

## Chapter-IV

### JAILS DEPARTMENT

#### Basic Amenities for Inmates in Jails

##### 4.1 Introduction

Prisons, as an integral part of the criminal justice system, serve not only as place of confinement for convicts and individuals awaiting trials but also as correctional institutions dedicated to reducing the likelihood of reoffending, promoting rehabilitation, and supporting reintegration into society. Guided by the motto of Custody, Care and Correction, the Jail Administration in Punjab is mandated, among others, for ensuring that the jails are compatible with human dignity in all aspects such as accommodation, hygiene, sanitation, food, clothing and medical facilities.

In February 2016, expressing disappointment at the apparent lack of tangible improvements in prisons, the Hon'ble Supreme Court of India underscored the imperative of ensuring a life of dignity for all individuals as mandated by Article 21 of the Constitution. The Hon'ble Supreme Court in its pronouncement<sup>1</sup> emphasised that prisoners, being human beings, are entitled to be treated with dignity and addressed concerns such as their accommodation, health, hygiene, food, clothing, rehabilitation, etc. The Subject Specific Compliance Audit (SSCA) was conducted to assess the extent of compliance to the Hon'ble Supreme Court's directives.

There are 26 jails of various categories in the State which include ten Central Jails, seven District Jails<sup>2</sup>, two Women Jails at Bathinda and Ludhiana, one Borstal Jail at Ludhiana, one Open Air Jail at Nabha (Patiala) and five Sub Jails, as detailed in **Appendix 4.1**. The geographical distribution of jails across the State is shown on the following map:

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<sup>1</sup> Writ petition (Civil) No. 406/2013 in the Hon'ble Supreme court of India.

<sup>2</sup> Including DJ Nabha, being upgraded to Maximum Security Jail, Nabha.



A Chief Controlling Officer (CCO) based audit of Jails Department included in the Comptroller and Auditor General of India's (CAG) Report on Social, General and Economic Sectors (Non-Public Sector Undertakings) for the year ended 31 March 2012 was last discussed in the Public Accounts Committee (PAC) in July 2015. The recommendations of the PAC have suitably been taken into account while conducting this audit.

Another audit paragraph 'Security mechanism in jails' included in the CAG's Report on Social, General and Economic Sectors (Non-Public Sector Undertakings) for the year ended 31 March 2018 is yet to be discussed in the PAC.

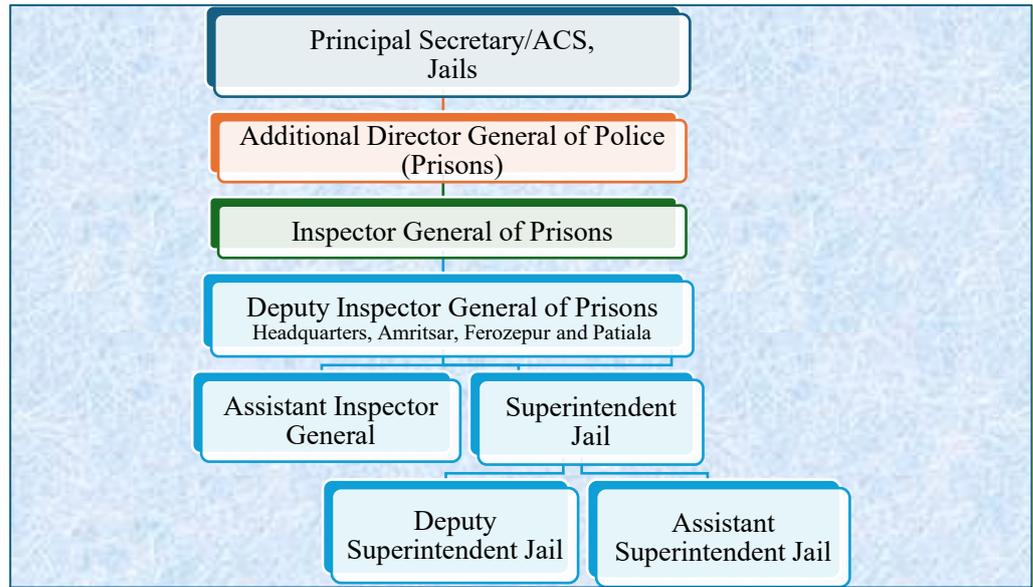
## 4.2 Organisational Structure

The Principal Secretary/Additional Chief Secretary (Jails) to Government of Punjab, Department of Jails<sup>3</sup> is the administrative head at State Government level. The Additional Director General of Police (ADGP Prisons) is the head of Department of Jails responsible for administration and control of prisons in the State, who is assisted by Inspector General of Prisons (IGP) at Headquarters, and Deputy Inspectors General of Prisons (DIGP) at Circles (Amritsar, Ferozpur and Patiala). The jails are managed by Superintendents assisted by Deputy Superintendents/Assistant Superintendents.

