

**File No.2021/11**

As per the order dated 11.9.2012 the Commission made local inspection of the 'cells' in the High Security Ward of Special Central Jail, Bhagalpur on 1.12.2012 in presence of the Jail Superintendent Sri Jitendra Kumar and others.

The Commission is of the view that something needs to be done to improve the living conditions of the inmates without undermining the security aspects. The cells are closed from three sides with heavy grill door on the front. The courtyard is also covered by heavy iron grill bars. It is not difficult to imagine the heat generated by those iron grills/bars during summer season making living torturous. The inmates have been awarded sentence of imprisonment. Torture is an additional punishment which is not part of the punishment awarded by courts. While living in the closed enclosure, there is hardly any space for doing physical work without which they cannot be paid their wages/remuneration which is their right by virtue of sentence of rigorous imprisonment awarded to them. There are also little recreational activities and there is no contact with the world outside the enclosure. Living in these cells is inhuman.

Before proceeding further in the matter the Commission would ask IG Prisons to personally visit/inspect the High Security Ward of the Special Central Jail, Bhagalpur whereafter the matter can be discussed so that improvements consistent with the concept of human rights can be made without undermining the security aspects.

The Commission would expect IG Prisons to make local inspection within a month and submit his report.

Put up on 18.1.2013.

Copy of this order may be sent to IG Prisons.

Copy may also be sent to the applicant.

Date: 7.12.2012

Justice S.N. Jha  
Chairperson