	AGE
49	12C	Kanchan Debsingh	24	UTP	AGE
50	12C	Bikash Pradhan	53	UTP	Diabetic
51	12C	Sk Julfikar Alli	32	UTP	Epilepsy (?)
52	32 Cell	Madan Mlakar	44	Convict	Impetigo

Sl .No	Ward No	Name of the Patient	Age (Years)	UTP/ Convict	Reason for Admission
53	T.B.	Ajay Thappa	32	Convict	Tuberculosis
54	T.B.	Shyam S Shaw	36	UTP	Tuberculosis
55	T.B.	Gautam Das	33	UTP	Tuberculosis
56	T.B.	Dipu Biswas	36	UTP	Tuberculosis
57	T.B.	Rakesh Singh	42	UTP	Psychiatric
58	7B	Himansu Patra	24	Convict	Psychiatric
59	7B	Sabyasachi Batabyal	74	Convict	Psychiatric
60	7B	Deepak Manna	50	Convict	Psychiatric
61	7B	Kalipada Giri	28	UTP	Psychiatric
62	Female	Gita Das	70	Convict	Geriatric Problem
63	Female	Maya Chakravarty	60	Convict	Diabetic
64	Female	Sambori Hansada	18	UTP	Pregnant
65	Female	Sindarela Khan	28	UTP	Psychiatric

#### iv. Preadmission Medical Check up

Pre admission Health Screening is usually held the day after the admission of prisoners. At times, such examination is held after 48 hours. It may be advisable to conduct such examination prior to their admission in prison. This will help in removing doubts regarding the circumstances in which injuries found on the person of the prisoner were sustained (i.e whether in police custody or jail custody). This should not be difficult as there are three MOs posted in this prison who could be detailed in shifts to do the job. During their interactions with me, many UTPs complained that they were severely tortured in police custody and sustained serious injuries. But the Health Screening reports do not reflect any such injury. The relevant columns in the reports have usually been left blank.

#### v. Custodial Deaths

Between 2006 and 2010, 12 male and 1 female prisoners have died in custody. The list of the deceased is reproduced below. 6 of the victims were Under Trial Prisoners.

The causes assigned to the deaths of prisoners mentioned at sl nos 8 and 14 are rather vague.

From the following table it would appear that Sl. No.1 UTP Sk. Munna aged only 35 years died in custody within five days of admission. Sl.No.7 UTP Kalipada Singh aged only 27 died within two months of his admission in prison. Sl.No.10 Gama Thakur aged only 30 died in less than a week of his admission. Sl.No.6 UTP Himangshu Ghosh aged only 40, died in less than two months of his admission. Sl.No.3 UTP Nema Das aged about 45 died in custody in less than six months of his admission. Most of them have reportedly died of chronic diseases. The Commission may call for the copies of their pre-admission medical checking reports and the history of treatment to verify if their ailments were properly diagnosed and treated.

Sl. No.	Year	Name of the deceased	Status	NHRC. Reference no with date	Date of Death	Date of admission	Age	Cause of Death
1	2005	Sk Munna	UTP	Case no- 387/25/05-06-CD dt. 10/10/05.	14/09/2005	09.09.2006	35	Cardio respiratory failure
2	2006	Mintu @ Nentu Dhara	Convict	Case no- 771/25/05-06-CD. Dt. 28/05/06.	28/02/2006	04.08.2005	55	Effect of Myocardial infection
3	2006	Nemai Das	UTP	Case no- 96/25/06-07-CD dt. 22/05/06.	26/04/2006	26.10.2005	45	Cirrhosis of liver
4	2006	Nupur @ Putul Bera (Female)	UTP	Case no- 584/25/06-07-DH/UC dt. 22/01/07.	20/10/2006	31.12.2006	05	Coma & Asphyxia
5	2006	Bandhya @ Jagabandhu Kuiry	Convict	Case no- 589/25/06-07-CD. Dt. 16/03/07.	28/10/2006	31.08.2005	73	Chronic Obstructive Pulmonary disease.
6	2007	Himangshu Ghosh	UTP	Signal no- 232/AB dt. 16/01/07.	15/01/2007	06.12.2006	40	Diseased condition of heart
7	2007	Kalipada Singh	UTP	Case no- 915/25/06-07-CD dt. 12/04/07.	12/03/2007	03.02.2007	27	Diseased condition of lung & bowel
8	2007	Pradhan Majhi	Convict	Case no- 587/25/12/07-08-JCD. (group-II) dt. 28/09/07.	07/09/2007	30.11.1988	62	Diseased conditioned
9	2008	Dulal Samanta	Convict	Case no- 959/25/12/07-08-DH/UC dt. 14/10/08.	24/01/2008	04.08.2005	62	Cardiojenic shock
10	2008	Gama Thakur	UTP	Case no- 1049/25/12/07-08-JCD (group-II) dt. 19/03/08.	25/02/2008	19.02.2008	30	Pulmonary T.B.
11	2008	Kunaram Hansda	Convict	Case no 625/25/12/08-09-JCD (group-II) dt. 10/11/08.	16/10/2008	27.07.2006	32	Cardiorespiratory failure due to pulmonary koch's with koch's left hip
12	2008	Mahananda Ghosh	Convict	Case no- 661/25/12/08-09-JCD. (group-II) dt. 26/11/08.	25/10/2008	15.05.2008	32	Cardiorespiratory failure
13	2009	Horiram Mandal	Convict	Case no- 887/25/12/08-09-JCD (group-II) dt. 06/02/09.	19/01/2009	27.11.2008	75	Sudden Cardiorespiratory failure
14	2010	Kalipada Patra	Convict	Case no- 45/25/12/2010-JCD. Dt. 29/01/10.	09/01/2010	27.04.2007	85	Diseased condition natural cause
15	2010	Amalendu Pal @ Jhantu	Convict	Case no- 344/25/12/2010-JCD. Dt. 12/05/10.	12/04/2010	27.11.2009	57	Cardiojenic shock

The commission's case file numbers are recorded in column 5 of the table. In one case i.e. in the case of deceased Kalipada Singh, the case file number has not been assigned. Closure order has not been received in any of the above cases. The superintendent claims that Inquest, PM and ME reports have been submitted in all these cases, evidence in support of which could not be readily produced. The Law Division of the Commission may verify the current status of these cases. The superintendent should open a running register in which the brief circumstances of these deaths, along with the following details should be recorded.

- i. Date of admission of the prisoner.
- ii. Age of the prisoner at the time of death.
- iii. Injuries, if any, found on the person of the prisoner at the time of admission.
- iv. Whether the prisoner was suffering from any ailment at the time of admission.
- v. The nature of treatment he was getting while admitted in prison.
- vi. Cause of death.
- vii. The date of despatch of Inquest, PM and ME reports.
- viii. Reference of the closure order.

### 10. Prison Industry

Of the 740 convicts who have been awarded Rigorous Imprisonment, the jail provides employment to only 38 prisoners (31 skilled, 2 semi skilled and 5 un skilled) in its manufacturing units. 643 others are employed to perform general duties such as guarding, sweeping, gardening, office work etc. Prisoners, whether working in the manufacturing units or performing 'General Duties' are entitled to get the same wage (Rs25/- for skilled, Rs21/- for semi skilled and Rs 18/ for unskilled workers). The prevailing scale of wages is abysmally low and should be raised at least to Rs50/- per day. Those working in the manufacturing units should be paid wages at a much higher rate compared to those doing desk and other light jobs. Wages are outstanding since December 2008. During the current financial year a total allotment of Rs1,13,26,000/- has been received for payment of wages including arrears. Judging from the number of labouring prisoners and the scale of wages payable to them, the annual requirement of funds should be somewhere around Rs45 lakh. The amount should be timely allocated by the government. A quarterly statement of wages due to each labouring prisoner should be published in the notice board.

I went round the manufacturing units. The profiles of the manufacturing units are briefly as follows.

#### i. Weaving Section

Presently 23 prisoners are engaged for work in this unit. Bed sheets and *Gamchas* are weaved in the three looms in this section. The products are issued to the inmates as per requirement. The units remain closed on Sundays. The workers want to work on sundays also, to earn additional wages. They complained that while convicts detailed for general duties are given work on all the days of the month, those working in the manufacturing units are not allowed to work on sun days. While it may not be desirable to engage them round the week, it is paradoxical that

those engaged in lighter work are earning more, compared to those engaged in more arduous work.

ii. Smith section

Three convicts are engaged in this unit. They manufacture buckets, mugs, storage drums, Trays, Rice strainers etc which are used internally. They too want to work on sundays.

iii. Carpentry Section

Three convicts are engaged in this section. They manufacture shelves chairs, benches, almirahs etc ,using timber from old felled trees from the prison premises.

iv. Tailoring section

Presently only 4 convicts are engaged here. They stitch bedsheets, under wears, trousers and kurtas from the long cloths manufactured in the weaving unit for the use of prisoners.

v. Wheat Grinding Section

Only 2 prisoners work in this section. They grind 75 to 80 quintal of wheat in a month which is used for preparing chapattis for the inmates.

vi. Laundry Section

Presently 3 prisoners are working in this unit. They press clothes. In an average they press 1200 pieces of clothes in a month.

## 11. Interview

Relatives and friends are permitted to interview convict prisoners on Thurs days, Fridays and Saturdays starting from 1130 hrs . UTPs could be interviewed on Mondays, Tuesdays and Wednesdays starting from 1300 hrs onwards. Each prisoner is allowed interview once a week. Every prisoner is allowed 20 minutes time for an interview. No interview is permitted on Sundays. Interview with PWG prisoners are held in the presence of DIB personnel. The superintendent is authorised to permit special interviews. There is no waiting hall for the interviewers. The waiting hall earmarked for the purpose has been forcibly occupied by *Paschim banga Kararakhi Samity*. There is no provision for drinking water for the interviewers. Interview is held across netted windows through which it is difficult to get a clear view of the interviewer and the interviewee. The interviewers are lined up standing in the roadside of the netted windows in cubicles and the interviewees on the jail side of the netted windows. A dirty open drain runs in front of the gate through which the interviewers are led into the narrow alley where they have to line up for their turn to interview their relatives and friends detained in prison. The interview alleys look like veritable dungeons notwithstanding the provision of lights and fans. There are two dirty urinals for the use of the interviewers outside the jail walls which do not provide for any privacy to the users and are particularly unsuitable for the use of female visitors. The jail administration must immediately evict the unauthorised

occupants of the waiting hall and provide facilities for interview of the inmates across the table in a proper and congenial atmosphere.

## 12. Leave and parole

A table showing the number of cases in which convicts were granted leave/parole during the last 5 years is reproduced below.

Sl.No.	Year	01 months	05 days	04 days	03 days	02 days	01 days	06 hours
1	2006	01	Nil	Nil	Nil	Nil	Nil	60
2	2007	01	01	Nil	Nil	01	Nil	65
3	2008	Nil	03	Nil	04	08	Nil	47
4	2009	Nil	04	01	01	08	Nil	53
5	2010	Nil	Nil	Nil	Nil	Nil	10	72

It is shocking to find that during the past five years only two convicts were granted 01 month parole. 5 days parole was granted in 8 cases, 4 days' parole in just one case, 3 days' parole in 5 cases, 2 days parole in 17 cases 1 day's parole in 10 cases. 6 hrs' parole was granted in 297 cases. At this rate a convict can hope to get one chance to go on parole in a decade that too in most cases for 6 hrs only. The West Bengal Correctional Services Act 1992 is quite liberal in the matter of granting leave and parole. According to this Act convicts could be granted parole annually to the extent of one month at a stretch after serving 2 years of the sentence. IG Prisons is empowered to grant short leaves even to UTPs. In emergencies even the superintendent could exercise such power. It is unfortunate that in spite of such liberal provisions, most of the prisoners have not been granted parole even once in the entire duration of their imprisonment. The state government must ensure that parole and leave are liberally granted.

## 13. Bail

The following 10 UTPs have been granted bail, but continue to languish in prison for their failure to provide surety.

Sl.No	Name & father's name	Date of Admission	Case reference	Concerned Court
1	B.Babu Rao S/O-Lt. B. Rama Rao	06.10.2010	Case no. 108/10, u/s-3(a) R.P. (U.P.) Act	CJM, MDP(W)
2	Sankar Mahato s/o-Lt.Anup	06.10.2010	Case no. 109/10, u/s-3(a) R.P. (U.P.) Act	CJM, MDP(W)
3	Milan Ari s/o- Ludhu	31.01.2011	GR_12/11, u/s-3(a) R.P. (U.P) Act	CJM, MDP(W)
4	Mangal Nayek s/o- Lt. Gour	25.10.2010	R.P.F. post case no -22/10 dt 08.10.10, u/s-3 (a) R.P(U.P) Act	CJM, MDP(W)
5	Sk Idu, s/o- Sk Fakir	13.12.2010	Case no -134/10, u/s 3(a) R.P. (U.P) Act	CJM, MDP(W)

Sl.No	Name & father's name	Date of Admission	Case reference	Concerned Court
6	Manjit Singh, s/o-Santosh	21.12.2010	KGP(T)PS. Case no 338/10, dated 21.12.10, U/S-399/402 IPC	CJM, MDP(W)
7	Afser Khan, s/o-Based	30.12.2010	Case no. 146/10, u/s-3(a) R.P. (U.P) Act	J.J. B. MPW(W)
8	Bikash Illy s/o-Dulal	23.10.2010	KGP (T). PS case no 267/10, dt.13.10.10, u/s-373 IPC	CJM, MDP(W)
9	Rakhal Sabar s/o-Lt. Hasa	08.08.2010	GR.69/05, U/S-326 IPC	J.M. Jhargram, MDP(W)
10	Presh Maity s/o- Lt. Rakhal	30.01.2011	KGP, G.R.P.S. case no -422, dtd-9.5.10, u/s-41/109 CRPC.	Executive Magistrate, Kharagpur

The Superintendent may persuade charitable institutions, like the Ramakrishna Mission and Don Bosco etc to stand surety for such indigent prisoners, enabling them to leave the prison.

