15/9/2015

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UTTARAKHAND HUMAN RIGHTS COMMISSION

DEHRADUN

Case No. 884/2015

Complainant: Collett Smith

Present: 1) Complainant in person
2) Sh. B.S. Rawat, Head Constable, District Jail, Dehradun

ORDER

At the outset the Complainant has argued that she is bringing to the notice of Uttarakhand Human Rights Commission, the total violation of the rights of prisoners who are lodged in Dehradun District Jail.

She has brought to our notice that the Recommendations of the National Human Rights Commission (NHRC) based on its visit on 23.02.2011, has not been implemented by the Jail Authorities or State of Uttarakhand.

She has contended that the basic facilities which are to be provided to the inmates by the Jail have not been provided and the staff members are insensitive to the problems of the inmates.

She has contended that despite repeated Supreme Court orders and guidelines of the NHRC and of the State Human Rights Commission, the undertrials and the convicts are put together in the same wards.

She also brought to our notice that a prisoner has to pay Rs 600/- , if he does not want to do force work as even under trials are made to work in the prison.

She also brought to our notice that every visitor to the Jail has to pay Rs 10/- as entry fees. The representative of District Jail, Dehradun states that it is the fees of the Petition Writer, who sits outside the Jail. Be it as may be, what about the person who does not want to pay to the Petition Writer, why such visitors shall pay 10 rupees.

She has also contended that the NHRC guidelines regarding the children staying with mothers (NHRC Guideline No. 16). No medical officer, no provision for their education, no steps for their healthy meals adequate nutrients is given by the Jail Authorities.

She has also urged that the Psychiatrist visit is once in a while although he must visit twice in a month as per guidelines. She has also contended that there is no recreation, educational programme and welfare facility for under trials and convicts as per the guidelines of the NHRC.

She has brought to the Commission's notice that to examine the female prisoners there is no qualified female doctor and sometimes, if a lady prisoner falls sick, the kind of treatment which is given to her and after affect on the body of such prisoner is beyond imagination.

Referring to Para 17 of the NHRC guidelines, she brought to the notice of the Commission that there is no library for female inmates, no facility for vocational training and cultural activity and no yoga classes.

She has also contended that the under trial has to undergo to force labour for 8-10 hours and they are being paid very low , maximum Rs 600/- per month and under Indian law they are like bonded labour.

She has also contended that upkeep and cleanliness of the toilets are not up to mark and the quota of soap and detergent of washing clothes are not being provided by the Jail Authorities.

She also pointed out that an educated inmate is not used for the purposes of imparting education to the fellow prisoners.

As the Jail Superintendent, District Jail, Dehradun has sought time from us to send the report, we would like the Jail Superintendent to specifically answer on the basis of guidelines provided by the NHRC in its aforesaid inspection report.