The Organisational structure of the Jail Administration is exhibited in **Chart 4.1**.

<sup>3</sup> The word "Jail Administration" is being used for Department of jails.

Chart 4.1: Organisational Set-up of Jail Administration



### 4.3 Audit Objectives

The objective of conducting the Subject Specific Compliance Audit (SSCA) was to assess whether the living conditions of the prisoners were compatible with human dignity in all aspects such as accommodation, hygiene, sanitation, medical facilities, food, clothing, etc., as defined in the Punjab Jail Manual (PJM), 1996, Model Prison Manual (MPM), 2016, Punjab Prison Rules (PPR), 2022 and directions of the Hon'ble Supreme Court.

### 4.4 Scope of Audit, Methodology and Audit Criteria

The SSCA was conducted (April-August 2023) by test-checking the records pertaining to the period 2020-21 to 2022-23 in the office of the ADGP (Prisons), the Superintendent/Deputy Superintendent of selected<sup>4</sup> 10 Central Jails (CJ), four District Jails (DJ), one Women Jail (WJ) Ludhiana, Open Air Jail (OAJ) Nabha and Borstal Jail Ludhiana and one Sub Jail (SJ) Pathankot (Appendix 4.1).

An entry conference was held on 28 June 2023 with the Jail Administration, wherein audit objectives, scope, criteria, audit sample were discussed and exit conference was held on 12 March 2024 to discuss the audit findings.

The audit criteria were mainly derived from the following sources:

- Punjab Jail Manual, 1996;

<sup>4</sup> In addition to 10 CJs planned for Annual Audit Plan 2023-24, WJ Ludhiana and SJ Pathankot were selected to make the sample representative in each homogenous category of jails and OAJ Nabha being heterogenous unit was also selected.

- Model Prison Manual, 2016;
- Punjab Prisons (Attendance in Court) Rules, 1969;
- Punjab Prison Rules, 2022;
- Directions of the Hon'ble Supreme Court of India; and
- Notifications and instructions issued by the Central and State Government from time to time.

## **Audit Findings**

### **4.5 Legal Framework**

#### **4.5.1 Abnormal Delay in Framing Punjab Prison Rules**

The Jail Administration in Punjab was primarily governed by the Punjab Jail Manual (PJM), 1996. In 2003, the Government of India introduced the Model Prison Manual (MPM) on the directives of the Hon'ble Supreme Court of India, to standardise prison practices across the country. This was updated in 2016 to promote uniformity in laws and enhance the effective management of prisons, encouraging its adaptation by States/UTs to local conditions. Guided by the MPM 2016 and considering the specific needs and condition of the State, the Government of Punjab (GoP) notified the Punjab Prison Rules, 2022 (PPR 2022) in June 2022, thereby superseding the Punjab Jail Manual, 1996 and all prior government instructions and notifications.

Audit noticed that the Jail Administration took an abnormally long time of six years in utilising the framework outlined in the MPM 2016 to notify the Punjab Prison Rules, 2022. In the meantime, in addition to PJM, administration of jails was being intermittently governed by MPM 2016 with the following inconsistencies in its implementation:

In March 2019, the Jail Administration reported that both the MPMs of 2003 and 2016 were comprehensively implemented without differentiation across functional areas of Jail Administration. Subsequently, in November 2023, Punjab Prison Rules, were informed to have been developed based on the provisions contained in the MPM 2016. However, in May 2024, the Jail Administration revised its position, stating that MPM 2016 was adopted only for security mechanisms.

Thus, delayed implementation of MPM 2016 through PPR, resulted not only in compromising with the uniformity in laws and improved prison management practices but the inmates were also deprived of the reformative measures concerning their health, hygiene, food, clothing, and rehabilitation introduced on the directives of the Hon'ble Supreme Court of India in 2016 to improve living conditions and uplift the human dignity of the prisoners.