#### 14. The status of investigation and trial of cases pending against UTPs

The superintendent submitted a list of 33 UTPs who are detained in this prison for more than 3 months, pending closure of investigation of the cases registered against them. In 19 of these cases investigation is pending for more than 6 months. UTP no. 489/09, Manindranath Kamillya, is languishing in prison since 07.02.09 as the investigation of Digha PS case no 7/09 dated 7.2.09 is still pending. UTP 76/10 Ganesh Soren is languishing in prison since 10.01.2010 as the investigations in Garbeta PS case no 08/02 and Goaltore PS case no 17/02 are still shown pending against him. These persons should be entitled to get bail.

Trial in some cases has likewise been delayed. Trial of UTP Pradeep Panda in ST case no. vi/ March/2000 is pending for more than a decade. The subject is detained in prison since 12.04.98. UTP 1576/07 Satyendra Singh, 1577/07 Sailendra Singh, 1578/07 Dhananjay Singh, 2497/07 Hapan Murmu, 3084/07 Sagena Champai are detained in prison for the last four years pending conclusion of the trials against them. Detention of accused persons for indefinite durations for the pendency of investigation/trial of the cases, in which they are suspected to have been involved, impinges adversely on their right to liberty. The superintendent may bring such cases to the notice of the concerned Courts.

#### 15. Jail Appeals

119 Jail appeals are pending disposal. Some of these appeals are pending for more than a decade. A list of these pending appeals is reproduced below.

Sl. No	Name of the Appellant / Petitioner	Appeal No	Result
1	Sankar Pradhan	CRA NO.241 of 2000	Pending
2	Bhaju@ Bhuti Mal	CRA NO.279 of 2002	Pending



Sl. No	Name of the Appellant / Petitioner	Appeal No	Result
3	Nemai Majhi	CRA NO.277 of 2003	Pending
4	Kamla Singh	CRA NO.91 of 2003	Pending
5	Not furnished by the superintendent	CRA NO.41 of 2004	Pending
6	Do	CRA NO.690 of 2008	Pending
7	Nagen Baskey	CRA NO.511 of 2008	Pending
8	Smt. Bhagawati Mana	CRA NO.742 of 2004	Pending
9	Utam Singh	CRA NO.741 of 2004	Pending
10	Baku mandi	CRA NO.262 of 2004	Pending
11	Swapan Mallah	CRA NO.723 of 2004	Pending
12	Haradhan Mahato	CRA NO.261 of 2004	Pending
13	Parachand Mahato	CRA NO.261 of 2004	Pending
14	Narayan Mahato	CRA NO.270 of 2004	Pending
15	Bhabesh Mahato	CRA NO.333 of 2004	Pending
16	Bhim Chandra Hembram	CRA NO.332 of 2004	Pending
17	Behari Majhi	CRA NO.526 of 2004	Pending
18	Gopal Ghosh	CRA NO.390 of 2004	Pending
19	Santosh Ghosh	CRA NO.260 of 2004	Pending
20	Bamapada Sarkar	CRA NO.268 of 2004	Pending
21	Krishna Singh Sardar	CRA NO.411 of 2004	Pending
22	Srimanta Mandi	CRA NO.417 of 2004	Pending
23	Akur Banarjee	CRA NO.690 of 2008	Pending
24	Nagen Baskey	CRA NO.511 of 2005	Pending
25	Chunaram Sardar	CRA NO.415 of 2004	Pending
26	Himansu Patra	CRA NO.485 of 2004	Pending
27	Sitaram Baskey	CRA NO.721 of 2004	Pending
28	Laba Hembra	CRA NO.609 of 2000	Pending
29	Mangal Hembram	CRA NO.104 of 2006	Pending
30	Raju Panigrahi@Bhaina	CRA NO.547 of 2006	Pending
31	Bhabesh Rana	CRA NO.714 of 2005	Pending
32	Buddheswar Kumbhakar	CRA NO.21 of 2005	Pending
33	Pravash Kumbhakar	CRA NO.21 of 2006	Pending
34	Chandi Mal	CRA NO.789 of 2005	Pending
35	Mangal Mal	CRA NO.789 of 2006	Pending
36	Buddhdeb Laha	CRA NO.668 of 2005	Pending
37	Manik Ruidas	CRA NO.781 of 2006	Pending
38	Anil Routh	CRA NO.425 of 2008	Pending
39	Rasu Bagdi	CRA NO.688 of 2008	Pending
40	Pravash Kumbhakar	CRA NO.21 of 2006	Pending
41	Chandi Mal	CRA NO.789 of 2005	Pending
42	Mangal Mal	CRA NO.789 of 2006	Pending
43	Neul mal	CRA NO.789 of 2006	Pending
44	Aditya Mandi	CRA NO.214 of 2006	Pending
45	Durga@ Durga Charan Mandi	CRA NO.713 of 2005	Pending
46	Dulal Pandit	CRA NO.402 of 2006	Pending
47	Laxman Bagdi	CRA NO.307 of 2006	Pending
48	Matilal Rana	CRA NO.390 of 2006	Pending
49	Mahadev Mal	CRA NO.390 of 2006	Pending
50	Sukchand Maity	CRA NO.723 of 2006	Pending
51	Khandu Murmu	CRA NO.724 of 2006	Pending

Sl. No	Name of the Appellant / Petitioner	Appeal No	Result
52	Bidhu Kisku	CRA NO.841 of 2006	Pending
53	Chasi Majhi	CRA NO.859 of 2006	Pending
54	Haripada Sahoo	CRA NO.856 of 2006	Pending
55	Sudhan Roy	CRA NO.798 of 2006	Pending
56	Buddhadev Duley	CRA NO.629 of 2006	Pending
57	Sudhir Tudu	CRA NO.363 of 2007	Pending
58	Ananda Manna	CRA NO.415 of 2007	Pending
59	Dina Nayak	CRA NO.416 of 2007	Pending
60	Kashinath Singh	CRA NO.459 of 2007	Pending
61	Sisir Bauri & Ors	CRA NO.141 of 2003	Pending
62	Alaudin Mansuri	CRA NO.12 of 1996	Pending
63	Dhanjoy Ganguly	CRA NO.460 of 2007	Pending
64	Sarbeswar@ Bisweswar Soren	CRA NO.461 of 2007	Pending
65	Jayanta Manna	CRA NO.449 of 2007	Pending
66	Bipin Kumar	CRA NO.571 of 2007	Pending
67	Prasanta Ghorai	CRA NO.536 of 2007	Pending
68	Sk. Anisur	CRA NO.570 of 2007	Pending
69	Maka Kumar	CRA NO.667 of 2007	Pending
70	Sufal Kumar	CRA NO.667 of 2007	Pending
71	Nakul Kumar	CRA NO.667 of 2007	Pending
72	Sachi Kandu	CRA NO.676 of 2007	Pending
73	Kanaiya Singh		Pending
74	Mahadev Duta	CRA NO.26 of 2008	Pending
75	Nibaran @ Saheb Ram Murmu	CRA NO.29 of 2008	Pending
76	Sunil Mahato	CRA NO.89 of 2008	Pending
77	Manmatha Maity	CRA NO.130 of 2008	Pending
78	Chuttu Singh Thakkur	CRA NO.253 of 2008	Pending
79	Suresh Bauri	CRA NO.254 of 2008	Pending
80	Pintu Ruidas	CRA NO.252 of 2008	Pending
81	Duryodhan Murmu	CRA NO.372 of 2008	Pending
82	Bhaka@ Hapna Murmu	CRA NO.2020 of 2008	Pending
83	Mangal Soren	CRA NO.426 of 2008	Pending
84	Laxman Bhunia	CRA NO.427 of 2008	Pending
85	Bablu Karmakar	CRA NO.523 of 2008	Pending
86	Gurai Bhakta	CRA NO.524 of 2008	Pending
87	Swapan Patra	CRA NO.89 of 2009	Pending
88	Sasanka Patra	CRA NO.36 of 2009	Pending
89	Gopinath Nag@ Tak Tak	CRA NO.721 of 2009	Pending
90	Ananta Hembram	CRA NO.114 of 2009	Pending
91	Dayamay Mandol	CRA NO.694 of 2005	Pending
92	Haridas Dhibar	CRA NO.722 of 2005	Pending
93	Alauddin Mallick	CRA NO.117 of 2009	Pending

In the following cases not even the Appeal nos. are known.

Sl.No	Name of the Appellant / Petitioner	Reference of the letter with which Appeal Petition was forwarded
1	Sadhu Roy	Memo no. 2026/W.O. dtd 03.06.05
2	Biswa@ Chato Bura Roy	Memo no. 4317/W.O. dtd 10.11.05
3	Madhusudan Layek	Memo no. 4320/W.O. dtd 10.11.05
4	Haripada Dandapat	Memo no. 4318/W.O. dtd 10.11.05
5	Gayaram Orang	Memo no. 224/W.O. dtd 12.03.06
6	Anil Kar	Memo no. 2690/W.O. dtd 14.06.06
7	Arjun Singh	Memo no. 3497/W.O. dtd 07.08.06
8	Hansu@ Sudhir Mandol	Memo no. 4728/W.O. dtd 01.11.06
9	Sanatan Murmu	Memo no. 831/W.O. dtd 27.2.07
10	Joychand Parmanik	Memo no. 5044/W.O. dtd 02.11.07
11	Sahadeb Bauri	Memo no. 59/W.O. dtd 05.01.08
12	Smt. Muga Kumbhakar	Memo no. 239/W.O. dtd 16.01.09
13	Haripada Mana	Memo no. 1127/W.O. dtd 24.02.09
14	Pradip Ghosh	Memo no. 1416/W.O. dtd 13.03.09
15	Saktipada Mandol	Memo no. 1470/W.O. dtd 17.03.09
16	Nuna@ Kanai Singh	Memo no. 2944/W.O. dtd 05.06.09
17	Dhiren Mandol	Memo no. 3663/W.O. dtd 09.07.09
18	Ratan @ Buka Singh Sardar	Memo no. 3989/W.O. dtd 25.07.09
19	Paban Mandol	Memo no. 3663/W.O. dtd 09.07.09
20	Sukul Hembram	Memo no. 3998/W.O. dtd 25.07.09
21	Sudhir Jana	Memo no. 4594/W.O. dtd 26.08.09
22	Bablu Lohar	Memo no. 5448/W.O. dtd 19.10.09
23	Sk. Alauddin	Memo no. 5063/W.O. dtd 18.09.09
24	Bhagabat Ghorai	Memo no. 1485/W.O. dtd 05.09.07
25	Mahadeb Ghorai	Memo no. 6045/W.O. dtd 25.11.10
26	Mejo @ Krishnapada Kumar & another	Memo no. 6468/W.O. dtd 08.12.10

The jail administration does not appear to have any clue as to the exact status of the pending appeals. In two cases the names of the Appellants are not available.

It is a travesty of justice that the Appellants are not being granted leave or parole on the ground that their appeal petitions are pending, when they are in no way responsible for such inordinate delays in the disposal of such appeals. ADG Prisons may request the Registrar, for listing these petitions for early hearing.

## 16. Legal Aid

The superintendent claimed that 'all sorts of legal aid are provided to the needy prisoners'. It was further claimed that during the years 2008 and 2010, 220 prisoners have been provided with the services of advocates free of cost to defend them. But the fact that the jail administration has no clue on the status of 119 jail appeal petitions, some pending for over a decade, and that many prisoners do not know about the status of investigation /trial of cases registered against them and

that release on bail is being forestalled by the police in a planned manner, does not speak well of the level of legal advice available to them. It also does not appear that the jail administration has been able to do anything significant to provide legal relief available in the Code for mentally ill patients. The jail administration has also been rather insensitive in dealing with the prayers of convicts for parole and premature release.

### 17. Premature Release

The superintendent submitted a list of 11 prisoners, who according to him, have completed 20 years of actual imprisonment. The list is reproduced below.

