

Report on the visit of Dr Vinod Aggarwal, Special Rapporteur, Central Zone, NHRC to Sanganer Open Jail, Jaipur, Rajasthan.

I visited the open jail on 28th December 17, to understand the living conditions of the prisoners and see whether rights of theirs are being respected by the local jail administration or not. I also wanted to see the steps taken by the higher authorities at the State level for facilities in the open jail and what Government want to provide. In course of my visit, I interacted with the functionaries of this jail. The prisoners also met me during the visit to various homes. There is no inspection format developed by NHRC for open jails, I record my observations as follows:

1. History of the Jail

This jail was established about 40-45 years and came into being as one of the earliest open jails in India and definitely the first one in Rajasthan. The jail has been established in decade of 1970 after the notification of The Rajasthan Prisoners Open air Camp Rules, 1972 which were notified on 02-01-1973.

2. Land, Campus and Buildings

The premises is spread over 27 bighas in Sanganer about 20 km from Jaipur. Abundant land is available, if Government want to increase the capacity of open jail. At present it has accommodated 304 male and 25 female prisoners and their families, but the capacity is of 385 prisoners and their families. It has 170 government constructed flats and self constructed flats are 215 in the campus of open jail. The age of the buildings are different but most of them need major repairs because, the low quality construction has been done. The dimension of prisoners' home are One Bed Room Apartment, with one kitchen, living room and toilet of about 825 sq. Feet. The present occupancy is 329 out of 375 only, which is about 77% of the capacity.

As such there is no congestion in the unit which is not properly designed. The Govt constructed flats have been built

long time back as per laid down parameters of State government. All states which have developed the open jails have different patterns. The perimeter wall is located quite faraway from these units. The structure and design is not adequate for even a family of 4. But a model should have been developed by BPRD and handed over to the state Governments for implementation. The Jail authorities present during my visit informed me that based on representation of the prisoners, a change has been done that prisoners can build their own house on allotted land in the jail campus. At present, 215 prisoners have built their houses as per their financial capacity. The houses thus build show different level of life style in the campus.

As such problem of seepage, leakage is there in the flats made by government. The flooring is of cement and kitchens are not provided with slabs. The self made buildings are also in the dilapidated condition as the property developed by prisoners, will vest in the state. Therefore the houses made by prisoners are also quite ordinary and few of them made of thatched houses and most of them are worse than the government build tenements.

The houses are although in rows but there are no roads laid in between. Overall the campus gives a look of a poorly made slum, without roads and proper power supply to each house.

The boundary wall of the open jail is there. The inmates who go out for work have to come back and get their return time documented at the gate office.

3. The Sanctioned strength and Average population and eligibility for admission to open air camps:

The sanctioned capacity of the prisoners in the jail is about 375. The actual strength on the day of the visit was 329 convicts and their families. Here the process of selection of convicts is defined and bit cumbersome as described under rule 3 & 4. The convicts must have served one - third of his substantive term and at present it should be 6 months and 8 months before he can apply but the convicts who have completed 8.5 years at

present are getting place in the open jail. Each district is having an open jail in Rajasthan.

4. Administrative Staff statement showing the sanctioned strength and in position personal with vacancy is given below in Sanganer open jail of Jaipur and Buxar open jail of Bihar.

Sl. No.	Designation	Jaipur Open Jail		Buxar Open Jail		
		Sanction posts	In position	Sanction Posts	In Position	Vacant
1.	Superintendent	-	-	01	01	0
2.	Asst. Suptd.	-	-	01	00	01
3.	Clerk	-	-	01	01	00
4.	Head Warder	1	1	04	03	01
5.	Warders	4	4	18	06	12
6.	Home Gaurds	-	-	01	01	00
7.	Lady warders	-	-	03	00	03
8.	Barber	-	-	01	00	01
9.	Sweeper	-	-	05	00	05
10.	Medi Officers	-	-	01	00	01
11.	Compounder	-	-	01	01	00
	total	5	5	37	12	25

For an open jail with 385 inmates and families, posts of one head warder and 4 warders seems to be very small but it seems a good savings to government. As such otherwise, the personal seen over the other jails where the general under-trials or convicts live the ratio would come out to be one personal for 6-7 inmates. In Bihar for an open jail of 104 inmates, 37 posts have been created although 12 personal are managing them. It is felt again a standard personal requirement should be worked out by the BPRD and given to State Governments.

5. Management of the Open Jail

Under rule 11 of the Rajasthan prisoners open air camp rules, 1972, internal management of the camps, have been formulated. The IG Prisons has been authorised to issue instructions for their management, but few basic points have been there in the rules from the beginning:

i) Prisoner's Panchayat:

7

a) consists of 5 to 7 members, and selection by a process of election, but a casual vacancy by nomination, IG Prisons. The period is one year.

b) This Panchayat is empowered to deal with minor acts of omission, commission or misconduct, by minor cash fines or or defaulter to additional labour in the works of common utility or curtailment of facilities given to prisoners in jail.

ii) Works and Discipline Committee:

a) This committee is upto 7 members representing various trades and crafts. Members are nominated By IG Prisons and presided by officer in charge of the camp.

b) this committee prepares a work program and code of conduct for the camp prisoners which is approved by IG Prisons.

iii) Prisoners' Co-operative Society in the open camps:

Acts for purpose of supply and services of daily needs in the camp.