The Jail Administration stated (August 2024) that the provisions of MPM 2016 were adopted in PPR 2022 with the delay of six years and the State was not bound by these provisions prior to PPR 2022. The reply of the Jail Administration was not satisfactory, as the delay in adoption of MPM 2016 could in no way be considered as a valid excuse to absolve the State of its responsibility to implement prison reforms and providing the prisoners their rights as envisaged in Article 21 of the Constitution of India in view of clear directives of the Hon'ble Supreme Court of India.

## 4.6 Accommodation Facilities

### 4.6.1 Overcrowding in Jails

Para 903 of Punjab Jail Manual (PJM), 1996 requires that when population of a jail approaches the maximum number for which there is accommodation, the Inspector General and Superintendent of Police shall be informed with a view to having some of the convicts transferred or arrangements made for their temporary shelter outside, as the case may be. Rule 15.01 and Rule 15.03 of the Punjab Prison Rules (PPR), 2022, authorises the Director General (Prison) to transfer prisoners, including the under trials under prompt intimation to the court concerned.

The overall authorised capacity of all 26 jails and occupancy of male and female inmates during 2020-2023 is indicated in **Table 4.1**.

**Table 4.1: Occupancy of inmates during 2020-2023**

Year	Male Inmates			Female Inmates		
	Capacity	Occupancy	Vacancy (-) / Excess (+) over capacity	Capacity	Occupancy	Vacancy(-) / Excess (+) over capacity
2020-21	21,790	20,476	-1,314	1,408	1,240	-168
2021-22	23,638	24,101	463	1,878	1,285	-593
2022-23	23,658	28,481	4,823	2,166	1,488	-678

Source: Departmental data

As is evident from **Table 4.1**, despite Jail Administration took corrective measures to increase the authorised capacity of jails from 23,198<sup>5</sup> in 2020-21 to 25,824<sup>6</sup> in 2022-23, the capacity of jails proved insufficient, as 4,145<sup>7</sup> inmates were housed in the jails in excess of the authorised capacity. Audit of jail-wise occupancy *vis-à-vis* authorised capacity revealed the following:

#### 4.6.1.1 Mismatch of Occupancy among Male Inmates

Audit analysis of the authorised capacity *vis-à-vis* male convicts as on 31 March 2021, 31 March 2022 and 31 March 2023 was carried out to ascertain

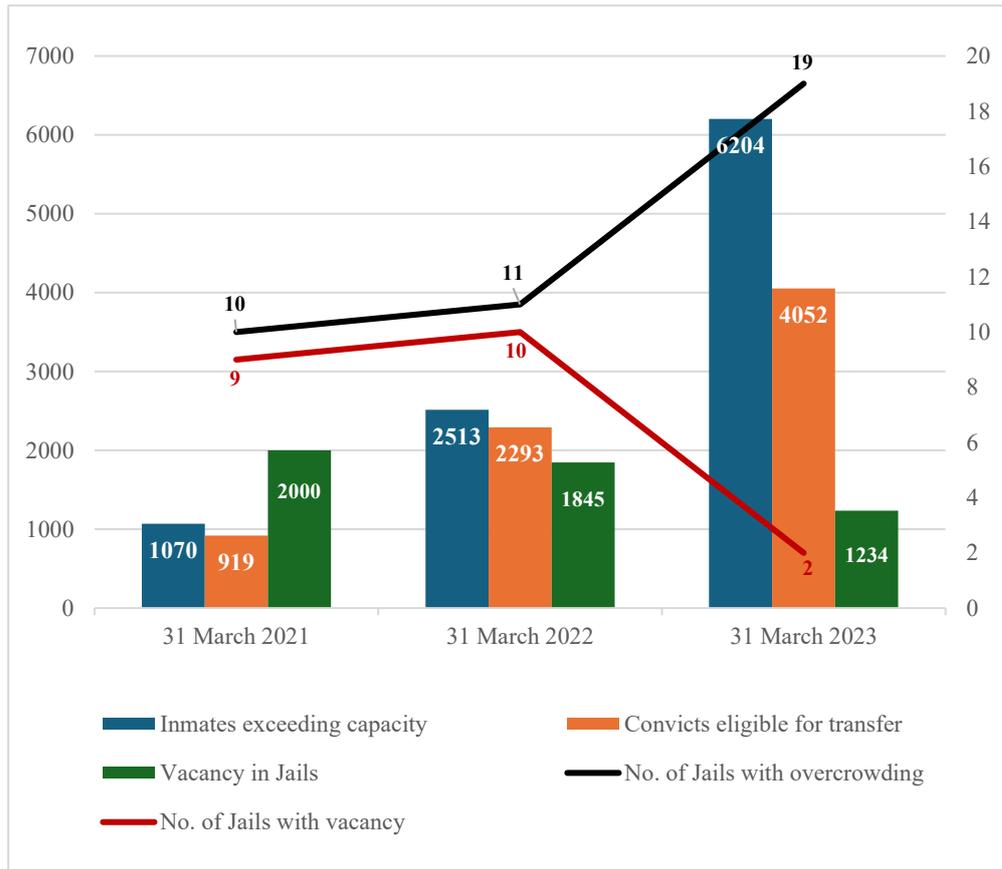
<sup>5</sup> Total of male inmates (21,790) and female inmates (1,408) capacity for the year 2020-21.