Sl.no	Name of the convict	Regn. No	Present age (as on 1.2.2011)	Date of sentence and case in which sentenced	Period spent in prison as UTP	Total duration of imprisonment
1	Laxman Mullick	7553/A	84	26.06.86, ST-XXI/Jan/94, u/s 302 IPC	Not available	
2	Sasanka Das	5406/A	57	08.10.88, ST-XXIII/Mar/88, u/s-302/34 IPC	Not available	
3	Susanta das	9036/A	60	08.10.88, ST-XXIII/Mar/88, u/s-302/34 IPC	Not available	
4	Uttam Hazra	4309/A	64	18.03.89, ST-IV/Oct/86, GR-139/187, U/S-302 IPC	05moths 4 weeks 6 days	22 years 4 month 3 week 1 day
5	Kumbha Gorai	3580/A	76	28.07.89, SC-74/86, U/S-148/149/302/34 IPC	Not available	21years 6months 4days
6	Neda Nayak	3746/A	72	14.08.89, SC-X/March/1988, ST-X of March 1988, U/S-302/34 IPC.	3 months	21 years 8 months 18 days
7	Shibdas Mandal	2252/A	63	01.08.90, ST-3(2)90, ST-5(11)88, U/S 302 IPC.	2 month 4 week 2 days	23 years 3 months 3 weeks 4 days
8	Sanatan Mahato	3749/A	66	24.03.90, SC-8(9)89, ST-4(2)90, U/S-302 IPC	1 years 05 07 days	22years 3 weeks 6 days
9	Bhutu Soren	3744/A	65	16.05.90, ST-II/Sept/89, U/S 302 IPC.	1 year 1 month	21 years 9 month 2 weeks 3 days
10	Bipadtaran Roy	3564/A	65	07.02.90, SC-8(11)87, ST-4(1)89, U/S-302 IPC	Not available	20years 11months 3weeks 4 days
11	Manoj	4720/A	59	12.12.90, SC-22/88,	3 years 3	23 years 5

Soni@ Das		ST-2 OF July' 2008, u/s-302 IPC	months 12 days	months 3 days
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It appears, while computing the age of actual imprisonment, he has not taken into account the period spent in prison by them as UTPs.

Like wise he produced a list of 47 other prisoners, who according to his calculation have undergone 14 years of actual imprisonment. The list is reproduced below.

Here again he has not taken into account the period spent by them in prison as UTPs.

Sl. no	Name of the convict	Regn. No	Present age (as on 1.2.2011)	Date of sentence and case in which sentenced	Period spent in prison as UTP	Total duration of imprisonment
1	Rupai Ruidas	1558/A	64	18.06.96, SC-14(1)88.ST-4(1)1991, U/S-302 IPC	3 years 6 months 5 weeks 21 days	18years 1 month 7 weeks 21 days
2	Anowarul Hoque Siddiki	3286/A	54	29.05.98, SC-26/1987, ST-3/NOV.97,U/S-302/201 IPC	11 years 4 days	23 years 9 months 1 week
3	Dulal@Dulu Das	5762/A	48	08.10.88, ST-XX III/March/88, u/s-302/34 IPC	Not available	
4	Dilip Kumar Mahato	5211/A	43	30.04.93, SC/22/88, ST-2(7)88, U/S-302 IPC	03 yrs 03 week 2 days	20years 9 months 3 weeks 5 days
5	Srikanta Shaw	4850/A	67	30.01.91, ST-(4)90,U/S-302/34 IPC	2 months 2 weeks 1 day	20years 2 months 4weeks 1 days
6	Sk Saibul	3967/A	44	26.07.91, ST-II/DEC/1990, U/S-302/34	Not available	
7	Nemai Samui	2432/A	46	30.07.91, ST-5/MAY'90, U/S 302 IPC	4 months 2 weeks 2 days	19years 10months 2 weeks 2 days
8	Budhia Tudu	4005/A	49	25.07.91 <sup>ST-</sup> XII/JULY'90, Dantan PS C/NO-6, Dtd.20.6.86, U/S-302 IPC	3 months 1 days	19years 9months 2 weeks

Sl. no	Name of the convict	Regn. No	Present age (as on 1.2.2011)	Date of sentence and case in which sentenced	Period spent in prison as UTP	Total duration of imprisonment
9	Budhia Murmu	3745/A	54	25.07.91 ST-XII/JULY'90, Dantan PS C/NO-6, Dtd.20.6.86, U/S-302 IPC	3 months	19years 9months 1 week
10	Saroj Mohanty	4228/A	44	13.08.91, SC-11(7)89, ST-2(12)89,U/S-302 IPC	8 months 7 days 1 day	20years 1month 4weeks
11	Tarapada@Santal Kapri	306/A	59	14.06.91, SC-7(5)90, ST-1(1)91, U/S-302/34 IPC	2 months 2 weeks 6 days	19years 9months 4 weeks 10days
12	Sabyasachi Batabyal	3747/A	46	1.07.91, SC-2(6)90, ST-5(8)91, U/S-498A/302 IPC	1 year 9 months 1 week	21years 3month 4weeks 1day
13	Krishnendu Chakravarty	4627/A	58	05.04.91, ST-1(11)90,U/S302/34 IPC	1 year 7 months 3 weeks 4 days	21years 5months 3weeks 1 day
14	Sunil Patra	5197/A	62	07.04.92, ST-IV/April/91,GR-455/89,U/	2 months 4 weeks 1 day	18years 11months 7 weeks 5 days
15	Kalajogi Mukhi	5313/A	69	05.05.92, ST/XV/Jan/82,U/S-302 IPC	Not available	
16	Nirmal Mandal	199/A	43	20.08.92, SC/152/88,ST-3 of July/92, u/s-302 IPC	Not available	
17	Bhim Pandit	7683/A	55	28.05.93,ST-XI/Aug/92, U/S 302 IPC	3 months 2 weeks 2 days	17 years 11months 2weeks 2days
18	Shyampada Mandal	5526/A	73	05.01.93,SC-5(5)81, ST No. 5(8)81, U/S-302 IPC	2 months 4 weeks	29years 1month 2weeks 6days
19	Bhim @Mangal Ahir	2839/A	49	20.08.93, ST-XXIX/March'87, U/S 302/395/34 IPC	1 year 11 months 1 month 6 days	19years 4months 3weeks 5days
20	Alauddin Ansari	4845/A	55	13.05.95SC-53/92, U/S-302 IPC	3 years 6 months	21years 2months 2weeks 6days

Sl. no	Name of the convict	Regn. No	Present age (as on 1.2.2011)	Date of sentence and case in which sentenced	Period spent in prison as UTP	Total duration of imprisonment
21	Suchand Bauri	617/A	62	28.05.93, SC-6(1)89, ST-9(12)89, U/S-302 IPC	Not available	17years 8months 4days
22	Ashok Shaw	8480/A	52	13.01.93, SC-43/92, ST-5/93, U/S-498A/302 IPC	2 months 4 weeks	18years 2months 4weeks 11 days
23	Ekdil Sk	6333/A	55	07.08.93, SC-45/90, GR-448/89, U/S -302 IPC	72 days	17years 5months 3weeeeks 76 days
24	Sudhir Bauri	3979/A	62	07.07.94, ST-25/94, SC-5(10)90, ST-2(6)91, U/S-302 IPC	2 months 1 week 3 days	16years 8months 4weeks 7days
25	Jaladhar Mandal	2852/A	41	29.07.94, SC-3(5)89, ST-1 (11)90 U/S 302/201 IPC		16years 6months 3days
26	Shyampada Bauri	8526/A	53	28.01.94, SC-52/1993, ST-17/93, GR-2004/84, Keshpur PS Case no 5(12)84, Dtd 28.1.94, U/S-302/34 IPC	13 days	17years 17 days
27	Haru Singh	8519/A	61	25.02.94, ST-XVI/Jan/93, U/S-148/149/307/302/34 IPC	2years 9 weeks 5 days	18years 11months 10months 5days
28	Kartik Singh	8521/A	42	25.02.94, ST-XVI/Jan/93, U/S-148/149/307/302/34 IPC	1year 9months 2weeks 3days	18years 8months 3weeks 4days
29	Marang Singh	8521/A	48	25.02.94, ST-XVI/Jan/93, U/S-148/149/307/302/34 IPC	1 year 9 months 6weeks 4 days	18years 8months 7days 4weeks
30	Rama Chandra Barik	8524/A	41	25.02.94, ST-XVI/Jan/93, U/S-148/149/307/302/34 IPC	2 years 2 weeks 4 days	18years 11months 3 weeks 5days
31	Kanka@Bablu Singh	8527/A	46	25.02.94, ST-XVI/Jan/93, U/S-148/149/307/302/34 IPC	1 year 9 months 2 days	18years 11months 1weeks 1day
32	Biswanath Singh	8523/A	56	25.02.94, ST-XVI/Jan/93, U/S-148/149/307/302/34 IPC	2years 1month 4days	19years 4 days

Sl. no	Name of the convict	Regn. No	Present age (as on 1.2.2011)	Date of sentence and case in which sentenced	Period spent in prison as UTP	Total duration of imprisonment
33	Madan Singh	8521/A	48	25.02.94, ST-XVI/Jan/93, U/S-148/149/307/302/34 IPC	Not available	
34	Sudam Bauri	8482/A	45	28.01.94, SC-52/1993, ST-17/93, GR-2004/84, Keshpur PS Case no-5(12)84, dtd28.01.94, U/S-302/34 IPC	4 years 5 months 3 weeks 5 days	21years 6months
35	Tablet Khan	3957/A	54	28.01.94, SC-52/1993, ST-17/93, GR-2004/84, Keshpur PS Case no-5(12)84, dtd28.01.94, U/S-302/34 IPC	11 months 4 weeks 1 days	18years 3days
36	Choto Iswar Mudi	323/A	82	16.06.95, ST/V/Aug/89, U/S-302/34 IPC	5 years 8 months two weeks 6 days	21years 4months 6days
37	Debanand Patra	1137/A	49	15.02.96, ST-XXI/July/95, U/S-302 IPC	2 months 4 weeks 1 days	15years 1month 6weeks 4days
38	Lalit Majhi	5402/A	56	31.08.96, SC-58/88, ST-91/89, U/S302 IPC	96 days	14 years 8months 7 days
39	Tribeni Yadav	958/A	80	30.11.95, ST-X/Nov/91, U/S302/34 IPC	Not available	15 years 2 months 2 days
40	Gurupada Mal	1174/A	39	15.02.96, ST-10(2)1995, SC-5(6)94, U/S-302/34 IPC	Not available	14years 11months 2 weeks 3 days
41	Sadhan Dutta	716/A	50	31.07.95, SC-6(12)90, ST-3(3)91, U/S-302/498A IPC	Not available	15years 6 months 1 day
42	Biswanath Chakravarty	1599/A	54	26.06.96SC-3(1)95, ST-9(4)95, U/S-302 IPC	Not available	14years 7months 6days
43	Alauddin Mansuri	1307/A	53	28.11.95, ST-4(9)95, SC20/95, U/S-302/307 IPC	9 months 3weeks 6 days	16years 1 day



Sl. no	Name of the convict	Regn. No	Present age (as on 1.2.2011)	Date of sentence and case in which sentenced	Period spent in prison as UTP	Total duration of imprisonment
44	Gopal Majhi	4006/A	59	31.05.90, ST-VIII/Nov/1989, U/S-302/34 IPC	Not available	20years 8months 1 day
45	Babulal Yadav	4851/A	45	28.04.95, ST-1(12)94, u/s 302/34 IPC	Not available	15years 9months 4days
46	Gour Gopal Saha	4851/A	44	30.11.96, ST-1(12)94, u/s 302/34 IPC	3 years at prison	27years 7 months 1day
47	Purna Mandi	279/A	80	03.06.95, ST No.-XXI/January/ 94, u/s 302 IPC	Not available	15years 7months 2days

11 of the above prisoners are above the age of 65, of whom 4 are above 80 years of age. To keep such persons confined in prison beyond 14/20 years of actual imprisonment goes against the spirit of the various recommendations issued by the NHRC on the subject. As has already been mentioned above, and as was represented to me by a number of convicts, the superintendent is not taking into consideration the period spent in prison as UTP for the purpose of determining the eligibility of prisoners for release under the 14 year rule. This is palpably wrong and unfair. The number of prisoners, who have served more than 14 years of actual imprisonment, is likely to be much more, if the period spent in prison as UTP is taken into consideration.

The state government may consider their prayer for premature release immediately. It is distressing to find that during the last 5 years only 19 convicts have been granted premature release by the state government. During their interactions with me, many convicts complained that while some prisoners have been released immediately on completion of 14 years, many others who have spent longer periods have not been so lucky. There have been cases where their co accused have been released while they continue to languish in prison.

The state government issued a notification way back on 24.01 2000, constituting a board to review the cases of all life convicts who have completed 14 years of actual imprisonment. A copy of the notification is enclosed with this report at **Annexure 2**. The judicial secretary has been made the Convenor of this Board. As reported by the officers of the Prison Directorate, the meetings of the Board have been fewer than required. The NHRC has issued certain guidelines regarding the constitution and functioning of the Board. As per these guidelines the ADG/IG of Correctional Services should be the Convenor and Member Secretary of the Board. The state government may consider reconstituting the Board accordingly. The ADG informed me that four meetings of the Review Board have been held between December 2010 and February 2011 and cases of 95 life convicts for premature release has been taken up. Final release orders have however not been issued. The Home Secretary

promised to complete the process by the 1<sup>st</sup> week of March 2011. The state government may be advised to review the cases of all such prisoners, who have become eligible to be considered for premature release and yet languishing in various prisons of the state, within the next 6 months. Declaring the ADG as the convenor and Member Secretary of the Board may help in expediting the matter.

### 18. Board of visitors

It is a pity that no Board of Visitors has been constituted for this prison.