iv) The prisoners have to attend a roll call each morning and evening at the time fixed by IG Prisons

v) the Superintendent or the Dy. Superintendent of the Central or District Jail acts as officer in-charge of the open jail

6. The Open Jail at Sanganer in Jaipur.

i) The panchayat seemed to be established but almost non functional, no minutes of meeting held were kept.

ii) Looked almost unkept, it seems no labour provided by the prisoners of stipulated 4 hours a week. It looked worse than a slum. Jail Authorities have not provided for sweepers but so called road area remained dirty. It seems not cleaned for months together.

iii) The works & discipline committee and Co-operative society seems non - functional.

iv) No posts of social workers under a senior sociologist and psychologist with some assistants are also now a need of the hour in all jails but specifically in an open jail where inmates are exposed to external atmosphere every day for finding work for them.

v) It is required that some posts for supervisor may be created, to train and get them employment in the nearby area.

vi) The home/Jail department should take lead for training in techniques to handle and reform the convicts to bring them into main stream of the society. The human Resources Development should be incorporated for inmates of open jail, in the disciplines of work allowed to inmates of open air jail as described in rule 7, such as:

- a) Agriculture
- b) Manufacturing or Industrial works, such as, Hand-loom weaving, Power-loom weaving and cloth making, Steel furniture unit, Carpentry works, Tailoring and stitching, Carpet weaving
- c) Work in any form.
- d) Any work of Public Utility
- e) Construction works, digging of canals or dams

The jail has about 329 inmates mostly life convicts, but no one complained of lack of the employment availability. No complaint was made as they felt obliged that they have been allowed to live with the families without rigours of living in Prison.

It would be of use that 6 month ITI type training imparted with formal certificates could be granted by the Jail Administration in following disciplines:-

- a) The certificate program could be weaving whether on hand loom, power-loom or for jute weaving.
- b) Tailoring and cloth designing could be a 2nd program

- c) Carpentry and steel works could be 3 rd certificate program
- d) Bakery techniques, and masala and oil grinding by their own training centres or getting them trained in the centre run by pvt, organisations.
- e) Modern Agricultural Practices
- f) Plumbing

For rehabilitation of prisoners, it is felt, that sociologists and psychologists need to work with the profile of each of the convicts and once they go back to the society, for work and livelihood, they will need the assistance of the sociologists and psychologists. With the help of sociologists and psychologists there could be pool of entrepreneurs who are encouraged to keep convicts as workers in their factories/units/ land under the supervision of sociologists and psychologists, who should become a bridge between the reformed convicts and their getting reabsorbed in the society in general. The confidence of entrepreneurs to be won for at least 5 years after their coming to open jail. This is of utmost importance in the functioning of open jail.

7. Rights of Prisoners

Rights of prisoners, is an evolving subject. In our Constitution, directly any rights have not been given to prisoners. But their rights emerge, through either rights to the citizens or through various judgements by the Hon'ble Supreme Court or various High Courts, who have passed certain judgements through which the rights of prisoners have arisen. In brief these rights could be:

- a) Various courts have said that, when a prisoner is sentenced to rigorous imprisonment, the prisoner is supposed to do work, but that doesn't imply that he/she has to work free of cost. The prisoner is supposed to be paid minimum wages for the work done. Under rule 8, the wages earned by prisoners are utilized by them for use of themselves or for their families.

b) Right for reasonable facilities of food, lodge, clothing, medical care is given but in the open jail the prisoners have to provide themselves for their food and also to deposit for maintenance of camp. There is lack of proper management and state government has created very poor infrastructure. Only an Aangan Wadi kendra has been opened. No health sub-centre for the open jail has been established. When 385 families are living there, it almost makes a population for health sub-centre.

8. Right of Convicts for Premature release/ parole/ Remission in the open jail.

- a) The state government honours the right of convicts for their various rights and has constituted the state sentence review board.
- b) There is no cases is pending before the SSRB from this Jail.
- c) There has been change in rules of release of prisoners, especially live imprisonment convicts which is a major cause of heart burn among prisoners. They were generally released after 14 years or 20 years at maximum. Now that is not the case.
- d) No Custodial Deaths in the open jail.
- e) There was 1 escape reported from the prison/ escorts in last 3 years, who was captured and shifted to regular jail.
- f) No differentiation of man and women prisoners as every convict is allowed to live their spouse and children. At present 304 male and 25 female convicts in the open jail.

9. Right of food of the inmates:

As per rule 9 of rule 1972, the prisoners are have to make provision for their own cooking arrangements for their food from their own earnings, with in the camp. Thus government saves money on the upkeep of the convicts. In Bihar the prisoners living in open jail, are given ration as per jail manual.

10. Water Supply and right to water of the inmates.

There is one deep boring along with submersible pump is in working condition and 5 water tankers to supply of water which seems insufficient but no complaint was raised by any resident about shortage of water. At present water quality is not being tested.

11. Sanitation, Personal Hygiene & Clothing.

Each flat or tenement has been provided with an independent toilet and bath-room or have to make a toilet. The flats looked unclean, training of family members would further improve cleanliness. Spraying of anti insecticides periodically would be a useful step. The convicts don't have to wear clothes as per the jail manual and therefore not applicable

12. Health & medical care

Jail has attachment to the main Jail hospital and in emergency the prisoners are taken to the Sawai Mansingh hospital but it seems no arrangement of running an OPD by jail doctors in this campus and the relatives have to go to the pvt. doctors in the near vicinity.