<sup>6</sup> Total of male inmates (23,658) and female inmates (2,166) capacity for the year 2022-23.

<sup>7</sup> Total excess occupancy of male inmates (4,823) and female inmates (-678) for the year 2022-23.

as to how many male convicts from the overcrowded jails could have been accommodated against vacancy in other jails. This analysis was carried out by excluding the special jails where it was not possible to transfer male convicts. The status of male inmates exceeding the authorised capacity as on 31 March 2021, 31 March 2022 and 31 March 2023 is exhibited in **Chart 4.2** and the Jail-wise details are given in **Appendix 4.2**.

**Chart 4.2: Mismatch of occupancy of male inmates in jails**



As is evident from **Chart 4.2**, the issue of overcrowding worsened during 2020-21 to 2022-23. Male inmates housed in 22 jails (excluding two Women Jail, one Open Air Jail, One Borstal Jail) disclosed the trend of overcrowding as given in **Table 4.2**.

**Table 4.2: Details of overcrowding (Male inmates)**

Year	Male inmates in excess of authorised capacity	Total No. of convicts eligible for transfer to other jails	Space available in other jails	Percentage of inmates who could have been accommodated by relocating
31 March 2021	1,070	919	2,000	100
31 March 2022	2,513	2,293	1,845	80
31 March 2023	6,204	4,052	1,234	30

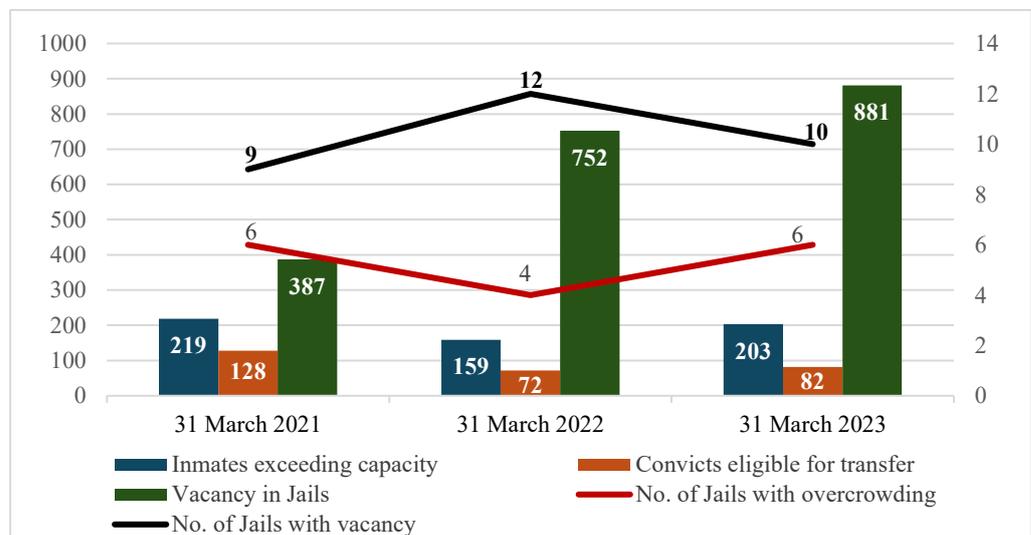
Source: Departmental data

As shown above, despite having vacancy in some jails and eligible convicts in the overcrowded jails, the Jail Administration did not relocate eligible convicts ranging between 1,234 and 2,000 to ease the overcrowding to that extent.