### 19. Interactions with Prisoners

#### i. Sudhir Mahato, s/o-Late Sanatan Mahato

As alleged by him, he was picked up from his house by the private militia of the CPIM (Harmads) on 18.11.2010, mercilessly beaten up by them and then handed over to IC Jamboni P.S. in West Midnapore district. The IC wanted him to be a witness, failing which, he was threatened, the 'Harmads' will kill all members of his family and burn his house. On 19.11.2010 he was produced in Jhargram court in connection with his alleged involvement in case nos. 43/10 dated 12.7.10 u/s 302/201/120/ B/379/34 IPC & 25/27 Arms Act and case no. 519/10 u/s 147/148/149/121/121A/ 122/124A IPC. While in prison, he was shown arrested in case no 73/10 dated 17.7. 2010 u/s 302/34 IPC 25/27 Arms Act and 120B/121/121A/122/123/124A IPC. On 2.2.2011 he has been shown arrested in yet another case .

He pleaded that all these cases are false, and the periodic implications in old cases are meant to forestall his release on bail.

#### ii. Ainul Khan, s/o- Yusuf Khan of Binpur, West Midnapore

He claims to have been falsely implicated in Goaltore P.S. case no 11/09 u/s 121/121A/122/123/124A IPC and 25/27/35 Arms Act and has been detained in prison since 13.4.2009. Added to the harassments by the police, the 'Harmads' of the CPIM have damaged his dwelling house. His family is living in utter misery. Prays for withdrawal of the 'false case' against him.

#### iii. Ashis Mahato s/o- late Bibhisian Mahato of village Mathurapur, P.S. Salban, dist- West Midnapore.

On 23<sup>rd</sup> February 2010, while he was escorting his daughter to the examination hall to appear in the school final examination, he was picked up by the CID and taken to Kharagpur town police station. He has allegedly been falsely implicated in Binpur P.S. case no 12/10 dated 5.2.2010 u/s 147/148/149/186/302/333/353/326/307/120B/121/121A/122/122A/124A/425/436/427/379 IPC, 25/27/35 Arms Act, 3/5 ES Act, 9(6) IE Act and Binpore P.S. case no 14/10 dated 5/3/10 u/s 302/34 IPC & 3.4. ES Act. If he was actually picked up on 23.2.2010, (as alleged by him) and has been detained in custody (authorised or otherwise) since then, it is not understood how he could have participated in a

crime on 5.3.2010 (in all likelihood the date of occurrence of the case). He further alleges that his personal transport in which he was taking his daughter to the examination hall was impounded by the police and kept in the P.S. for 9 long months.

iv. Nadu Gopal Mahato, s/o- Sankar Mahato

On 1.8.10 the police picked him up from his house. He was detained at the police station for four days, after which he was released with a direction that he should lead a 'normal life' and will appear before the police whenever called. After four days of his release he was again taken to the police station. After 3 more days of detention, he was forwarded to the court. From news reports he learnt that the police has shown him as an absconder since long to justify his arrest.

He has been implicated in four cases i.e. Sarenga P.S. case no 23/01 dated 4.12.10, Raipur P.S.20/96 dated 9.7.96, Ranibundh PS case no 43/03 dated 14.10.2003, and Belpahadi P.S. case no 03/04 dated 15.1.2004. He is not sure if any charge sheet has been submitted in any of these cases. In two of these cases he has been bailed out. For four years prior to his arrest he was living in his village and supporting his family from his income from private tuition. Prior to that he was working in Andhra Pradesh, first with a pharmaceutical unit and thereafter in a plywood factory.

Some of the cases in which he has been shown arrested are 6 to 14 years old. It is difficult to believe that these cases are pending investigation/trial for so long. Even presuming that investigation /trial could not be closed as the subject was absconding, it is not understood why he was not arrested on the day he was first picked up by the police.

He has been languishing in prison for the last 6 months. Back home, his family members are living in utter misery. The pecuniary condition of his family is miserable. There is no one to look after his wife, and minor children (one son aged 4 years and one daughter aged 5 years). Before his incarceration he had undergone a major operation (Gall bladder) and is unable to absorb the routine diet served to the prisoners. Requests for early release and issue of medical diet to him.

v. Convict no 5211/a Dilip Kumar Mahato

He has already served 23 years in prison. His parents are dead. Back home he has left behind his wife and a daughter. He is not in touch with them. He has not been granted any leave or parole to visit his family. When his father died he came to know about it after a year. Prays for early release

v. Radheshyam Das, s/o- Kalipad Das

He was picked up from his house on 22.5.2010 by the Officer-in-Charge Khejuri P.S. Sri Atanu Hazra. He was forwarded to the court on 23.5.2010 in Khejuri P.S. case no 65/10 dated 14.5.10 u/s 121/121A/122/123/124/120B IPC 25/27 Arms Act and 20 UAPA. He was taken on 10 days police remand during which police forcibly made him to sign on three plain sheets of paper. He was produced in court again on

1.6.10 and remanded to judicial custody. While in custody he was shown arrested in a case in the jurisdiction of Alipore court. He has also been shown arrested in Bishnupur P.S. case no 317/10 dated 29/6/10 u/s 18B/19/20 UAPA Act 121/121A/122/124A IPC, 25/27/35 arms Act and 3/5 ES Act.

He has been bailed out in Khejuri P.S. case no 65/10. The Bishnupur case has ended in charge sheet. Bishnupur P.S. case no 317/10 was registered on 29.06.10 while he was in custody. Requests for fair investigation of the case.

vi. Bholanath Mahato  
Dayamaya Mahato  
Amiya Maity  
Hiralal Maity  
Jaladhara Maity  
And Mahanta Maity

They are all accused of Jhargram GRPS case no 5/10 dated 28/5/10 u/s 427 IPC 150/151 IR Act and ¾ ES Act. They have allegedly been falsely implicated in the above case. The case against them has been charge sheeted. Request for early trial of the case.

vii) Ajit Debsingh@ Mahato, s/o- Late Nalini Mahato

He was picked up by the police on 20 .12.2010 and taken to Lalgarh P.S. Three mobile phones and Rs4000/- were seized by the police from him. He was severely tortured injuring his fore arm. Despite repeated request the police did not arrange for his treatment. The jail doctor also did not help. The police did not mention the fact of seizure of cash from his possession in the seizure list. He has been shown arrested in Salabani P.S. case no 115/2010 and 129/2010 within a gap of 15/20 days, apparently to prevent his release on bail. In his absence his house has been ransacked and set on fire.

viii. Nani Gopal Goswami. s/o- Nihar Goswami of village Bankata, Goalpore.

He was arrested on 14.2.2010 from Andhra Pradesh by CID West Bengal. That night he was kept somewhere in Bhubaneswar. Next day (15.2.2010) he was brought to, Kolkata by train. He was blind folded during his train journeys. For one month he was detained unauthorisedly at the STF HQs, Bhabani bhaban. During this period he was fettered to the walls and tortured severely. He was produced in Midnapore court only on 17.3.2010. The police falsely claimed that he was arrested from Barobudi Jungle in Goaltore, in course of an encounter. Initially he was shown arrested in 7 cases. The police continued showing him arrested in other pending cases at regular intervals to forestall his release on bail. So far he has been shown arrested in 26 cases a list of which is reproduced below.

Sl. No.	Name of the PS	Case no. and date	u/s	Remarks
1	Goaltore	94/07, dated 7.12.09	148/149/120B121/121A/122/123/124A/186/307 IPC, 25/27 Arms Act,	granted bail on 20.07.10
2	Goaltore	83/09, dated 11.11.09	120B121/121A/122/123/124A/34 IPC, 25/27 Arms Act	granted bail on 19.07.10
3	Goaltore	85/09, dated 14.11.09	121/121a122/123/124/129B186/34IPC, 25(I) (a) 27 Arms Act,	granted bail on 20.07.10
4	Goaltore	78/09, dated 2/4/09	121/121A/122/123/124/124A/120B/34 IPC, 25(I)(a)/27Arms Act,	granted bail on 19.7.10
5	Goaltore	77/09, dated 30.10.09	143/435/379/427IPC,	granted bail on 25.07.10
6	Goaltore	84/09, dated 13.11.09	364/435/379/427 IPC,	granted bail on 03.08.10
7	Goaltore	90/09, dated 21.11.09	143/436/379/427/34 IPC ,	granted bail on 02.08.10
8	Goaltore	87/09, dated 15.11.09	143/379/134/323/325 IPC 25 (I)(a) /27 Arms Act	
9	Goaltore	73/09, dated 24.10.09	143/427/379/506 IPC ,	granted bail on 29.7.10
10	Goaltore	16/10, dated 22.2.10	148/143/120B/121/121A/122/123/124A/186/307 IPC, 25/27 Arms Act	granted bail on 26.07.10
11	Goaltore	25/10, dated 16.3.10	148/149/12B/121/121A/122/123/124A/186/307 IPC, 25/27 Arms Act	granted bail on 17.08.10
12	Goaltore	22/09, dated 5.12.09	148/436/379/325/506/34 IPC/325 IPC, 25/27 Arms Act	granted bail on 26.7.10
13	Goaltore	67/09, dated 15.10.09	147/148/149/448/436/427/506 IPC, 25/27 Arms Act ,	granted bail on 26.07.10
14	Goaltore	76/09, dated 29.10.09	147/148/149/436/427/IPC,	granted bail on 20.07.10
15	Goaltore	94/09, dated 11.11.09	120B/121/121A/122/123/124A186/307/326 IPC, 25/27 Arms Act, 9 (b)IE Act, PW Record on 25.2.10, C/W on 30.3.10,	granted bail on 02.08.10
16	Goaltore	73/09, dated 2.8.09	120B/121/121A/122/123/124(A) /307 IPC,	P.W Received on 30.3.10
17	Goaltore	36/09, dated 26.6.09	121/121A/122/123/124A/186/353/307/34/120B IPC, 25/27 Arms Act 9(b)(II) IE Act	
18	Goaltore	115/09, dated 31.12.09	148/149/120B/121/121A/122/123/124A/307/326/186/353 IPC,	P.W. Received on 31.3.10 granted bail on 30.07.08
19	Goaltore	112/09, dated 30.12.09	148/149/120B/121/121A/122/123/124A/186/307 IPC, 25/27Arms Act,	C.W received on 31.3.10

Sl. No.	Name of the PS	Case no. and date	u/s	Remarks
20	Goaltore	114/09, dated 31.12.09	148/149/120B121/121A/122/123/124A/307/186/ IPC, 25/27 Arms Act,	granted bail on 03.08.10
21	Goaltore	39/10, Dated 03.05.10	302/201/34 IPC,	P.W Received on 12.5.10, C/W received on 14.5.10, granted bail on 20.08.10
22	Goaltore	102/09, dated 20.12.09	148/149/120B/121/121A/122/123/124A/186/307 IPC, 25/27 Arms Act 4/5 ES Act,	P.W received on 07.06.10, C/W received on 09.06.10
23	Goaltore	03/10, dated 3.1.10	148/149/120B/121/121A/122/124A/307/186 IPC, 25/27 Arms Act, 4/5 ES Act,	P.W record on 09.06.10, C/W received on 11.06.10, granted bail on 13.09.10
24	Sarenga	10/10, dated 5.3.10	364/379/506/25(I) (a)/34 IPC 27(iii)/35 Arms Act P/W received on 19.06.10 in, G.R. 64/10	
25	Sarenga	2/10, dated 26.1.10	147/148/149/436/427 IPC G.R. 24/10	
26	Sarenga	07/10, dated 21.2.10	147/148/149/427/436 IPC, 25(I)(a)/27/35 Arms Act, G.R. 56/10	

The list includes Sarenga P.S. case no 07/10 dated 21.02.2010 , Sarenga P.S. case no 10/10 dated 5.3.2010, Goaltore P.S. case no 16/10 dated 22.02.10 u/s 148/149/120B/121/121A/122/123/124A/186/307 IPC 25/27 Arms Act and Goaltore P.S. case no 25/10 dated 16.3.2010 u/s 148/149/120B/21/121a/122/123/124A/186/307 IPC 25/27 Arms Act, the dates of occurrence of which fall within the period of alleged unlawful detention of the subject. The implication of the subject in Goaltore P.S. case no 39/10 dated 03.05.2010 u/s 302/201/34 IPC is particularly intriguing as the subject was in judicial custody since 17.03.10. It is hard to explain his alleged implication in the said case unless the murder actually took place much before the date of registration. In respect of many other old cases registered in the year 2009, production warrants were issued much after the date of his remand to judicial custody..

ix. Sri Prasanta Patra,  
s/o- Subhankar Patra  
of village Andharua, Binpur.

He was residing at his native place with his old parents, wife Tarulata and two daughters Prativa and Nilima aged 5 and 2 ½ years respectively. On 24.3.2010 around 0600 hrs in the morning, Binpur police picked him up from his residence and started beating him up in front of his parents, wife and children. The police also abused his mother and wife in his presence. At the police station he was brutally tortured for three days. On 26.3.2010 he was forwarded to the court which remanded him to police custody for three days. At the police station he was again tortured. The police also tortured his parents, wife and children. Before being sent to the hospital for medical check up he was advised not to reveal anything to the doctor and warned that he will be done to death otherwise. He told the court regarding torture by the police but the court did not issue any directions, and sent him to police remand for another 14 days. He was again tortured. For three nights he was not allowed to sleep. Police officers Pradip Kundu, Shyamal Sen and I.G. Zulfikar Molla (should be Hasan) were among those who tortured him. Just for the purpose of keeping him under indefinite detention the police kept on implicating him in false cases, one after the other. He has so far been shown arrested in the following cases.