13. Industrial production and payment of daily wages to the prisoners.

This open jail does not provide for production units. The residents are allowed to work in the general population. But they are finding difficulties in finding jobs, because of general reluctance of people in employing the convicts. Even if job is given, they are paid much lesser. There is exploitation of them in general society. Seeing the availability of space and expertise already gained with life convict and other rigorous imprisonment prisoners, it should be endeavour of jail administration that they can raise start in house production. It would be desirable that they should employ them who so ever is not able to find job outside, should be able to work inside the open jail premises, itself.

13. Interview facility provided to prisoners.

As per jail manual, the families are staying and relatives can visit and no register is being maintained.

14. Visits/Inspections during last one year.

It has been informed that the judicial authorities had visited two times in last year and among the non judicial authorities, there have been one visit.

General Remarks

This is an open jail with almost a capacity of about 385 inmates. The major problems according to me are :

1. The major part of buildings are quite old and in dilapidated condition. The design of government constructed flats is very old and of poor quality. The flats require major repairs or reconstruction. The policy of allowing self construction also needs to be regulated.
2. Between the flats and the rows of houses, there is an imagination of road, but no real road has been laid. Some water-logging is also seen. The Jail administration need to take steps to have solution of lay out, roads , proper infra- structure for power connections, water connection and solution of water logging.
3. The employment of convicts for meaningful productivity is another area where jail administration should look at actively and see that they get at-least minimum wages when working in society and additionally create facilities for in house production which could be procured by jail or general administrations
4. There are no common area facility developed, where health sub-centre, library, primary school or other recreational facilities are need to be created
5. Shortage of personnel is another problem. Creation of posts of trainers to upgrade the skills, sociologists, psychologists for their assimilation in society has not

been thought over. There is need for creation of posts of sociologists, social workers, psychologists.

6. Laid down committees of Prisoner's Panchayat, Works and Discipline Committee and Prisoners' Co-operative are nonexistent and not working. These institutions should be made to work with the help of sociologists and social workers.

Dr Vinod Aggarwal
Special Rapporteur

Report on the visit of Dr Vinod Aggarwal, Special Rapporteur, Central Zone-1, NHRC to Sawai Madhopur Sub-Jail. Sawai Madhopur, Rajasthan.

I visited this District jail on 30th Dec 17, to understand the living conditions of the prisoners and under-trials and see whether rights of theirs are being respected by the local jail administration or not. I also wanted to see the steps taken by the higher authorities at the State level. In course of my visit, the Jail Deputy Superintendent of District Jail, and head constable and other functionaries of this jail. The prisoners and the under-trials, also met me during the visit to various wards. Based on the information furnished as the inspection format, copy of which is enclosed, and scrutiny of various related documents, I record my observations as follows:

1. History of the Jail

This lock up was established in the 20th century when Sawai Madhopur district was established in 1949 in the state of Rajasthan. As the lock up has been established long back, The building is in very bad condition.

2. Land, Campus and Buildings

The premises is spread over 3-4 acres and abundant land is available for renovation or new construction. The age of the buildings is not known, but many of them have been closed because, it is dangerous to live in them. The dimension of prisoners' ward are of only 3. One is 80' by 30 ' and other is 80 feet by 20 feet and ladies ward is 25 feet by 15 feet and the authorised capacity is 60 male inmates and 5 female prisoners. The entire jail, thus can house 65 inmates, but at present, despite of inhabitable conditions, it had 120 prisoners including 2 women. The jail capacity as per the BPRD norms should not be

more than 40 males and 6 females, but it is at present occupancy is with double the capacity.

As such there is too much congestion in both the male wards as the buildings have been built long time back when parameters were not defined that clearly. The perimeter wall is located about 5 metres from the wards. Although buildings and wards more than 68 years old and all of wards are in bad condition. Both of the wards, there was seepage and lack of maintenance. Although the jail administration has said that enough light and ventilation is there but provision of light is minimal but ventilators are open, as window panes are not there.

There are 3 wards in this prison and only 3 cage latrines are in very bad condition, difficult to use, it is required that a committee of senior officers of jail, home departments and judiciary be made to look into the jail wards and see whether all of them should be retained or at least few of them be dismantled and whether a new jail to be built. The committee should have representation of BPRD of Govt. of India.

As such problem of seepage, leakage is there, but because of low rain fall area not that evident. The flooring is of cement, or no hospital and kitchen had tiles but they have also become very old. It is suggested this building should be as early as possible be left and not used for jail as it is very old new modern jail be constructed.

3. The Sanctioned strength and Average population.

The sanctioned capacity of the prisoners in about 65, the actual strength on the day of the visit was 120 which included, 10 convicts and 110 under-trials. The wards meant for 65 inmates in actual there were 120 inmates.

4. Administrative Staff A statement showing the sanctioned strength and in position personal with vacancy is given below:

Sl. No.	Designation	Sanction Posts	In Position	Vacant
1.	Dy. Superintendent	01	00	01
2.	Jailor	01	00	01
3.	Deputy Jailor	01	01	00
4.	Head Warder	03	03	00
5.	Senior Assistant	01	01	00
5.	Warders	13	09	04
6	Medical Officer	01	00	01
7	Nurse(male)	01	00	01
8	sweeper	01	00	01
	Total	23	14	09

From the above table, it is quite clear that there is understaffing and measures are required by the State Government to appoint the personal on the vacant positions. The Head warders, Warders, are inadequate. The post of barber, and cook are not created at all and cleanliness left lot to be desirable level of cleanliness. The state government has doctor and lady doctor from district administration the details will be mentioned in medical facility. But as per BPRD norms the jail should have hospital of the capacity of 6 beds and team of 2 male and 1 female doctor for upkeep of the 117 prisoners. The posts of social workers under a senior sociologist and psychologist with some assistants from NGOs is also now a need of the hour in all jails.