#### 4.6.1.2 Mismatch of Occupancy among Female Inmates

Similarly, an analysis of authorised capacity and the female inmates housed in 24 jails (excluding the OAJ Nabha and the BJ Ludhiana) was carried out and the status of female inmates exceeding the authorised capacity as on 31 March 2021, 31 March 2022 and 31 March 2023 is exhibited in **Chart 4.3** and the Jail-wise details are given in **Appendix 4.2**.

**Chart 4.3: Mismatch of occupancy of female inmates in jails**



As can be seen from **Chart 4.3**, housing of female inmates more than the authorised capacity ranged from 159 to 219 inmates. Year-wise trend of overcrowding of female inmates is given in **Table 4.3**.

**Table 4.3: Details of overcrowding (Female inmates)**

Year	Female inmates in excess of authorised capacity	Total No. of female convicts eligible for transfer to other jails	Space available in other jails	Percentage of female inmates who could have been accommodated by relocating
31 March 2021	219	149	128	86
31 March 2022	159	94	72	77
31 March 2023	203	89	82	92

Source: Departmental data

The Public Accounts Committee (PAC), while discussing the issue of overcrowding as pointed out in Para 5.1.8.2 of CAG's Audit Report for the period ended 31 March 2012, instructed (July 2015) the Jail Administration to address overcrowding by determining jail population based on the jail area and

its capacity. However, the Jail Administration, despite the instructions of PAC and lapse of over nine years, did not manage occupancy of convicts within jails despite having vacancies. Nor did it make any additional arrangements to address the issue of overcrowding in jails.

The Government replied (March 2024) that construction of additional barracks in existing six jails<sup>8</sup>, construction of New High Security jail at Ludhiana and construction of New District Jail at Mohali were under process and this would increase the authorised capacity. Further, the Government intimated that weekly review of the Jail population was being assessed by State Level Committee headed by IG Prisons and on the basis such reviews, from January 2021 to December 2023, 17,916 inmates had been transferred from overcrowded jails to less crowded jails. The Government further apprised that Rule 15.02 of PPR 2022 mandates that “All adult male prisoners except lifers, as far as practicable, may be allowed to stay in the district/central prisons nearest to their home district” in respect of convict inmates.

The Government’s reply was not in conformity with the actual situation on the ground, as 6,204 male inmates and 203 female inmates were still housed in jails in excess of authorised capacity despite having vacancies in other jails and only 5,017 inmates (806 during 2021-22 and 4,211 during 2022-23), out of total 17,916 inmates, were transferred to ease overcrowding. The reply is also silent about the number of inmates identified that necessitated custody nearest to their home districts.

Although the Jail Administration made efforts to manage inmate distribution, the issue of overcrowding continued to persist across both male and female jails, thereby compromising the dignified housing of the prisoners despite being pointed out by Audit in 2012 and instructed by PAC in 2015.

#### **4.6.2 Factors Contributing to Overcrowding in Jails**

The problem of overcrowding is a major deterrent in making basic facilities available to the inmates. Audit of records of the test-checked jails disclosed that among others, prolonged custody of under trial prisoners due to missed court hearings (*Peshies*) and delay in construction/renovation of new jails had notably contributed to the increase in overcrowding year after year, thereby worsening the already inadequate availability of facilities for jail inmates in Punjab, as has been discussed in the following paragraphs:

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<sup>8</sup> (i) CJ Ludhiana; (ii) New DJ Nabha; (iii) DJ Mansa; (iv) BJ Ludhiana; (v) DJ Sangrur; and (vi) DJ Ropar.

#### 4.6.2.1 Prolonged Custody of Under Trial Prisoners

As per Note (iii) below Para 4 of the PJM, the State shall endeavour to evolve proper mechanism to ensure that no Under Trial prisoner is unnecessarily detained. Rule 12 of Punjab Prisoners (Attendance in Courts) Act, 1955 and the Rules made there under in 1969 state that when the orders of a competent court for the production of an Under Trial Prisoner (UTP) to give evidence or answer charges are received by the Superintendent of Prisons, the police will escort the Under Trial Prisoner to court.

The Jail Superintendent shall send a copy of court's order to the Superintendent of Police in whose jurisdiction such a person is situated for providing police escorts. The court hearings are conducted offline through physical *peshies* and online through video conferencing (VC).