Sl.No	Name of the Police Station	Case no. & date	u/s
1	Binpur	14/09, dated 31.3.09	147/148/149/324/307 IPC, 25/27 Arms Act, G.R. 154/09, P.W. record on 20.5.10, C/W received on 27.5.10
2	Binpur	47/09, dated 01.09.09	147/148/149/448/379/506/ IPC, G.R. NO-372/09, C/W received on 27/05/10
3	Salbani	36/09, dated 18.5.09	121/121A/123/120B/124A IPC L/W sec 9(b) IE Act P/W received on 07.08.10, C/W received on 10.08.10

From the above list it will appear that most of these cases were registered in the year 2009 but he was shown arrested in these cases while in jail custody following his arrest in March 2010. After his detention, police and the 'Harmads' have ransacked his house.

x. Raja Serkhel

He was arrested in Kolkata on 5<sup>th</sup> October 2009 for his alleged complicity in Lalgarh P.S. case no 161/09 dated 26.09.2009 u/s 120B/121/121A/307 IPC section 3/4 IE Act, section 25/27 Arms Act and 16(1) (6)/17/18/20/38/39/40 UPA (Prevention) Act 1967. He was produced before SDJM Jhargram on 6<sup>th</sup> October 2009. The police submitted charge sheet in the case on 23.12.2009. Though more than a year has gone by, charges against him have not been framed. At the time of his arrest, the police had seized a mobile phone (Telephone no-9433389267) a driving licence and Rs 350/- from his purse and prepared a seizure list which he had

signed. Subsequently the police interpolated certain entries in the seizure list making it to appear that a copy each of 'Peoples March' and 'Dakhin Desh'. were also seized from him. He is the state secretary of the Revolutionary Democratic Front of India and wondered how could the possession of two magazines could be an offence warranting his indefinite detention in prison.

Books by Marx, Lenin, Mao-Tse – Tung, and many others, in which the right of the proletariat to rise in revolt against the ruling classes has been advocated are freely sold and bought in the market. The internet is replete with such revolutionary literature. Should the readers of all such books and literature be put behind bars? he asked. The magazines found on him were published much before the Maoists activities were banned. Before his arrest he was doing private tuition to support his family. Following his arrest his family has been reduced to penury. Though he respects the judiciary, he has been compelled to suspect the scope and capacity of the judicial system in our country to do justice to the accused, implicated falsely by the police.

xi. Ramdu Hembram  
s/o- Rajaram Hembram  
P.S.-Jamburi

On 19.11.2010 he was picked up from Jhargram court premises where he had gone to give Hazira, by SI Shyamal Das of Binpur P.S. After being kept under unauthorised detention for 4 days he was taken to Binpur P.S. on 23.11. 2010. On 24.11.2010 he was forwarded to the court falsely implicated in Binpur P.S. case no 43/10 dated 24.06.10 u/s 302 IPC. On 20.01.2011 he was produced in Midnapore court for his alleged complicity in Salabani P.S. case no 73/10 u/s 302/34 IPC 25/27 Arms Act 120B/121/121A/122/123/124A IPC. He is the joint secretary of Jambani Block Committee of the Jharkhand Party.

xii. Babulal Yadav

He is detained in prison since 20.1.94 along with his brother. He hails from Bihar. There is no one back home to look after his old parents. His prayer for premature release has not been entertained. Nor has he been granted any leave or parole. His case for premature release should be sympathetically considered.

xiii. Biswanath Tudu  
s/o- Late Rama Chandra Tudu  
P.S.-Salabani

On 4.12.2010 he was picked up by the security forces from his house, beaten up mercilessly, detained unauthorisedly for 4 days before being forwarded to the court on 9.12.2010, in case nos. 123/10 dated 7.12.2010 u/s 120B/121/121A/122/123/124A/307 IPC & 25/27 Arms Act and Salabani P.S. case no 94/09 dated 11.11.2009 u/s 120B/121/121A/122/124A/186/307/306 IPC & 25/27 Arms Act. In the second case custody warrant was received on 18.01.11 while he was in jail. Claims that he is innocent and has been falsely implicated in these cases.



xiv. Siru Mandi  
s/o- Suren Mandi  
P.S.- Jamburi

On 19.11.2010 he was picked up by Binpur police from the Jhargram court premises where he had gone to give 'Hazira'. He was kept in Jhargram P.S. for four days. Thereafter he was taken to Binpur P.S. where from he was forwarded to the court in case no 43/10 dated 24.06.10 u/s 302 IPC. Subsequently, while in jail, he has been falsely implicated and shown arrested in Salabani P.S. case no 73/10 dated 17 7.10 u/s 302/34 IPC 25/27 Arms Act and section 120B/121/121A/122/123/124 IPC.

xv. Sri Ranjit Patra  
s/o- Jagabandhu Patra  
P.S. Lalgarh

The police arrested him from his house at the midnight of 6/7.9.10. For about a month he was kept under unauthorised detention during which he was subjected to severe torture. His house was ransacked by the police. Finally on 08.10.2010 he was produced in the court for his alleged complicity in Lalgarh P.S case no 35/10 dated 26.4.10 u/s 148/149/341/326/307/302 IPC & 25/27 Arms Act and Salabani P.S. case no 103/10 dated 4.10. 10 u/s 25/27 Arms Act. While detained in Midnapore jail he is being falsely implicated in other cases at regular intervals.

xvi. Sri Dillip Maiti  
s/o- Late Abinash Maiti  
P.S.- Lalgarh

He was picked up from his house on 07.12.10 by 'Jyoth Bahini' accompanied by CPIM 'Harmads' Jiten Maity and Sanatan Maity. He was severely tortured by the security forces as well as by the 'Harmads' and was forwarded to court in Salabani P.S. case no 124/10 dated 08.12.10 u/s 120B/121/121A/122/123/124A/307 IPC, 25/27 Arms Act and 9(6) I E Act. He claims to be a supporter of TMC, the principal opposition party, and has been falsely implicated in the above case at the instance of the 'mighty' CPIM leader Sri Anuj Pandey.

On 18.12.2010 the 'Harmads' of CPIM set fire to his house after ransacking the same. His wife and children have been driven away from their house. While in custody he has been shown arrested in a series of old cases listed below.

Sl.No	Name of the Police Station	Case no & date	u/s
1	Salabani	124/10, dated 08.12.10	u/s 120B/121/121A,122/123/124A/307 IPC, 25/27 Arms Act 9(b) I E Act
2	Lalgarh	01/09, dated 06.01.09	144/152/186/506 IPC, G.R. Case no 25/09, P.W. received on 05.01.2011
3	Lalgarh	189/09, dated 18.12.09	147/148/149/427/379/448/307IPC& 25/27 Arms Act, G.R case no 818/09

4	Lalgarh	110/09, 14.08.09	dated	364/34 IPC G.R. 532/09
5	Lalgarh	166/09, 01.10.09	dated	148/149/448/379/436 IPC, G.R. Case 691/09,
6	Lalgarh	118/09, 17.08.09	dated	144/506 IPC, G.R.-540/09
7	Lalgarh	119/09, 14.08.09	dated	302/34/121/121A/122/123/124A IPC, 25/27 Arms Act G. R. -525/09
8	Lalgarh	94/09, 31.07.09	dated	147/148/149/307/506 IPC, G.R.-489/09
9	Lalgarh	38/09, 30.07.09	dated	148/149/427/431/380/506 IPC & 9(b) (III) I.E.Act, G.R. -483/09
10	Lalgarh	75/09, 20.07.09	dated	148/149/323/307/120B/307/120B/121/121A/122//123/124A IPC, G.R-445/09

**xvii Srikanta Mahato**

P.S.- Salabani

He has allegedly been falsely implicated in Salabani P.S. case no. 35/09 dated 02.07.2009 u/s 144/448/506/379/136/120B/121/121A/123/24 IPC.

**xviii. Convict 7062/A Md. Khalil**

He is in judicial custody since 20.04.1993. He was sentenced to life imprisonment on 31.08.2001. In effect he has been incarcerated in prison for the last 18 years.

No proposal for his premature release under the 14 years rule is being submitted as the jail superintendent refuses to reckon the period spent in prison as an UTP as part of the sentence actually served. His mother is ailing for long and his prayer for a few days parole has been consistently rejected by the prison authorities.

IG Prison may consider his case for parole favourably. He may also consider his prayer for premature release favourably. The period spent in prison as an UTP should be reckoned as part of the sentence undergone by the convict.

**xix. Ashok Mahato**

s/o- Shusil Mahato

P.S. -Lalgarh

He was picked up by the police on 21.07.2010 and taken to Binpur police station where he was unauthorisedly detained for 3 days. Thereafter he was taken to Kharagpur police station where he was detained for another 18 days after which he was shifted to Hijli police station where he was detained for 6 days. From Hijli he was shifted to Kharagpur town police station for a day, from where he was taken blindfolded to Salabani P.S. and was forwarded to court after being falsely implicated in Salabani P.S. case no 88/10. Though he was actually picked up from Pidra Kerli, the police reported to the court that he was arrested from Kalsidanga forest after an encounter with the security forces. There after he has been shown arrested in 13 other cases at regular intervals to prevent him from getting bail. Requests for action against the police for his wrongful detention for over a month.

xx. Krishnendu Chakravarty  
s/o- Rabin Chakravarty  
P.S- Belgachhia, Kolkata

He is languishing in prison since 1989 and was sentenced to life imprisonment in the year 1991. He is not exactly an antisocial. Early in his life he had committed a crime impulsively. He has already spent 22 years in prison. Requests for premature release.

xxi. Kalipada Mahali  
s/o- Late Dhananjoy Mahali

He has been convicted in session case no 26/03, u/s 302 IPC. His appeal in the High Court has been dismissed. He is too poor a man and has no means to file an SLP in the Supreme Court. He had requested for legal aid. He is not getting any assistance in this regard either from the welfare officer or the superintendent.

xxii. Sanatan Murmu  
s/o- Late Subrata Murmu

He was sentenced on 20.5.2006 by the court of Addl Session's Judge, Bankura. On 8.8.2006 his Appeal Petition was sent to the High Court along with a copy of the judgement. He has not received any information regarding the status of his appeal petition.

xxiii. Shyam Kamal Khawas

He was sentenced in Session's case no 77/1995. The appeal was dismissed by the High Court. Due to want of money he could not file SLP in Supreme Court in time. Requests for admission of SLP in the Supreme Court.

xxiv. Sambhunath Soren  
s/o- Premchand Soren  
P.S.- Goaltone

He was hit by bullets fired by the security forces on 6<sup>th</sup> Aasadha (Bengali calendar) 2009, while grazing cattle. He was taken to a hospital in Kolkata for treatment. Police picked him up from the hospital and arrested him in a case in which he was falsely implicated.

xxv. Kusadwaj Mandol

He was sentenced to 5 years RI by Additional Sessions Judge Purulia on 22<sup>nd</sup> February 1989. He was released on bail granted by the High Court, on 24.7.1989. The sentence was confirmed by the High Court in the year 2008. He surrendered in the court on 18<sup>th</sup> September 2008 and is in jail ever since. Prays for reckoning the period spent in Purulia Jail from 22<sup>nd</sup> February 1989 to 19.07.1989 as part of the sentence.

xxvi. Agen Murmu  
s/o- Suniln Murmu  
P.S.- Lalgarh

He was picked up by the police on 26<sup>th</sup> September 2009 from his house and has been falsely implicated in Lalgarh P.S. case no 169/09.

xxvii. Sambhu Soren  
s/o- Late Biswanath Soren  
P.S.- Lalgaarh

On 26<sup>th</sup> September 2009 while he was cutting grass in the field he was picked up by the police and implicated in a false case. He is languishing in prison for the last sixteen months. Back home his children are starving. Requests for bail.

xxviii. Bimal Garai  
s/o- Late Nepal Garai  
Indupur, Bankura

He was sentenced to imprisonment for life by Additional Sessions Judge Bankura on 22.11.2000 in special court case no 4/98 u/s 376 IPC and 3(2) V SC/ST Act. He has filed an appeal petition in the High Court (Appeal no 409/2000). Sri Kishore Mukharjee is his Lawyer. He does not have the means to pursue the case in the High Court. Prays for early hearing of the appeal.

xxix. Sri Dhiren Mandol

He was sentenced to life imprisonment on 31.5.2008 in ST case no 02/08 u/s 302 IPC. His wife was tortured and harassed by his elder brother's son and has been forced to flee to her father's house. Prays for security and rehabilitation of his wife.

xxx. Allauddin Mansuri

His appeal no 12 of 1996 in the court of Hon'ble justice Nur Alam Chaudhury and Honble Justice D.P. Sarkar has been pending since March 1996.

xxxi. Maka Kumar  
Safal Kumar and  
Nakul Kumar

Their appeal (CRA 667/2007) is pending in the High Court for the last four years without hearing.