The jail Suptd. has not mentioned about, posts of Video conference and computer operator etc, who should be appointed on regular basis. The jail is yet to start the Video conferencing facility for the presentation of the undertrials. The jail don't have facility for using the convicts for rigorous imprisonment and such units like spinning, weaving units and old oil extraction and wheat flour, stitching unit is yet to be developed.

The human resource development of the jail personal is a subject under consideration of the Government and institutional arrangements for training of officers and other staff are being attempted. The state training institute jailors, deputy Jailors, head warders and warders has been established at Ajmer. This

institute imparts training to these ranks. There is basic course of 9 months for warders and Senior Leadership Course (S.L.C) course for the Head warders, deputy jailors and jailors, each Of 56 days duration. The Jail superintendents and deputy Superintendents are trained at the state Institute of training where other state cadres are trained.

5. Rights of Prisoners

Rights of prisoners, is an evolving subject. In our Constitution, directly any rights have not been given to prisoners. But their rights emerge, through either rights to the citizens or through various judgements by the Hon'ble Supreme Court or various High Courts, who have passed certain judgements through which the rights of prisoners have arisen. In brief these rights could be:

- a) The right to get paid for work done. Various courts have said that, when a prisoner is sentenced to rigorous imprisonment, the prisoner is supposed to do work, but that doesn't imply that he/she has to work free of cost. The prisoner is supposed to be paid minimum wages for the work done.
- b) The right of dignity that an under-trials / prisoners, should not be chained ordinarily and even when taken out of prison normally not to be hand cuffed as per judgement.
- c) Right for reasonable facilities of food, lodge, clothing, medical facility.
- d) Female prisoners, right to have a child, delivery and care of new-born till 6 years of age.
- e) Rights of under-trials , for speedy trial,
- f) Right of bail for under-trials, and parole and remission for convicts, can be considered as rights of prisoners.

The table below gives no. of under-trials lodged in this jail:

	Male	Female	Total
Under-trials(Sadar)	84	02	86

Under-Trials(Sessions)	24	00	24
Total	108	02	110

5.1 Right of Speedy Trial:

The jail administration is has given details of under – trials with various detention periods as per the table below:

Period of Detention	Males	Females
Upto 3 Months	35	00
3-6 months	25	00
6-12 months	16	01
1-2 years	15	01
2—3 years	10	00
3--- 5 years	05	00
Above 5 years	02	00
Total	108	02

About 32%under-trials (35 out of total 110) have a detention period of less than three months. Only 2% of under-trials are under detention for more 5 years. About 70 %(77 out of 110) are in the jail for less than one year.

A detailed report from the state administration can be also be called for. It is felt that the report may come out that most of the under-trials remained in jail because his/her case is pending for want of hearing or adjournments sought by the attorneys. Even remands are not being granted on video conferencing, as facility is yet to be arranged by jail administration.

5.2 Right of an Under-trial to be released on Bail.

The jail administration couldn't give information of no petitions pending in the trial court for disposal. It was also not known about the number of cases, where prayers for the bail have been rejected but the advocate concerned has not yet been communicated the reasons of rejections. It came to my knowledge that none of the under-trials, is in jail because he /she is unable to arrange the sureties. The cases where the bail amount is high and becoming hindrance in release of an under-trial came to my

knowledge but I feel this information should be sought again and information gathered doesn't look reliable.

5.3. Right of convicts to appeal.

There are no appeals are pending in the high court. The 24 cases are pending in the sessions court. It is clearly suggests that the 50% appeals are of last three years duration but about 5% appeals are more than 5 years old. I was told a report also has been sought by Supreme Court Judge honourable Deepak Mishra about pendency of appeals at various levels.

5.4 Right of Convicts for Premature release/ parole/ Remission.

a) The state government honours the right of convicts for their various rights and has constituted the state sentence review board headed by Home Secretary. Law Secretary, One District & Sessions Judge nominated by Rajasthan High Court, Director Probation and DG of Police or his representative in the rank of IG of Police are members and IG Prison is the Secretary on this Board.

b) There is no case are pending before the SSRB from this Jail.

c) Custodial Deaths. There are no custodial deaths which have been reported by the Jail authorities in the last 3 years.

i) There is no escape reported from the prison/ escorts in last 3 years.

j) Women Prisoners. Against the sanctioned capacity of 5 inmates, at present there are 2 women prisoners, were there in jail, on date of visit. There are 1 female warder who was in position. There was no child and there is no facility for keeping children in this jail. Young women can't be kept separately for different care, as there is only one ward for women.