Audit observed that in 17 test-checked jails<sup>9</sup>, during 2020-2023, out of the due 5,57,412 physical *peshies* (**Appendix 4.3**), 3,86,874 *peshies* (69 per cent) were held. Of the physically missed 1,70,538 *peshies*, 21,341 were held through VC on the same day, 455 could not be held due to dual *peshies* of the same UTPs on the same day, 35 *peshies* could not be held due to hospitalisation of the UTPs and 433 *peshies* could not be held due to other reasons; thereby leaving 1,48,274 *peshies* (27 per cent) non-conducted due to non-receipt of police escorts from the Police Department.

On being pointed out, the Jail Administration intimated that the Police Department was regularly being requested to provide police escorts for transporting the UTPs for *peshies*. But insufficient police escorts prevented UTPs from attending the *peshies*. The Senior Superintendents of Police consistently attributed it to shortage of staff required to provide sufficient escorts. This situation prolonged the trial process, consequently contributing to over-crowding in the jails.

#### 4.6.2.2 Delay in Upgradation of Jail

The Public Works Department declared DJ Nabha unsafe for housing inmates in August 2016, but it took over four and a half years, until March 2021 for the Jail Administration to decide about its upgradation due to dilapidated conditions of the jail and rechristened it as Maximum Security Jail (MSJ) Nabha.

Audit noticed<sup>10</sup> that delays on several occasions further prolonged the process of upgradation of DJ Nabha to MSJ Nabha:

<sup>9</sup> Except for OAJ Nabha and CJ Patiala for 2020-21 and 2021-22.

<sup>10</sup> Audit of DJ Nabha was conducted in CJ Sri Goindwal Sahib due to its shifting in December 2021.

- Although the Punjab Police Housing Corporation (PPHC) submitted an estimate of ₹ 25 crore in August 2021, the Jail Administration released ₹ 5 crore (20 *per cent*) in November 2021 but took five months to finalise drawings (January 2022) needed to start construction.
- Administrative approval for demolishing dilapidated barracks, requested by PPHC in April 2022, was only granted in July 2022.
- In November 2022, the Jail Administration considered constructing a new jail but reverted to its original plan of upgrading the existing DJ Nabha in January 2023. The State Government provided revised approval in May 2023, and construction began after 11 more months in June 2023 at a cost of ₹ 19.92 crore.

This delay caused inmates to endure poor conditions for five years and four months (August 2016 to December 2021) until these inmates were transferred to another jail (CJ Goindwal Sahib<sup>11</sup>) having vacancy.

The Government, instead of providing a timeline for completion, reiterated (March 2024) the causes of the delay. Notably, against the consumption of 73 *per cent* of the time (June 2023-May 2024 against stipulated completion in September 2024) by May 2024, only 36 *per cent* of the work had been completed.

The delay in completing MSJ Nabha prevented the anticipated relief from already concerning overcrowding to the extent of envisaged capacity of 462 inmates.

### **4.6.3 Impact of Overcrowding on Basic Amenities in Jails**

Overcrowding in jails significantly reduces the availability of per capita basic amenities for inmates such as living space, sanitation facilities, health care, etc. Addressing overcrowding is crucial to ensure inmates' access to the necessary amenities and to maintain humane conditions within jail premises.

#### **4.6.3.1 Detention of Inmates in Unliveable Barracks**

As per Para 42 and Para 48 of the Punjab Jail Manual, 1996, Session Judges are required to visit the jails located at their headquarters once a month who shall examine the cooked food; inspect the barracks, cells, wards, work sheds and other buildings of the jail generally.

a) The need for urgent repair of four barracks of DJ Mansa was first brought to the notice of the Jail Administration by the Jail Superintendent, Mansa in June 2018, when a repair estimate was prepared by PPHC. The

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<sup>11</sup> CJ Sri Goindwal Sahib was completed and made functional in December 2021.

urgency of repair was also acknowledged by the District and Session Judge (D&SJ) Mansa during monthly inspection of August 2019.

Audit noticed that the Superintendent, DJ Mansa repeatedly requested (June 2018 - April 2023) the Jail Administration to address the urgent repair of barracks which included (i) dampness in the roofs caused by leakage from damaged overhead water tanks, (ii) sunken floor and (iii) accumulation of sewage on the floor due to malfunctioning of sewerage. However, the Administrative Approval to the estimates prepared in June 2018 was accorded as late as in August 2023 i.e. after a delay of five years and two months.