xxxii. Akinchan Bhangar  
s/o- Rohit Bhangar  
Cnda, Bankura

He is detained in prison for the last 7 months for his alleged complicity in Digha P.S. case no 54/10 dated 21.08.10. He does not have the means to file a bail application or to provide sureties for getting bail. The superintendent may provide/arrange legal aid to him.

xxxiii. Convict 6760/A Hafijuddin

His wife and children have been driven away from the village by his opponents. Requests for their security and rehabilitation.

xxxiv. Jaydip Roy

He is a life convict and his prison term is now running 14 years. He has been suffering from mental illness prior to his trial in the Sessions Court. He was neither in a position to appreciate the depositions of the prosecution witnesses nor to defend himself in the said trial. His opponents had ransacked his belongings including the records of his treatment for mental illness. Later, from the copy of the judgement he came to know that he has been found guilty on the basis of false depositions. Prays for retrial of his case.

xxxv. Sri Haripad Sahoo

He produced three letters received from his mother Ranibala Sahoo, in which she has complained of her neglect and ill treatment by his younger brother Gour and his wife. In one of the letters she has mentioned that as informed by Haripad a police party had visited her but had demanded Rs300/- which she was in no position to pay. As a result the police have done nothing to redress her grievances.

xxxvi. Madan Malakar  
s/o- Hariapad Malakar

He has been transferred to this prison from Alipore Central Jail. His wife and two daughters are living at 55/4 Tallygunge Road, Kolkata. Requests for retransfer to Alipore so that his wife and children could be spared the trouble of coming all the way from Kolkata to interview him.

xxxvii. Prasun Chatarjee

He was arrested by the police on 05.10.2009 and implicated in Lalgarh P.S. case no 161/09 in which Chatradhar Mahato, Secretary of the PCAPA is also an accused. Nothing was seized from him except two mobile phones. In the charge sheet submitted by the police, it has been mentioned that a few leaflets issued on behalf of Lalgarh Manch and PCAPA were seized from him. These are not banned organisations. He wondered if the reading of Maoist-Leninist literature is banned in our country. There are several websites in which reference to Maoist activities has been given. Democracy in India, he claimed, has become equally oppressive as the political order now prevailing in China, Burma, Pakistan or Srilanka. Regarding living conditions in the prison, he mentioned about the poor quality of food and drinking water, the inadequacy of books in the library and the lack of chairs and tables for reading and writing etc.

xxxviii. Convict 5406/A. Sasanka Das.

He was sentenced to life imprisonment on 8.10.88 in ST Case no xxiii March 88 u/s 302/34 IPC, and is held in prison ever since. Earlier he was detained as an UTP from 27.5.86 to 25.8.86. In effect he has served more than 23 years of his life sentence. He has left his wife and two sons back home. He is not being considered for premature release due to unfavourable police report. The police, as claimed by him, had given a favourable recommendation on his mercy petition submitted after 7 years of the award of the sentence. Curiously all police reports submitted thereafter have been unfavourable. He is no longer interested in his release. Long incarceration

in prison has damaged his health. He now requires medicine worth more than RS 1000/ per month. He does not want to be a burden on his family members.

x. Convict 9138/A Srimanta Sahoo

He is languishing in prison for the last 22 years including the period spent as an UTP. Prays for premature release which is not being considered due to unfavourable police report. Pending such release, he requests for transfer to any prison in Calcutta.

xi. Convict 57/A. Neda Naik

He was sentenced to life imprisonment on 14.8.89 in GR case no.466/86 u/s 302/201 IPC .Prior to that he was detained in the prison from 7.1.87 to 7.4.87 as an UTP. In effect he has spent 21 years and 9 months in prison. Two of his co accused Nanda Shil and Rajan Sith have been released. His case is not being considered in spite of favourable police reports.

xii. Convict 2224/A. Md Anwar.

He was sentenced to life imprisonment on 22.1.98 in ST case no.xii(1)97 u/s 302/34 IPC. Prior to that he was detained in prison as an UTP from 24.7.96 to 21.1.98. His father is 85 years old. There is no one back home to look after him. The jail authorities are not granting him any leave or parole .His old father is in no position to come all the way to the prison to interview him. Prays for premature release for which he has become entitled. He further complained that while some prisoners are being prematurely released immediately after completion of 14 years there are many who are languishing for more than 20 years.

xiii. Convict 563 MD Mustafa

He was sentenced to life imprisonment on 31.8.2001 in case no 3(3) TADA Act and section 302/34 IPC. Prior to that he spent 8 years in prison as an UTP. In effect he has spent 17 years in prison. His prayer for premature release has not been forwarded to the government for consideration as the superintendent refuses to reckon the period spent in prison as UTP to be part of the punishment. His son was born after he was sent to prison. He is now 17 years old .In all these years he has been granted parole twice, each time for a duration of 6 hours only. Requests for premature release. If that is not possible , requests for a transfer to Presidency jail.

xiv. Convict 4627/A. Krishnendu Chakrabarty.

He was sentenced to life imprisonment on 5.4.91 in ST case no. 1(11)90 u/s 394/302/34 IPC. Prior to that he was detained in the prison from 10.8.89 to 5.4.91 as an UTP. In effect, he has spent 22 years in prison and requests for premature release.

xiv. Convict 6793/A. Ahia Sk

He had applied for parole to see his wife who is very sick. Police report was sought on 11.01.11, which is still awaited.

xvi. Convict no.9292/A. Abdul Manan

He was sentenced to life imprisonment on 26.05.03. He is yet to receive the copy of judgement from Fast Track Court no.4, Raghunathpur.

xvii. Saidur Khan

He was sentenced to 10 years RI on 30.07.2005. He is confined in prison since 29.11.03, first as an UTP till 29.7.05 and as a convict there after. On 10.01.09, while engaged for trimming branches from trees in the jail premises, he fractured his right big toe. He was admitted in Midnapore Sadar Hospital for treatment for two months. Thereafter he was sent to Alipore central jail for facilitating treatment at NRS hospital. The jail authorities could not organise his treatment at NRS and finally he had to be returned to this prison without treatment. He is about to complete his sentence on 28.11.2013. Requests for some remission in the sentence so that he could be freed early, enabling him to arrange for his treatment on his own.

xviii. Syamsuddin Midya

Earlier he was lodged in this prison as an UTP for 14 days for his alleged complicity in a local crime. On 5.3.09 he was transferred to Bishakhapatna to face trial in a case pending against him in Andhra Pradesh. He was sentenced to 7 years imprisonment on 10.05.10 in the said case and sent back to this prison for production in Midnapore Court. He was discharged by Midnapore Court on 17.06.10. Wants to be transferred to Bishakhapatna Central Jail where, as a convict, he will be entitled to periodic remission of his sentence.

xlix. Convict 6759 Madan Singh

He was sentenced to life imprisonment on 25.2.94. Prior to that he was detained as an UTP from 31.3.92 to 24.2.94. In effect he has served 19 years in prison and requests to be considered for premature release.

i. Convict 6714 Mehboob Khan

He was sentenced to life imprisonment in ST case no. 6 March 98 u/s 302 IPC. He was Orthopedically handicapped prior to the murder for which he has been sentenced. The disability certificate was issued to him on 28.06.04. His appeals before the High Court and the Supreme Court were dismissed allegedly due to his inability to produce the disability certificate. Pleads for re hearing of the appeal.

ii. Convict 2299/A Kashinath Bhakta.

He was sentenced to life imprisonment on 10.3.97 in case no ST XVII Jan/94 u/ 302 IPC. Earlier he had been detained in prison as an UTP from 13.8.95 to 9.3.97. In

effect he has served more than 15 years in prison and has become eligible to be considered for premature release. His case has not been forwarded to the Board due to the reluctance of the superintendent to reckon the UTP period as part of the punishment.

i. Chatradhar Mahato

He submitted a written petition "on behalf of all the Under Trial Prisoners" highlighting their grievances. A copy of the petition is enclosed with this report at Annexure3.

Chatradhara Mahato is the secretary of the PCAPA, which was formed with the ostensible purpose of resisting police atrocities on the tribals. The state government however believes that the outfit is a frontal organisation of the Maoists. Among other things Sri Mahato has demanded the withdrawal of Operation Green Hunt and the Joint Forces from Jungle Mahal, judicial inquiries into incidents of killing of the sympathisers of PCAPA by the security forces, withdrawal of sec 144 CRPC from the area, release of prisoners arrested on fabricated charges from Jungle Mahal, scrapping off 'black laws' like UAPA, AFSPA, discontinuance of the practice of showing under trials arrested in old cases immediately after the grant of bail to them, unauthorised detentions in police stations etc. In paragraphs (13) to (16) Sri Mahato has demanded distribution of excess food grains dumped in FCI godowns, grant of pension to all widows and the aged of Jungle Mahal, withdrawal of security forces from J&K, and punishment of those responsible for the demolition of the Babri Masjid.

Grievances highlighted in paragraphs 16 to 32 relate directly to the living conditions in the prison. The demands highlighted in these paragraphs include release of life convicts who have served more than 14 years in prison. Freedom to 'Cell' prisoners to interact with those in wards, provision for a telephones to contact relatives and friends, issue of fresh blades for shaving to the inmates, supply of clean and unpolluted drinking water, enhancement of wage of labouring prisoners to Rs150/- per day, permission to political prisoners to have table interview with intellectuals and Human Rights activists, provision of toilets and waiting halls for relatives and friends who come to interview the prisoners, provision of proper medical facility and the services of a permanent doctor, issue of daily news papers etc. Some of these grievances have been discussed separately in the course of my report.

iii. Convict 5762/A Dulal Das

He has served more than 18 years in prison. But his case for premature release is not being considered. He has been given driving and book binding training while in jail. Driving license was issued to him on 20.04.2005. Requests for his early release so that he can lead a normal life using the skill imparted to him in prison.

liii. Convict 4342 Jasmin Ansari

He has served 15 years of prison term including the period spent in prison as an UTP. He hails from Jharkhanda. Back home he has left behind his mother and wife



who are in no position to visit him in prison. He has not been granted parole even once during the entire period of his detention in prison. Prays for early release.

liv. Convict 4851/A Gour Gopal Saha

He was sentenced to RI for life on 30.11.96. Earlier he had served 3 years in Presidency jail as an UTP. The superintendent is unwilling to take into reckoning the above period for the purpose of his premature release. No one from his family has ever come to this prison to interview him. Only once was he granted parole for 10 days.

liv. Convict 452/A Suresh Prasad

He was sentenced to life imprisonment on 30.3.04. Prior to that he had spent two years in prison as an UTP. He hails from Jharkhand and is not being granted leave or parole on the ground that he hails from another state. He should be granted parole as per rule equally applicable to all convicts.

iv. Convict 2839/A Mangal Ahir

He has served 19 years of prison term including 2 years as an UTP. His co accused has been released just after serving 14 years in prison whereas he continues to languish in prison. He has not been granted parole even once.

vi. Convict 7062/A Md Khalid

He was arrested by the police on 03.04.1993 and remanded to judicial custody on 20.04.1993. He has been languishing in prison since then. He was sentenced to life imprisonment on 31.8.2001. In effect he has served 18 years in prison. His prayer for premature release is not being forwarded by the superintendent as the latter is not inclined to reckon the period spent by him as an UTP as part of the sentence.

He had submitted a prayer to the IG for 5 days parole way back on 17.09.04. He is yet to hear about the fate of his petition. Later his mother submitted prayers for his release on parole first to the IG and then to the Chief Minister on 26 May 2005 and 20th June 2005 respectively, without result. ADG Prisons is requested to consider his prayer for premature release and short parole sympathetically. The period spent in prison as an UTP should, in all fairness, be treated as served sentence for deciding the eligibility for premature release under the 14 year rule.

lvii. Convict 6993 Sudhir Bera

His appeal petition (Cr Appl no.316/2001) is pending since 2001. Requests for early disposal.

lviii. Baiba Singh

Two of his co accused, Gangadhar Singh and Bidhu Singh, have been prematurely released but his case for premature release is not being considered.

lix. Budhia Tudu,

His co accused, Uday Murmu has been prematurely released 3 years back. But his prayer for such release is not being considered.

ix. Convict Asok Shaw, Budhia Murmu, Md. Ekdil Sk. Lalit Majhi, Sanatan Mahato, Biswanath Chakrabarty, Alauddin Ansari, Uttam Hazra, Manoj Singh, Kala yogi Kartik Singh, Haru Singh, Ram Chandra Barik, Biswanath Singh, Tablet Khan, Allaiddin Mansuri have all served more than 14 years of actual imprisonment and request for premature release.

ixi. Convict Ujjala Maiti

As alleged by her, she was falsely implicated and subsequently convicted in ST case no. xlv/September/04 u/s 304B/498A IPC. She claims that her daughter-in-law, over whose alleged death she was prosecuted is alive and hiding. Earlier she was a supporter of the CPIM, but subsequently switched over to the TMC for which Laxman Seth, 'the all powerful CPIM leader' got her implicated in the above case which was fabricated.

ixii. Convict 6157A Chabbi Sur

She was falsely implicated and later convicted in Contai PS case no. 105/03 dated 22.08.03 u/s 498A/302/201 IPC. Their house, a bank quarter, with all their belongings has been sealed by the CID since then. The local CPIM leadership is allegedly behind their false implication. Prays for return of their personal belongings.

ixiii. Convict 4524A Sandhya Samanta.