6. Right of food to convict and Under-trials Prisoners:

The scale of diet includes 550/500 gm. Wheat flour, 90/60 gm. Lentils, along with 100 gm. of potato and 200 gm. Of green vegetables and 200 gm. of jaggery makes it a about 3500 calories on average with 60 gm of proteins which is reasonably a balanced diet, but why they have not given 10-20 gm of vegetable oil is a question coming to mind. In the morning at 7.30 am breakfast in which tea, Poha/ Khicdhi/ black gram is given. At 9.30 am lunch is served with Chapati and dal/ kadhi. In evening tea at 3.30 pm along with 2 pieces of bread is provided. In dinner at 5.30 pm green vegetables, potato and chapatti are given. On weekend sweets in form halwa/ kheer is given. If this menu is provided without any leakage, there could be no incidence of mal nourishment in the jail. The important part is that in actual practice the food to scale is provided or not, is to be seen by local Jail authorities, the District Collector and State Jail Administration. The look of food was not up to mark and lentils curry was very thin. The 4/5 chapattis, which are given on average to each prisoner is 50 gm each. No one complained, about quality of food, but it is felt that there is need for more inspections of food by higher officials are required.

- a) The storage of food grains and other such commodities was done in a separate storage, where losses because of pests infestation was informed to be 4-5%. But no official document was produced before me to confirm the loss percentage because of pests and thefts.
- b) The food is prepared in kitchen in the jail for preparing the food. Chapattis are made manually by convicts and undretrials. There are no Roti making machines but LPG cylinder and burner are provided for cooking. The cooked

chapattis were lying on the floor of the kitchen. The kitchen had no modern facilities, like but washing of food articles was done in old practices.

- c) The kitchens have no chimneys, exhaust fans, fly proof automatic closing doors. The Kitchen floor was so dirty that it was difficult to make out whether it is made of impermeable material or not. No containers of stainless steel to keep the chapattis. And other prepared food. It was informed that a modern kitchen is in process of construction. The 1000s of flies were seen in the kitchen where food was being cooked. The floor of kitchen could not be seen because of lack of cleanliness. The platform for washing, cleaning and cutting vegetables has not been constructed. Cooking and serving utensils are old ones and not of stainless steel.
- d) The raw material is supplied by a contractor on annual contract rate. The rate is about 35 rs per inmate per day, which is very low and quality of food can be thought about with this rate. In urban area one kg good quality atta (wheat flour) is not available in 35 rupees. Here everything including vegetables, oil, rice, poha, lentils are to be provided with in that amount. One can imagine the quality by sheer tendered sum for the prisoners.

7. Water Supply and right to water of the inmates.

One deep boring along with submersible pump is in working condition but supply of water is not sufficient. At present water quality is not been tested, the district suffers with high fluoride content but no water testing is being done. Water harvesting plant has been installed for conservation of water

Periodic cleaning of water storage tanks are done. The water is available, but not as a piped water, but by means of bucket and it is required that piped water in the toilets and for bathing

and cleaning of clothes is provided. According to the jail manual water used for drinking and culinary purposes should be analysed once every quarter and bacteriological examination on request. No such test appears to have been done in recent past. Jail in-charge should ensure that samples are periodically sent for required examination and analysis.

8. Sanitation, Personal Hygiene & Clothing.

The jail authorities have given information, that there are only 3 cage latrines and 5 outside the wards and most of them are in working conditions. The cage latrines are there in place, but not as per the requirement of jail manual. In each barrack and night time there is only one WC in the ward. Each ward should have at least 4 cage latrines instead of one, based on number of inmates in each male ward. The cage latrines practically are in working conditions. But only one can say, with shortage of water, the partition wall is only semi. Water supply is scanty. As clarified, here are no flush latrines. Needs an improved version and increase in number of cage latrines is required need

Although it has been ensured that toilets are placed on impermeable floor, higher than the surrounding ground and but the sun's rays can't easily enter the toilets, but the rain water is kept out. The latrines are designed that excreta and wash materials get into receptacles without falling on the sides in general, but shortage of water, the sweepers' training and training of inmates need to be improved. The outside latrine, there is no protection from rain water as they are open from above.

The prison don't provide for covered cubicles for bathing @ one for every 10 prisoners and don't have proper arrangement of privacy.

Clothing are provided to each convict and under-trial inmate as per the jail manual scale. None of the prisoners complained about the non provision of clothing although most of convicts were found wearing other than jail cloths which was pointed out to jail authorities. The jail administration ensures that each prisoner washes his cloths once a week. But when only 2 sets of clothing are given how once a week washing should be considered enough especially in summer months. Accordingly each person needs to wash one set daily and wear the other one. It seems that 2 sets of clothing are given them but should be 3 sets clothing should be provided. Washing soap once in 15 days and bathing soap is provided to each one of them. All the wards, the number of clothing wet or dry were hanging in a disorderly manner. I feel enough clothing by increasing the norms be provided to convicts and should be compulsorily asked to wear the jail uniform.

9. Health & medical care

Jail has no hospital with for indoor patients. Dr R.P. Meena has been deputed to visit the jail every day for one hour. Besides him medical specialist Dr. Kailash Chand visits every Saturday. Skin specialist on Monday, Psychiatrist on Saturday visits the jail. The male nurse, dental technician and lab technician are also attached but as such a hospital with 5% capacity of jail is the norm which hasn't be followed.

10. Children living with Convicts (mother)

As per directions of the Supreme Court in R.D. Upadhaya Vs. State of A.P. in criminal appeal No. 69 of 2009 decided on 1/11/2010 that children from 0-6 years can be allowed to stay with their mothers. Every such child staying with mother has a right to requisite food, as prescribed in jail manual. This jail does not provide for keeping children.

11. Industrial production and payment of daily wages to the prisoners.

This sub-jail, being upgraded from lock up does not have provision of industrial production at all.