Upon finalisation of tenders, despite the directives of the ADGP issued in September 2023 to urgently allot the work to the successful bidder, the PPHC took another five months and allotted the work in February 2024 for execution. The work, against the scheduled completion in June 2024, was completed and handed over to Jail Authorities in August 2024.

Thus, the Jail Administration abnormally prolonged the repairs of barracks which forced the inmates to endure unliveable conditions of the barracks for five years and eight months, from June 2018 to February 2024<sup>12</sup>; till 162 inmates from these barracks were relocated to other already overcrowded barracks of the same jails. As a result of relocation, a total of 629 inmates were accommodated in three barracks designed for 332 inmates only, thereby causing overcrowding to reach 90 per cent.

The Government attributed (March 2024) the delay to non-availability of funds in 2020-2021 and non-receipt of estimates during 2021-22 from PPHC. The estimates were submitted by the PPHC in October 2022, against which Administrative Approval was received in August 2023. The reply of the Government was not convincing, as the estimate was initially prepared in June 2018 and the Superintendent DJ Mansa repeatedly reported about the unliveable conditions of barracks to the Jail Administration between June 2018 and April 2023.

**b)** Similarly, the D&SJ Patiala reported (March 2021) severe deterioration of roof of barracks of Open Air Jail (OAJ) Nabha and recommended urgent remedial measures to minimise the summer heat effects to improve the living conditions of inmates. However, despite lapse of two and a half years, the Jail Administration had not taken any remedial action except for asking the PPHC to prepare the estimates in October 2023 that too after being pointed out by Audit in August 2023.

The Government replied (March 2024) that Rough Cost Estimates for repair of roofs were awaited from PPHC. The reply contradicted the actual situation on

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<sup>12</sup> The barracks were required to be handed over for execution of work in February 2024.

the ground as the PPHC had already dismissed (February 2024) the feasibility of repairing these barracks.

Further, the ADGP (Jails) during his visit (April 2024) to the OAJ, recommended replacing the existing three old and delapidated barracks, already declared irreparable by the PPHC, with four new barracks having total capacity for accommodating 100 inmates. As such, despite the passage of three years and one-month, as of April 2024, the Jail Administration was yet to take steps to alleviate the suffering of the inmates. This forced the inmates to endure unliveable conditions, particularly during the summer heat.

Prioritising the repairs of unliveable barracks is essential not only to prevent living conditions from further deterioration, but also to ensure humane conditions for jail inmates.

## 4.7 Sanitation Facilities

### 4.7.1 Insufficient Toilet Facilities

Para 2.10.1 of the MPM 2016, provides for one unit of toilet for six prisoners during daytime and one unit for 10 prisoners in each barrack used for sleeping. Rule 28.03 of the PPR 2022 also provides for sufficient flush type latrines attached to barracks so that prisoners can complete their latrines or bathing parade within half an hour.

Audit analysis of the availability of toilets *vis-à-vis* male inmates' population in barracks of 17 test-checked jails<sup>13</sup> revealed an increasing trend in the percentage of barracks with insufficient toilet facilities over the three years, as detailed in **Table 4.4** and **Appendix 4.4**.

**Table 4.4: Details of availability of toilets to male inmates**

As on 31 March of the year	Total barracks having male inmates	Barracks with insufficient number of toilets during day (>6 inmates per toilet seat as on 31 March) (percentage)	Barracks with insufficient number of toilets used for sleeping during night (>10 inmates per toilet seat as on 31 March) (percentage)
2021	552	394 (71)	277 (50)
2022	599	452 (75)	343 (57)
2023	637	469 (74)	383 (60)

Source: Departmental data

As is evident from **Table 4.4**, the percentage of barracks with insufficient daytime toilet facilities increased from 71 *per cent* to 74 *per cent*. The insufficiency of toilets used at night also rose from 50 *per cent* of barracks to 60 *per cent* from 2021 to 2023.

<sup>13</sup> Except for CJ Goindwal Sahib in 2020-21 and WJ Ludhiana in 2021-22 and 2022-23.

Similar trend was seen in the percentage of barracks with insufficient toilet seats for female inmates during three years across the test-checked jails having female inmates, as detailed in **Table 4.5**.