She was convicted in ST case no ix/Fb/05 u/s 302 IPC, for murdering her 7 month old grand daughter, based on false and fabricated evidence.

Many of these grievances relate to delay in trial, hearing of appeals, and false implications in cases. It is for the courts to examine and redress these grievances. On their part the Jail administration should bring these grievances to the notice of the court particularly in respect of indigent prisoners who do not have the means to engage competent counsels to plead their cases.

Many UTPs, particularly those arrested for their alleged links with the Maoists, complained of unauthorised detentions and torture by the police and the security forces, damage to their houses and property by supporters of rival political parties, harassment of family members and dependants and false implication in old pending cases to prevent their release on bail. Some of these complaints constitute gross abuse of human rights.

Going through the list of cases in which some of these UTPs have been shown arrested and analysing the same in the light of other available information pertaining to the dates of their initial arrests, the date of registration of the cases, the dates on which bail was granted to them by the court in individual cases and the dates on which they were shown arrested in fresh cases, one gets the impression that the police has adopted this practice of showing UTPs arrested in old

pending cases as a well thought out strategy to prevent any of these accused getting out from prison on bail.

This pernicious practice is also in vogue in other areas of the state as was highlighted in paragraph 12 of my visit note on Jalpaiguri district jail which was forwarded to the commission in my letter no DS/ Spl.Rptr / NHRC 05/ 12-08, dated 20.12.08. It also appears that in many cases suspects, picked up from their houses, are being shown arrested from encounter sites. The senior leadership of the police must take notice of these questionable practices and do everything in their command to stop them. Individual grievances highlighted in this report should be verified by the DGP for initiating appropriate action against officers found guilty for torture and illegal detentions.

I also had group interactions with the inmates during which the following common grievances were highlighted.

- a. The behaviour of the welfare officer and the Accounts Officer should improve.
- b. Prayers for premature release and parole should be favourably considered.
- c. There should be separate messing arrangements for vegetarians.
- d. A telephone should be installed in the prison for facilitating communication with their family members.
- e. Prisoners may be allowed to go on parole on signing a bond. Sending police escort with them may not be necessary. Prisoners intending to visit religious places should be permitted to do so on parole.

f. Though many welfare measures for prisoners have been announced on paper, these are not implemented on ground.

Some of these issues have already been discussed in the course of my report.

## 20. Staff

A table showing the sanctioned strength, actual strength and the vacancies in various ranks of the prison staff is enclosed with this report at **Annexure -4**. The posts of 02 controllers, 01 asst controller, 02 LD clerks, 01 cashier, 02 pharmacists, 01 task taker, 01 junior accountant, 01 jail teacher, 01 chief head warder, 06 head warders, 64 warders, 01 junior matron, 01 fitter driver, 01 tailor master, and 02 cart men are lying vacant at present. The vacancies, particularly in the ranks of controllers, pharmacists, task taker, jail teachers, head warders, junior matron and tailor master should be immediately filled up. The prisoner warder ratio is fairly satisfactory (less than 7:1). The jail administration may however take measures to recruit additional warders to fill up vacancies in the sanctioned strength, keeping in view the registered capacity of the prison which is almost double the number of prisoners presently confined in this prison. The welfare officer of the prison appeared to be over burdened. There is a need to sanction at least one more welfare officer for this prison. Three MOs have been contractually engaged to work in the jail hospital. The government should find at least one doctor in its regular roll for posting to the jail hospital.

More than 30 warders are posted in this correctional home continuously for more than 5 years. They should be transferred to other prisons. In the best interest of the morale and discipline of the guarding staff, their normal tenure at one jail should not exceed 3 years. The standard of discipline and morale of the staff was found to be highly unsatisfactory. The guarding staff are divided in their loyalty to the following three unions, each owing allegiance to a different political party.

- i. The Kararakhi Samity West Bengal, patronised by the RSP.
- ii. Paschimbanga Kararakhi Samity, patronised by the CPIM.
- iii. Bangiya Kararakhi Samity, patronised by The TMC.

The ministerial staff have their own union. These unions have forcibly occupied government buildings/ raised unauthorised structures on jail land to run their offices. Most of the time they are busy in buttressing their sectarian agenda and are hardly sensitive to the problems of the inmates. They intimidate the superintendent and other senior officers to acquiesce to their unreasonable demands, which often clash with the best interest of the administration. The supervisory officers are reluctant to take disciplinary action against them as they enjoy the support and confidence of the ministers in the government and the leadership of leading political parties. The ADG Correctional services affirmed as much in a report submitted under his letter no 354/IG/11 dated 04.02.2011, relevant extracts from which are reproduced below.

**"Kindly refer to the discussions in the meeting in the chamber of Addl. Chief Secretary, Home & Department of Correctional Administration on 04.02.2011 regarding state of discipline and undesirable activities of hyperactive Unions in the correctional homes of the state. The undesirable activities of the Unions since long have been a matter of concern. I have submitted a number of detailed reports about the unsatisfactory state of affairs in the Department and several proposals repeatedly to the State Government to address the issue. Some improvement was achieved but the situation is still far from satisfactory.**

**It is also a fact that there is hardly any commitment and sensitivity on the part of majority of the correctional staff as they are always fighting for their own rights. One of the main reasons for corruption in the correctional homes is helplessness of officers to enforce discipline in the officers and guarding staff. The Unions also oppose departmental action against their members for violation of prisoners' rights including action for custodial deaths due to negligence of staff.**

**I have also raised the issue of undesirable Union activities in Midnapore Central Correctional Home with the government time and again but to no avail."**

In a separate report the ADG has informed the state government that the following administrative activities of the jail department are 'totally controlled' by the office bearers of the Guarding staff associations.

- i. Annual transfers of the guarding staff which should otherwise be done by the Superintends of the Central Correctional Homes.
- ii. Appointment of Convict Officers (Mate & Writers) for their use in various practices.
- iii. Detailment of duties of Guarding Staff through the self-created institution of 'Lyce' which is totally unauthorised. The detailment of duties is supposed to be done by jailor as per the Jail Code. The institution of 'Lyce' is used by the Associations for doing favours to their office bearers and followers. A large number of active followers of both the associations are given 'standard duties' which are in effect 'no duties'.
- iv. Total control over the interview system which is a major source of corruption in the jails. The officers hardly have any control regarding the interview system.
- v. Sanction of leave to Guarding Staff which is used for doing favours to only certain office bearers and followers of the Associations.

It may be appreciated that a large section of prisoners lodged in this prison are political activists with allegiance to one party or the other. As has been discussed in course of this report, many of them blamed the ruling party for implicating them in false cases and conniving with the police and the security forces in wrongfully confining and torturing them, besides looting their houses. It is highly undesirable and unsafe to leave such prisoners in the charge of a guarding staff so rampantly politicised. It is shocking to find that the ADG's repeated reports to the government highlighting the undesirable activities of the Unions have fallen on deaf ears. The ADG's own helplessness in fighting corruption and indiscipline on the part of his subordinates could only be explained by the clout these unions enjoy with the government. The state government must take immediate measures to regulate the activities of these Unions. It may be useful to have only one staff council in each unit to periodically bring the grievances of the staff to the notice of the authorities. Election to the staff council, wherever necessary should be done under the supervision of an officer of the department to be authorised for the purpose by the ADG. All the Guarding staff should be eligible to participate in the said election. A similar procedure should be adopted for constituting a Staff council of the ministerial staff and regulating its activities. This will help the government to prevent the politicisation of the prison staff which has already assumed very serious proportions.

## **21. Interactions with the staff**

Like in the cases of other prisons, I wanted to interact with a cross section of the staff, to acquaint myself with their grievances and to assess the state of their morale and discipline which have a direct bearing on their ability to respect and protect the rights of the prisoners. Those who appeared before me for such interactions were found to be members of various staff unions, who claimed to be representing the interests of the staff. During their interactions with me, they, besides highlighting their grievances vehemently condemned the jail administration for neglecting the welfare of the prisoners.

Their main grievances were as follows

- i. The quality of food and water supplied to the prisoners is bad.
- ii. The jail doctor never checks the sample of diet issued to the prisoners though required to do so as per the prison manual.
- iii. Qualities of meat, rice and tea are particularly inferior, as contractors are selected on the basis of lowest tender.
- iv. There are 3 contractual doctors, but none of them is present in the hospital for more than an hour a day.
- v. Their barracks are in bad state of repairs. There are no barracks for female warders.
- vi. There are large scale vacancies in the ranks of the guarding staff for which they have to perform duties for long hours round the year.
- vii. They are detailed for duty by Convicts which they consider to be a demeaning practice. They are informed of their duty post only an hour in advance.
- viii. The jail land is getting progressively encroached by outsiders and the jail administration is doing nothing about it.
- ix. Their family members are not entitled to treatment in the jail hospital.

The ministerial staff met me separately and presented the following grievances.

- i. They do not get any weekly rest. Rest is now available once in 15 days.
- ii. Their promotion prospects are very bleak. They requested for rationalization of the Recruitment Rules to facilitate their promotion to officers' ranks in their turn.
- iii. They get only RS 200/as ration money where as the guarding staff get Rs 700/ per month.
- iv. They requested for sanction of an additional post of welfare officer for the prison.

## 22. Summary and Recommendations

There are serious complaints regarding the quality of food and drinking water provided to the inmates. The state government may consider raising the scale of cereals to 600 gm per prisoner per day. There must be provision for providing rice in the evening meals to those not accustomed to take *chapattis*. Piped water should be reached to the toilets, bathrooms/bath platforms, kitchen and barracks. The practice of engaging prisoners to carry water on their shoulders from the few water points to their barracks should be discontinued as soon as possible. If it is not possible to filter the water centrally, the jail authorities should be able to provide water filters in the wards.

ii. The care of sick patients, particularly those suffering from mental illness, leaves much scope for improvement. The state government must ensure that a trained psychiatrist visits each of these patients at least once a month. IG Prison should also be able to visit such patients once every three months as is mandated in the Mental Health Act 1987.

iii. The prison authorities have generally been quite reluctant to grant leave and parole to the prisoners. Leave and parole should be liberally granted keeping in mind

the entitlements guaranteed in the prison manual as well as the West Bengal Correctional Services Act 1992.

iv. The disposal of prayers for premature release has been abysmally slow. The state government has largely been unsympathetic to such requests. Many convicts complained that the period they spend in prison as UTPs is not being reckoned by the superintendent for the purpose of examining their cases for premature release under the 14 years rule. In future the period spent in prison as UTP should be reckoned for the purpose of deciding eligibility for premature release.

v. There are a number of geriatric prisoners in this prison .Some of them are above 80 years of age. Some of them have completed more than 14 years of actual imprisonment. The state government may consider their case for premature release sympathetically. A separate geriatric ward with provisions for reasonable care and comfort should be organised for them.

vi. The morale and the standard of discipline of the prison staff are abysmally low. Three different Unions for the Guarding staff, each owing allegiance to a different political party, are active in the prison. The ministerial staff have their own Union. These Unions have forcibly occupied jail land and buildings for housing their Union Offices. As has been repeatedly reported by the ADG to the state government, they are deciding who should be transferred where, which convict should be appointed as 'convict officer', how should duty be distributed among the guarding staff, and who should be granted leave and when. Worse still, the Unions are also controlling the interview system. All this has contributed to the growth of corruption in prison administration. If the ADG is to be believed the prison officers have been rendered totally helpless in enforcing discipline in the guarding staff. Such a situation should not be permitted to persist.

vii. Appeals are pending indefinitely, some for more than a decade. Neither the appellants nor the officers of the jail administration have any clue regarding the causes for such inordinate delay in the disposal of appeals. In as many as 26 cases, even the registration number of the appeal petitions are not known. The ADG may take up this matter with the Registrar of the High Court with a request for early listing of these petitions for hearing.

viii. There is not enough work in the prison for all the convicts who have been awarded the punishment of rigorous imprisonment. Wages paid to the convicts are low and require to be enhanced. There is a need to improve and diversify jail industries.

ix. Facilities for interview are inadequate. The rest shed for the visitors has been forcibly occupied by one of the many staff Unions active in this prison. The jail administration should be able to free the rest shed from illegal occupation.

x. Beddings and clothing issued to the prisoners are inadequate. The state government may consider issuing additional beddings and clothing to the prisoners

as suggested at paragraph 7 of this report .Mosquito nets should be issued to each of them. The superintendent should issue clothing to all indigent UTPs.

xi. The lone welfare officer appears to be overburdened. The state government should consider posting one more trained welfare officer to this prison.

xii .Books and periodicals should be liberally issued to the inmates.

xiii. Many UTPs, particularly those arrested for their alleged links with the Maoists, complained of illegal detentions and torture by the security forces and false implication in criminal cases. Some of these complaints appear to have substance.

xiv. A large section of the prisoners complained that they have been arrested, tortured and otherwise harassed by the security forces at the behest of the ruling party .It has been complained that in many cases the cadres of the CPIM, backed by the security forces have ransacked their houses, looted their property and set fire to their houses during and after the raids for their arrests. Their dependents have been driven away from their villages by CPIM cadres. The account of these incidents, as given by them are fairly consistent and offer some credence to their complaints.

xv. Many UTPs complained that as and when the courts grant them bail in the cases in which they were sent to judicial custody, the police shows them arrested in other pending cases, some registered years before their remand to such custody, to forestall their enlargement on bail. The scrutiny of the custody warrants of some of the UTPs, particularly those with alleged Maoist links, leads to an impression that showing accused persons arrested in old cases to forestall their release on bail, has been adopted as a premeditated strategy to keep the subjects indefinitely in prison.