12. Educational Facilities to the prisoner, whether convicts or under-trials.

The prisoners or under-trials have the name sake options for Yoga and completing their education. There is very little space for Yoga and there is doubt of under-trials allowed to appear in exams.

13. Interview facility provided to prisoners.

As per jail manual, meeting with relatives and friends is permitted to the prisoners. The system for granting interviews is there, about 5-10 such requests are received daily which are disposed of as per jail manual. It has been mentioned by jail authorities that very few of the requests have been turned down. It has been gathered that under trial can meet once in 7 days and convicts once in 15 days. Whereas, the request is more than that in any case than the requests are turned down. But there is no room, the prisoners meet under a shaded tree under which they sit on bench.

14. Visits/Inspections during last one year.

It has been informed that the judicial authorities had visited six times in last year and among the non judicial authorities, there have been 5 visits.

The board of visitors was is in process of constitution. The reports are complied with wherever funds and recruitment of personal is not in hand of the local jail administration.

General Remarks

This is a central jail with almost a capacity of about 100 inmates. The major problems according to me are 4:

1. The major part of building is very small and old, about 68 years. It was built as a lock up, and building is in poor condition. The flooring of cement is damaged. The district jail can't be that small. The toilets are old fashioned and can't be really converted in modern ones. The cage latrine maintenance needs to be much better. The no of bathing spaces and toilets are much lesser in number. Although one ward has been ordered, but it is felt a new jail with bigger capacity, hospital, proper kitchen is required.
2. A modern kitchen with sufficient facilities as per BPRD norm is the need of this Jail.
 - a. The platform for washing, cleaning and cutting vegetables, rice and potatoes should have basins for proper cleaning, with adequate no of taps and disposal of waste water.
 - b. Fly proof automatic closing doors must be installed.
 - c. There need of stainless steel storage and serving utensils must be made available along with modern facilities like hot case or almirah for keeping cooked food, fresh and safe.
3. Cleanliness was very poor. Some sort of training program for jail personal, convicts and under trials employed for food cooking, is the need of hour.
4. The use of convicts and under-trial for meaningful productivity is another area jail administration should look at actively. But in present limited space of a lock up, it is not possible.
5. There was demand of potable water by the inmates. It is felt that a R. O. Plant may be installed at the Jail Premises for making the clean drinking water available to

- all inmates. Especially this part of state has high fluoride content in water.
6. Lighting is very poor in the jail. Needs to be improved drastically.
 7. There is no industrial production in the jail. No system has been followed in the jail for the production by the convicts. Training in Hand-loom weaving, Power-loom weaving and cloth making, Power-loom for Jute weaving, Steel furniture unit, Carpentry work, Tailoring and stitching, Screen printing, Flyleaf Making unit.
 8. For rehabilitation of prisoners, once they go back in the main stream of the society, it is felt, that sociologists and psychologists need to work with the profile of each of the convicts and once they go back to the society there could be pool of entrepreneurs who should also be encouraged to keep these as workers in their factories/units under the supervision of sociologists and psychologists, who should become a bridge between the reformed convicts on completion of their terms and their getting reabsorbed in the society in general and the confidence of entrepreneurs specifically to be won for at-least 5 years after their release.
 9. The Jail authorities should arrange for those under-trials who want to complete their education or vocational training of them

Dr. Vinod Aggarwal
Special Rapporteur

Inspection format

1	Name of the prison	Sawai Madhpou rDistrict Jail Sawai Madhpour				
2	Sanctioned capacity of the prisons	Male - 60	Female- 05	Total: 65		
3	Prisoners profile	As on 14.09.2017 Annexure (A) Enclosed Herewith				
3.1	Actual strength of the prisoners-	Sl	Details	Male	Female	Total
(A)		1	Under trial	108	2	110
2			POTA (released on bail in POTA case but detained in other case connection)	0	0	0
(B)		2	Total (A)	108	2	110
3		2	Simple imprisonment	6	0	6
(C)		3	Rigorous imprisonment	4	0	4
Total (B)		0	Death Sentence	0	0	0
N.S.A.		10	Total (B)	10		
C. C. A.		N.A.	N.S.A.	N.A.		
Total (C)		N.A.	C. C. A.	N.A.		
Grand Total (A+ B+ C)	120	Total (C)				
Children (with Mother)	0	Children (with Mother)	0	0	0	

42

Male- 10 and Female - 00 Total - 10 inmates presently serving 3 year Sentence
 Male- 0 Condemned prisoners (Death sentence) detained in this District Jail

3.2

The details of the prisoners including
 undergoing life imprisonment and under
 death sentence

3.3
 Daily average strength of the previous
 month

95

4 Accomodation

Area of the Jail

Age of the buildings

Status of building- to what extent.
 The provisions of model prison manual
 have been complied with in terms of
 location away from congested location of
 various blocks at a prescribed distance
 from the perimeter wall. Separate
 enclosures for the female ward etc.
 keeping the principles of safety and
 security uppermost in mind?

Lighting and ventilation

Institutional arrangements for repairs and
 maintenance

Number of wards/ Barracks

Number of special cells

40 years

Yes

No

Well

Yes, PWD dept.

