

**Report regarding visit of WBHRC to Midnapore Central Correctional Home
on 22nd November, 2024.**

On 22nd November, 2024, the WBHRC led by Justice Jyotirmay Bhattacharya (Retd.), Chairperson, Justice Madhumati Mitra (Retd.), Member (Judicial) accompanied by the Joint Secretary and the Accounts Officer visited and inspected Midnapore Central Correctional Home and the Midnapore Open Correctional Home at Paschim Medinipur.

In course of such inspection Members of the Inspecting Team had interaction with the Shri Arindam Sarkar, DIG, Midnapore, Shri Binod Kumar Singh, Superintendent, Midnapore Central Correctional Home and Midnapore Open Correctional Home and his other Associates including the Contractual Doctor in charge of Medical Unit of the Correctional Home.

- a. The Members of the Inspecting Team were informed that total capacity of the Correctional Home is 2018 (Male- 1988 and Female- 30). The Members of the Investing Team was also informed that the total prison population as on November, 2024 is 29155. Number of convicts as on 22nd November, 2023 as reported is 655 (Male Convicts- 593 and Female Convicts- 62); number of Under Trial Prisoner is 679 (Male UTPs- 640 and Female UTPs- 39).

Conclusion:- Figures of the present population staying in the said Correctional Home show that the said Correctional Home is overcrowded.

- b. The Members of the Inspecting Team were also apprised of the vacancies lying in different posts in the said Correctional Home as on 22nd November, 2024. Only one Security Officer in Group- A category is sanctioned but there is none in the said post. Though there are eight sanctioned post for Controller Group-B but three posts are lying vacant. Though there are two sanctioned post of Assistant Controller Group-B but only one person is presently working in the said post. Against three sanctioned post of UD Clerk Group-B only two persons are working.

There is none in the post of UD Clerk-cum-Casher in Group-B against one sanctioned post. Three posts in LD Clerk, Group-D are lying vacant against four sanctioned post. Against three posts of Discipline Officer in Group-B only one person is working. Only two persons are working in the post of Chief Head Warder against three sanctioned posts. 92 posts are lying vacant in the post of Warder Group-C. Similarly, five seats are lying vacant in Female Warder posts in Group-C. There is neither any Junior Matron Group-C nor any Junior Accountant(GD) Group-C nor any Cashier Group-C nor any Tasks Taker nor any Teacher Group-C nor Driver (Gr.-1) Group-C, nor X-ray Technician Group-C in the said Correctional Home. In the post of Sweeper / Female Sweeper Group-C five vacancies are there against sanctioned post of eight. However, six Sweepers are working on extra temporary basis. Only one Medical Officer Group-A, engaged on whole time contractual basis, is available in the said Correctional Home against three regular sanctioned post. The posts of Factory Observer Group-B, Tasks Taker (MD) Group-B, Meal mechanic Group-C, Junior Accountant (MD), Group-C, Tailor Master Group-C, Tailor Group-C Chart Man, Group- D, Mistry Group-C, are lying vacant completely. However, one Data Entry Operator is working on contractual basis. One Barber is working as ex temporary.

1. **Conclusion:-** Available staff strength in the said Correctional Home is considered as poor, if the total prison population as mentioned above is taken into account. During the inspection, the Commission observed that the Correctional Home is over crowded. To manage over crowded situation in Correctional Home generally additional staff is required but in Midnapore Central Correctional Home a considerable number of sanctioned strength is lying vacant.

Safety and security of the prisoners in Correctional Home are considered to be most important factor in Correctional Home. Midnapore Central Correctional Home is being used not only for detention of under trial

prisoners but also detention of convicted persons from surrounding districts. As such, the safety and security of the Correctional Home should be given preference. As on the date of inspection, post of security officer is lying vacant. It also came to the notice of the inspection team that the posts of three Controllers and one Assistant Controller are also lying vacant.

In Correctional Home the Welfare Officer and the Discipline Officers have very vital role to play. Though, the Correctional Home is over crowded but out of three Discipline Officers two are lying vacant. Out of 219 Warden only 127 are working and the remaining posts are lying vacant. When there is need to additional strength to deal with the over crowded situation, at that time the Correctional Home is running shortage of sanctioned strength.

- c. General diet:- No complaint was received by the Members of the Inspecting Team as to the General Diet and/or Medical Diet which is provided to the prisoners staying in the said Correctional Home.
- d. Real problem is with the life convicts who have completed 19 years of imprisonment as on 1st July, 2024 in Midnapore Central Correctional Home. There are as many as 41 such life convicts in the said Correctional Home against whom there is no pending case. Amongst them number of senior citizens are also there.

Conclusion:- Release of the life convicts who have completed 14 years of imprisonment in the said Midnapore Central Correctional Home may be considered by the Concerned Authority by giving preference to the senior citizens who have undergone imprisonment for a longer period in comparison to others, on urgent basis and if necessary by holding meetings at least three or four times in a year.

e. During the course of inspection, the Commission observed that there is a considerable number of aged prisoners including life convicts who are suffering age related disease and infirmity due to old age. To look after them properly at the time of emergency a suitable and well equipped medical unit is needed. According to sanctioned strength there are provisions of three Medical Officers but out of three Medical Officers there is only one medical officer on contractual basis. Working strength of one Medical Officer is not considered to be adequate considering the number of inmates including the aged ailing prisoners in the Correctional Home. It has also been noticed by the Commission that at present there is no Pharmacist in the Correctional Home. Though, indoor treatment facilities are available in the Correctional Home, optimum use of such facilities is not possible due to want of regular Medical Officer, Pharmacists, Staff nurse etc.