The Commission may consider issuing appropriate directions/guidelines to prevent the persistence of such undesirable practices.

xvi. Individual grievances, raised by the inmates during their interactions with me, may be verified by the ADG Prisons for suitable redress.

  
DAMODAR SARANGI 23/3/11



FoodKitchen & Diet:

The kitchens are equipped with diesel gas ovens and food is cooked by the prisoners themselves. Special care is taken to keep the environment hygienic and clean.

A Prisoner is provided:-

- Two meals and break fast and two times tea a day according to the prescribed diet scale
- Timely hygienic & nutritious food as per scale.
- Properly inspected food, cooked and served in appropriate utensils.
- Fresh Vegetables.
- Potable and sufficient drinking water, made available conveniently at all times.
- Medical diet as prescribed by the Medical Officer.
- Extra nutritious diet in case of a mother in her pre-natal & post-natal state.

Diet Chart is given below:-**GENERAL DIET ISSUED PER HEAD PER DAY:-**

Sl No.	Items	Qty (in gr.)	Remarks
1.	RICE	250	
2.	ATTA	250	
3.	DAL	100	
4.	VEGETABLES	300	
5.	POTATO	100	
6.	SALT	20	
7.	FISH	75	Once a week
8.	MEAT	75	DO
9.	EGG	1 Pc	DO
10.	SOYABEAN	25	DO
11.	BREAKFAST	100	
12.	VELLY GUR	25	
13.	TEA LEAF	05	
14.	MILK	25ml	
15.	SUGAR	15	
16.	MUSTARD OIL	20	
17.	JEERA & CORIANDER	01	Each
18.	TURMERIC	02	
19.	ONION	10	
20.	GREEN CHILLY	05	
21.	LEMON	½ Pc	
22.	MILK	250 ml	For Vegetarian in lieu of Fish/Meat/Egg

51

GENERAL MEDICAL DIET

Sl.No.	Items	Quantity (in gr.)	Remarks
1.	RICE	200	
2.	ATTA	200	
3.	DAL	60	
4.	POTATO	100	
5.	SUGAR	50	
6.	MILK	500 ml	
7.	BREAD	200	
8.	TEA LEAF	10	
9.	BISCUIT	4 Pcs	
10.	EGG	1 Pc	
11.	CORIANDER	2	
12.	JEERA	2	
13.	TURMERIC	2	
14.	GREEN CHILLY	2	
15.	MUSTARD OIL	40	
16.	ONION	30	
17.	SWEET LEMON	1 Pc	
18.	PATI LEMON	1 Pc	
19.	FISH	150	
20.	MEAT	100	
21.	VEGETABLES	200	
22.	BANANA	2 Pcs	

**EXTRA ITEMS FOR CHUTNEY**

Sl. No.	Items	Quantity (in gr.)	Remarks
1.	TOMATO/ GREEN MANGO/ OLIVE/ HOG PLUM	25	each
2.	M/OIL	.025	Per 100 Inmates
3.	TURMERIC	.010	Per 100 Inmates
4.	GINGER	01	each
5.	GREEN CHILLY	02	do
6.	MUSTER SHEED	.025	Per 100 Inmates
7.	VELLY GUR	15	each

**EXTRA ITEMS FOR FISH, MEAT, EGG, SOYA BEAN**

Sl. No.	Items	Quantity (in gr.)	Remarks
1.	ONION	5	EXCEPT FOR SOYABEAN
2.	GARLIC	1	
3.	GREEN CHILLY	5	
4.	MUSTERED OIL	3	
5.	GINGER	1	

EGG – SUNDAY

FISH – TUESDAY

SOYABEAN – THURSDAY

MEAT – FRIDAY

CHATNEY – WEDNESDAY

**SCALE OF DIET FOR DIABETIC PATIENT:-**

Sl. No.	Items	Quantity (in gr.)
1.	RICE	Nil
2.	ATTA	400
3.	BREAD	200
4.	GREEN	150

	PAPITA		
5.	KARALA	150	
6.	CUCUMBER	1 Pc	(100gr in weight)

## SCALE OF DIET FOR CHILDREN:-

1	2	3	4	5	6
UPTO 6 MONTH	FOOD GROUP CEREALS	FOOD ITEM - RICE, ATTA, CHIRA, MURI, SUJI, DALIA, BREAD ETC	6-12 MONTHS 45 Gms	1-3 YEARS 120 Gms	4-6 YEARS 210 Gms
	PULSES	MUSURDAL, MOOG DAL, CHHATU ETC	15 Gms	30 Gms	45 Gms
	MILK	MILK	BREAST MILK & OTHER MILK 200/500 ML	500 ML	500 ML
EXCLUSIVE BREAST FEEDING	ROOTS & TUBERS	POTATO, CARROT, ONION ETC	50 Gms	50 Gms	100 Gms
	GREEN LEAFLY VEGETABLES	NOTAY SAG, PALANG SAK	25 Gms	50 Gms	50 Gms
	OTHER VEGETABLES	BEAN, PAPAYA, RED PUMPKIN	25 Gms	50 Gms	50 Gms
	FLESH FOODS	FISH, MEAT, EGG		25 gms fish in place of 15 gms pulses 2 days per week, ½ egg in place of 30 gms pulses 1 day per week	50 gms fish in place of 30 gms pulses 2 days per week & 1 egg in place of 30 gms of pulses 1 day per week
	FRUIT	BANANA, ORANGE	100 Gms	100 Gms	100 Gms
	SUGAR	VELLY GOOR/ SUGAR	25 Gms	25 Gms	30 Gms
	FAT & OIL	OIL, BUTTER ETC	10 Gms	20 Gms	25 Gms

## MEDICAL FACILITIES:-

One 100 Bedded Hospital ----- For Male Prisoners

One 4 Bedded Hospital ----- For Female Prisoners

54 2 P 413/2001  
GOVERNMENT OF WEST BENGAL  
JUDICIAL DEPARTMENT

ANNEXURE-2  
SFL-625  
T.C. 6107  
No. 543-J  
29-11/99

NOTIFICATION Dated, Calcutta, 24.1.2001  
6.2.01  
Annexure-2

In pursuance of the recommendations of the National Human Rights Commission, New Delhi, for constituting a Review Board in order to review the cases of life convicts detained in different Jails, the Governor is pleased to Constitute a Review Board for this State Consisting of following members :-

- 1) Home Secretary ... Chairman
- 2) Judicial Secretary ... Convenor
- 3) I.G. of Prisons, West Bengal - ... Member Secretary.
- 4) Secretary, Home (Jails) ... Member
- 5) D.G. and I.G. of Police, W.B. ... Member
- 6) Commissioner of Police, Calcutta ... Member
- 7) Chief Probation Officer ... Member.

The Review Board will review the cases of life convicts who has completed actual imprisonment for 14 (Fourteen) years and more and whose premature release has not been recommended by the S.P. and District Magistrate for the districts and Commissioner of Police, Calcutta, for Calcutta, as the case may be.

Cases including those pending with negative reports will be submitted before the Review Board within 15 (Fifteen) days from the date of receipt of the negative reports from the S.P. and D.M. of the Districts and C.P. of Calcutta. Such type of cases already pending will be submitted before the Board after it will start functioning.

Normally the Review Board will take decisions within one month.

6/272  
24.6.03  
By order of the Governor,  
Sd/- N.C. Sil  
Special Secretary to the  
Government of West Bengal.

No. 544(7)-J

35-298  
19.6.03  
Copy forwarded for information to :-

Shri

A letter of acceptance will be highly appreciated.  
A. Chakrabarti

30/103  
19.6.03  
Deputy Secretary.



to our families.

- 7) Scrap UAPA, AFSPA, etc black laws.
- 8) Allow family members to <sup>meet</sup> the prisoners in Midnapore Court lock up.
- 9) Stop showing "show arrest" to the under trials after before acquired bail in any case.
- 10) Ask the police to maintain law when time of arrest. ~~Stop~~ prisoners must be produced before court ~~in 24 hours~~ in 24 hours after arrest. We are against the showing "missing" by police for several days & months.
- 11) We want impartial judicial enquiry of mass rape of Sonamukhi of Dargam and punishment of those guilty.
- 12) We want impartial enquiry of Jhansi Train Accident (!) with intellectuals, human rights activists, journalists & punish those guilty.
- 13) Distribute all excess food grains dumped in the FCI Godown according to the verdict given by Supreme Court.
- 14) Give allowances to <sup>all</sup> the aged & widows of Tangal Mahal area.
- 15) The Govt must withdraw forces from Kashmir & free all political prisoners there according to the will of people of Kashmir.
- 16) Punish those guilty of demolishing Babri Masjid.
- 17) Release those convicts who are in jail for more than the period of 14 years.
- 18) Allow the prisoners of Cell to meet other prisoners of wards in Midnapore Jail. Policy of Segregation must be stopped.
- 19) Start telephone facility in Midnapore Jail & give this facility to all prisoners.

very new.

- 1) Give us pollution free drinking water. We are using polluted water for the last 16 months.
  - 2) Give <sup>wages of</sup> Rs 150/- per day to the convicts. Wages must not be accrued for long time.
  - 3) Give the political prisoners the chance of Table Interviews with intellectuals, human rights activists, etc.
  - 4) Allow us to contact journalists from jail.
  - 5) Give us a waiting room <sup>& latrine</sup> for those who come here to meet us.
  - 6) ~~Give us~~ Give us good food. We are not in favour of taking inferior quality of food. Start Canteen.
  - 7) Provide us Jail Code or West Bengal Correctional Services Act.
  - 8) We want proper medical facilities in Jail Hospital. Provide us a permanent doctor for 24 hours.
  - 9) Stop arresting those people coming to court for "Hajiran".
  - 10) Those who comes to interview us, cash is taken by some miscreants outside ~~near~~ Jail Gate. Please ask the Court. to stop this.
  - 11) Give us all daily newspapers at Court expenditure.
  - 12) Stop the inhuman system of carrying heavy drums by man.
- That's all.

With regards,  
 Chhatra dhar Mahata  
 (for all the Under Trial detainees)

Dated : 03.02.2011.



AdministrationSanctioned strength, existing strength and vacancy position of Midnapore Central Correctional Home

Sl. No	Name of Post	Sanctioned Strength	Man in Position	Vacancy Position	Scale of Pay
1.	Superintendent	01	01	Nil	9000-40500/-
2.	Medical Officer	03	03(Contractual)	Nil	21,000
3.	Chief Controller	02	02	Nil	9000-40500/-
4.	Security officer	01	01	Nil	9000-40500/-
5.	Welfare Officer	01	01	Nil	9000-40500/-
6.	C.D.O	01	01	Nil	9000-40500/-
7.	D.O	03	03	Nil	7100-37600/-
	Assistant Controller	04	03	01	7100-37600/-
8.	Controller	04	02	02	7100-37600/-
9.	Head Clerk	01	01	NIL	7100-37600/-
10.	U.D.Clerk	03	03	Nil	7100-37600/-
11.	L.D Clerk	04	02	02	5400-25200/-
	Cashier	01	Nil	01	7100-37600/-
12.	Pharmacist	02	01	01	5400-25200/-
13.	Task Taker	02	01	01	7100-37600/-
14.	Junior accountant	01	01	NIL	5400-25200/-
15.	Jail Teacher	02	01	01	5400-25200/-
16.	Chief Head Warder	03	02	01	7100-37600/-
17.	Head Warder	15	09	06	7100-37600/-
18.	Warder	219	155	64	5400-25200/-
19.	Junior Matron	01	NIL	01	5400-25200/-
20.	Female Warder	06	06	NIL	5400-25200/-
21.	Ambulance Driver	01	Nil	NIL	5400-25200/-
22.	Sweeper	08	08	NIL	4900-16200/-
23.	Fitter Driver	01	NIL	01	5400-25200/-
24.	Overseer	01	01	NIL	7100-37600/-
26.	Mill Mechanic	01	01	NIL	5400-25200/-
27.	Tailor Master	01	NIL	01	5400-25200/-
28.	Cart Man	02	Nil	02	5400-25200/-
29.	DIG	01	01	Nil	9000-40500/-
30.	AIG	01	01	Nil	9000-40500/-
	Extra establishment				
1.	Female Warder	Nil	Nil	Nil	6600&other allowance
2.	Sweeper	09	09	Nil	Do
3.	Barber	02	02	Nil	Do

**SECURITY VISIT** - Apart from the regular visit by the Executive Officers and the Superintendent of the Correctional Home, the D.I.G.s of Correctional Services pay surprise visits at regular intervals. The PRINCIPAL SECRETARY to the Govt. of W.B Dept. of Jails and the Hon'ble MINISTER IN CHARGE also pay visit to give necessary support to ensure the security of Correctional Home. **TRAINING OF JAIL STAFFS** - Executive Officers and guarding staff are imparted training as per direction and instruction of the Govt. from time to