02 Wards

1 (General cells)

NO

88

Any other provisions	Yes
4.1 Arrangement of separation of- Under trial	NO
Young prisoners	Yes
Women prisoners	No
Mentally sick prisoners	Yes, (No Separation Space)

Drug addicts
Suffering from infectious disease like TB etc

ANNEXURE (C) enclosed

5 Staff	Serial No.	Post	Sanctioned	Posting	Vacancy
Sanctioned strength (in various categories)	1	Deputy Superintendent	1	0	1
	2	Medical Officer	1	0	1
		Jailor	1	0	1
Actual strength (in various categories)	4	Deputy Jailor	1	1	0
Actual strength (otherwise of sanctioned and actual strength)		Senior Assistant Jailor	1	1	0
		Senior Assistant Jailor	3	3	0
	7	Warder	13	9	4
Terms and conditions of service and employment of all categories of personnel keeping the service and morale in view.	11				
	12	Nurse (male)	1	0	1
		Sweeper	1	0	1

YES, (
Regional				
Institute of				
Correctional				
Administration at Dum				
Dum for				
officers) and				
Training				
Institute,				
Midnapur				
for				
subordinate				
staff)				
Different				
for different				
programmes				
Additional				
staff				
required to				
some extent				

22

What are the contributory factors to delay in disposal of cases of UTP's?									
Specific suggestions to reduce this duration.									
6.2 Right to be released on bail									
No of petitions pending in the trial court for disposal									
No of case where prayer for bail has been rejected but the advocate concerned has not yet communicated the reasons for rejection									
No. of cases where the prisoners are unable to arrange sureties									
No of cases where the bail amount is high. What are the specific suggestions to improve the situation and register expeditious disposal of pending bail applications.									
6.3 Rights of the convict to appeal:									

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33

No. of cases where appeal petitions are pending in the High Court					
No. of years for which these petitions are pending contributory factors specific suggestions for expeditious disposal	General kitchen and medical kitchen				
Rights of convicts for premature release/ Remission	General kitchen and medical kitchen				
6.4 What is the composition of the State sentence review board					
No. of cases pending for review					
Duration for which they are pending & reasons for pendency specific suggestions to expedite disposal	NO				
Procedure followed as per guidelines of NHRC and Sec 433 CrPc.	YES				
Whether meeting SS R Board is held.	NO				
Mention dates	NO				
6.5 Right to food	YES				
Scale of diet for various categories of prisoners	YES				
Storage of articles	NO				
Arrangement of cooking and distribution of food	NO				

CC

Mean and mode of preparation of food	YES					
Menu of food provided to the inmates procurement of eatables etc.	LPG cooking system					
Does the kitchen have the following	NO					
i. A modern chimney regardless of the type of fuel used	NO					
ii. Sufficient no. of exhaust fans						
iii. Fly proof automatic closing doors						
iv. Floors made of an impermeable material						
v. A platform for washing , cleaning and cutting vegetables	No					
vi. An electric kneader for preparing paste out of Atta prior to making chapattis	No					
vii. Chapatti making machines/ mixers and grinders	No					
viii. Adequate no. of taps inside the kitchen	YES					
ix. LPG and Hotplates						
x. Container made of stainless steel to keep the cooked food hot prior to being served	NO					
xi. Cooking and serving utensils to be of stainless steel	NO					N.A.
	YES					
	Yes					
6.6 Right to water						
	YES					

5.1 Human Resource Development

<p>Institutional arrangements for training of officers and staff in various categories.</p>					
<p>Duration of training of each category</p>	<p>As per Norms</p>				
<p>Arrangements of the content quality and impact of training on correctional behaviour inside and on rehabilitation of the convicts after release need for further strengthening</p>	<p>in the trial process</p>				
<p>Speed up the trial process</p>					
<p>Staff of prisoners</p>	<p>data not available</p>	<p>data not available</p>	<p>data not available</p>	<p>data not available</p>	<p>data not available</p>
<p>What is the average duration for which they have been lodged in prison</p>	<p>data not available</p>				

Whether sufficient , clean and purified drinking water is supplied in the jail source of water.							
whether periodical cleaning of water storage tanks are done	NO						
whether sufficient water supply is provided in toilets and for bathing and cleaning of clothes purpose.	YES						
General cleaning around source of water	YES						
Right to sanitation	YES						
Does every barrack used for sleeping have sufficient no. of W.C.s, urinals, and washing places at the ratio of 1 unit for every 10 prisoners							
Are the latrines of sanitary type with arrangements for flushing	NO						
Is it ensured that toilets are places on in impermeable basis higher than the surrounding ground and are so built that the suns rays can easily enter the latrines and that rainwater is kept out							

6.7

26

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<p>Is it ensured that the latrines are so designed that all excreta and wash materials get into receptacles without fouling the sites. have the inside walls of the latrine been fitted with glazed ceramic tiles upto a height of 1 meter from the floor level as far as possible</p>	<p>Clothing is provided to all the convict prisoners and to those Under trial prisoners who require the same</p>		
<p>6.8 Right to personal hygiene Does the prison provide covered cubicles for bathing @ one for every 10 prisoners with proper arrangements to ensure privacy</p>	<p>No</p>		
<p>is it ensured that every prisoner takes bath as frequently as necessary for better personal hygiene according to climatic conditions</p>	<p>Yes</p>		
<p>Is it ensured that prisoner washes his clothing at least once a week</p>	<p>Yes</p>		
<p>If so have you ensured the use of necessary washing materials (soap, washing powder, detergent etc.) has been authorised for both male & female prisoners</p>	<p>Yes</p>		