Conclusion:- Appointment of Medical Officer, Pharmacists, Staff Nurse on regular basis is necessary to improve the indoor treatment facilities in the said Correctional Home. Mini lab should be set up in the Correctional Home to conduct normal clinical tests which are required on regular basis.

During interaction with the authorities of the Correctional Home, it transpires that a considerable number of female inmates at the age group of reproductivity are being sent to the Correctional Home from different Courts as convicts or under trial prisoners. We have been told that on the very date of their admission as inmates in Correctional Home they are medically examined. Commission opines that it would be appropriate if at the time of their admission in the Correctional Home their pregnancy test (those who are at the age of reproductive) should be done on the very date of their admission in the Correctional Home as inmates.

Some times the female convicts / under trial prisoners at the age group of reproductivity are allowed to go on parole. The Commission

expresses the view that in order to avoid all kinds of controversy it would be appropriate for the Correctional Home authority to conduct their pregnancy test before releasing them on parole and they should be undergone pregnancy test on the very date of their return from parole. If any inmate of the above mentioned age group is found positive during pregnancy test then that matter should be reported to the concerned Court as well as the inmate.

Personal Hygiene of the female inmates particularly those who are on reproductive age should be maintained properly. Pregnancy test on female prisoners should be conducted on regular basis at the time of their immediate entry and exit and/or re-entry even when they are on parole. Sufficient number of pregnancy test kits should also be supplied to the Correctional Home. Register regarding such tests should also be maintained meticulously.

In case when any prisoner is required to be referred to the hospital for their treatment and/or any investigation, one ambulance is necessary. Though, one ambulance is available in the hospital round the clock, provision for fuel and driver, oxygen cylinder should also be made to make the said arrangement functional.

- f. Facilities which are provided to the inmates for communication with their families are sufficient as the inmates are permitted to communicate with their family members through letters, radiogram message, physical interview, pay phone etc.
- g. Cooking gas and oven are available in the kitchen. Kitchen is also fitted with exhaust fan for removing smoke from the kitchen.
- h. Admissible payments are made to the convicts for their welfare activities inside the Correction Home.
- i. Yoga or spiritual training is also being organized in the Correctional Home regularly.
- j. Psychiatric also visit the Correctional Home on regular basis.

- k. Video conferencing system for participating in the trial in Court is also available in the said Correctional Home.
- l. Legal aid clinic is functional through DLSA.
- m. Relatives of the UTPs and Convicts can visit their inmates physically once a week by registering them in e-prison and through e-mulkat every fortnight.
- n. Through repair of the structure including colouring, painting, roof treatment, lighting etc. and renovation of the quarter is necessary estimate has already been submitted by the PWD Authority.

Conclusion:- Authority concerned stood expedite the process of such repair and/or renovation.

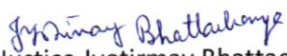
RECOMMENDATION

1. Figures of the present population staying in the said Correctional Home show that the said Correctional Home is overcrowded. The Commission observed that the Correctional Home is over crowded. In order to solve the problem of over crowding of Correctional Home our Apex Court has given various directions in Sonadhar Vs. State of Chattishgarh from time to time regarding premature release of convict and release of UTPs on bail. The authorities of Correctional Home are required to follow the Guide Lines issued by the Hon'ble Supreme Court in Sonadhar Vs. State of Chattishgarh from time to time and the Standard Operating Procedure on the Process of Premature Release, Parole and Furlough of Prisoners, 2022 issued by National Legal Services Authority. Authorities may take into consideration for release of life convicts who are in prison for more than 14 years and suffering from terminal illness.
2. Available staff strength in the said Correctional Home is considered as poor, if the total prison population as mentioned above is taken into account.

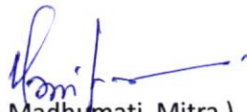
3. Release of the life convicts who have completed 19 years of imprisonment in the said Midnapore Central Correctional Home may be considered by the Concerned Authority by giving preference to the senior citizens who have undergone imprisonment for a longer period in comparison to others, on urgent basis and if necessary by holding meetings at least three or four times in a year.
4. Appointment of Medical Officer, Pharmacists, Staff Nurse on regular basis is necessary to improve the indoor treatment facilities in the said Correctional Home. Mini lab should be set up in the Correctional Home to conduct normal clinical tests which are required on regular basis. Pregnancy test on female prisoners should be conducted on regular basis at the time of their immediate entry and exit and/or re-entry even when they are on parole. Sufficient number of pregnancy test kits should also be supplied to the Correctional Home. Register regarding such tests should also be maintained meticulously.
- In case when any prisoner is required to be referred to the hospital for their treatment and/or any investigation, one ambulance is necessary. Though, one ambulance is available in the hospital round the clock, provision for fuel and driver oxygen cylinder should also be made to make the said arrangement functional.
5. Joint Secretary, W.B.H.R.C. is directed to send authenticated copy of the recommendations to the Chief Secretary, Govt. of West Bengal. Chief Secretary, Govt. of West Bengal should inform the Commission about the action taken or proposed to be taken on the recommendations within a period of 3 (three) months from the date of receipt of this communication.


(Basudeb Banerjee)

Member
3-1-25


(Justice Jyotirmay Bhattacharya)

Chairman
03.01.2025


(Justice Madhumati Mitra)

Member

03.01.2025