Is there a mechanised laundry to wash items of clothing and bedding at the time of return of these items to the clothing store	No			
6.9 Right to clothing	YES			
The model prison manual provides this right and the manner of exercise of this right both the convicts as well as the UTPs	NO			
Is it ensured that these provisions are being complied with	NA			
Right to health and medical care	NA			
The model prison manual provides this right and the manner of exercise of this right both the convicts as well as the UTPs				
Is hospital accommodation available on the scale of 5% of the daily average of the inmate population				
Is the location of the hospital sufficiently away from the barracks	NIL			
are the floors and walls of the hospital of impermeable material	No			
is there arrangement of uninterrupted supply of potable water and electricity	Adequate			
is there a hospital kitchen with arrangements for proper upkeep and maintenance	Yes			

6.10

202

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is it ensured that ailing prisoners who have been admitted to the prison hospital get their diet (inclu milk) according to approved scales	Yes			
Are samples being sent to approved laboratories for testing				
If so at what interval & with what findings	6			
what preventive and corrective measures have been taken to ensure the water is free from Impurities & is potable				
No of Doctors	Yes			
No of Para Medical personnel	Yes			
No Of Beds	No			
Availability of medicine, Adequate/ inadequate				
Visits by specialists	20 inmates			
Isolation/ segregation of patients suffering from infectious diseases				
No of patients suffering from T.B.				
No of patients suffering from HIV/ AIDS	Regularly by one Govt Deputationb asis clinical psychologist of this Jail			
Arrangement for detection and prevention of HIV/ AIDS				

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85

Are instructions about medical examination of each prisoner on admission being followed				
Ambulance service				
No of prisoners suffering from other chronic diseases like heart, cancer, irreversible kidney failure, cardio respiratory, leprosy etc and details of their treatment				
Drug de-addiction and counselling services				
Mental illness:	Yes.			
How many mentally ill persons have been detained in the jail and for what duration				
HOW MANY TIMES THE I.G. OF PRISONS HAS VISITED THEM U/S 39(1) of mental health Act 87?				
What are the main observations				
How many times these persons have been visited by a psychiatrist or where a psychiatrist is not available by a medical officer empowered by the State Govt. u/s 39(4) of mental health Act 1987				
Children staying with mothers (Convicts)				

3

What checks and safeguards are being observed to promote health, safety, education, nutrition, immunization of children in 0-6 group while allowing them to stay with their mothers (convicts) in terms of the directions of the Supreme court in R.D. Upadhyay Vs. State of

41

10 Institutional treatment

Classification institutional routine educational vocational training and work spiritual development organised recreation					
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11 Daily wages prescribed both time rate

Rehabilitation assistance canteen facilities					
Trainees					
Semi skilled workers					
Unskilled workers					

12 Condition of Undertrials:

Undertrial period as on 01.09.2017	NO
Up to 3 months	NIL
3-6 months	
6-12 months	
1-2 years	
2-3 years	

Depty Superintendent
District Jail Sawai Madhpour

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42

3-5 years above 5 years	Counselling and reassurance to the prisoners, Yoga, meditation, Reiki, Psychotherapy, Psychoanalysis etc.
Are Undertrials kept separate from convicted prisoners	
No of UTP granted bail but unable to seek release because of failure to arrange sureties	N.A.
Is there any problem of providing escorts to UTP for court appearance	N.A.
Number of Lock Adalats in jail premises	N.A.
Casualty death: Annual statement of deaths for last three years	N.A.
Number of escape from the courts for the last 3 years	N.A.
Number of deaths in last 3 years What deaths have been investigated? If so what are the findings & general observations	N.A.

3

43

What checks and safeguards have been adopted to prevent suicides of prisoners	N.A.
	N.A.
14 Women prisoners:	
Sanctioned capacity	YES
Actual strength	YES
Details of staff	
No of Children with women prisoners and their age group	
are women prisoners kept in separate accomodation	By jail officers and Judicial officers and monitoring committee
Facilities for special care, education and recreation of young childred staying with women prisoners	
General comments on health facilities for women prisoners and children staying with them with special mention of availability or otherwise of a separate female ward in prison hospital and Inpro-Action programme for the children	In application process
Facilities of vocational training for women prisoners	
	Requests are turned down
No. of women prisoners suffering from T.B. and psychiatric problems	rules are not satisfied

15 Basic Amenities:

00

Letters (receiving, despatching and distribution system feed back by the senior officers and records maintained in this regard, if any	
Whether prisoners rights have been displayed in the prison	
16 Interviews of the prisoners	
16.1 Interviews of the prisoner by jail/ District officials	
Mean and mode of interview details of redressal of complaints, if any	
System of interviews with family members and lawyers	YES
What is the procedure which is in vogue for grant of such interviews	
How many such requests on an average are being received	
HOW MANY REQUESTS HAVE BEEN TURNED DOWN & REASONS THERE OF?	
NO OF VISITS/ Inspections during the last one year by :	N.A.
Judicial authorities	N.A.
Non judicial authorities	

46

18 Involvement of NGOs and social activists in prison activities:	
18.1 Functioning of board of Visitors:	
When was the board of visitors last constituted	

45

What is the frequency of visits of the Jail by the BOV
Are the observations recorded by the BOV soon after the visit?
What is the current status of compliance with these observations?
19 General remarks:
On the functioning of the prison administration, problems and grievances and suggestions for improvement