**Table 4.5: Details of availability of toilets to female inmates**

As on 31 March of the year	Total barracks having female inmates	Test-checked Jails having female inmates	Barracks with insufficient number of toilets during day (>6 inmates per toilet seat as on 31 March) (percentage)	Barracks with insufficient number of toilets used for sleeping during night (>10 inmates per toilet seat as on 31 March) (percentage)
2021	36	11	24 (67)	12 (33)
2022	38	12	23 (61)	14 (37)
2023	30	10	19 (63)	16 (53)

Source: Departmental data

As on 31 March 2021, WJ Ludhiana was converted to special jail during COVID pandemic.

As on 31 March 2023, DJ Sri Muktsar Sahib and CJ Bathinda had no female inmate.

**Table 4.4 and Table 4.5** show that during daytime, barracks with inadequacy of toilet seats ranged between 61 and 75 *per cent* whereas it was between 33 and 60 *per cent* at night. As the trend suggests, it is likely to worsen with overcrowding.

Thus, lack of corrective action underscored the inadequacy of the Jail Administration to provide essential toilet facilities in these barracks.

The Government acknowledged (March 2024) that overcrowding in jails puts extra burden on the existing facilities and stated that such issues were being resolved by transferring inmates on a regular basis and enhancing the capacity of existing jails as well as construction of new jails. The reply was not satisfactory, as the existing toilet facilities as of March 2023 were inadequate in 74 *per cent* of male and 63 *per cent* of female barracks leading to unhygienic conditions.

## 4.8 Medical Facilities

Access to adequate health care is a basic and fundamental right which should not be denied to a person despite his/her confinement inside a prison. Para 7.01 of MPM 2016 also recognises medical administration as one of the most important concerns of prison management. It held the Medical Officer of a prison responsible for giving careful attention not only to the treatment of sick prisoners but also to every matter connected with health of the prisoners and overall hygiene of the prison.

### 4.8.1 Shortage of Hospital Beds

According to Paragraph 7.03 of MPM 2016, Central and District Jails be provided with hospital accommodation on the scale of five *per cent* of the

authorised capacity of the jail. Further, Rule 29.01 of PPR 2022 states that Central and District prisons shall provide hospital accommodation for indoor patients as far as practicable for at least five *per cent* of average daily inmate population. The prison hospital may be a part of the State Health Services and shall be under the supervisory control of the respective Civil Surgeon.

Audit observed that:

(a) Jail Administration took six years after the directives of the Government of India (GoI) to adopt MPM, 2016 to frame PPR, which came into existence in June 2022. In the meantime, inadequate health care facilities, which included shortage of beds, remained unaddressed and necessitated referral of significant inmates to hospitals outside the jail premises for treatment.

(b) Audit analysis of requirement versus availability of hospital beds in 17<sup>14</sup> out of 18 test-checked jails revealed substantial shortage in availability of hospital beds as per MPM 2016 which ranged from 2 to 129 and percentage of shortage of beds ranged from 50 to 100 *per cent*. As compared to norms given in PPR 2022, shortage of beds ranged from 1 to 158 and percentage of shortage ranged from 26 to 100 *per cent*. The Jail-wise details are given in **Table 4.6**.

**Table 4.6: Shortage of beds in jail hospitals with reference to the Authorised Capacity (AC) and the Average Daily Inmates (ADI)**

Sr. No.	Name of Jail	Authorised capacity (AC) as on 31 March		Beds required (5% of AC)		Average daily inmates (ADI)	Beds required (5% of ADI)	Beds available	Shortage of beds w.r.t		Percentage shortage w.r.t	
		2021	2023	2021	2023				AC	ADI	AC	ADI
1.	CJ Amritsar	2,266	2,266	113	113	3,759	188	30	83	158	74	84
2.	CJ Bathinda	2,100	2,100	105	105	1,711	86	20	85	66	81	77
3.	CJ Faridkot	2,072	2,092	104	105	1,358	68	50	55	18	52	26
4.	CJ Ferozepur	1,236	1,236	62	62	1,686	84	30	32	54	51	64
5.	CJ Gurdaspur	950	950	48	48	987	49	12	36	37	75	76
6.	CJ Hoshiarpur	723	723	36	36	1,116	56	6	30	50	83	89
7.	CJ Kapurthala	2,990	2,990	150	150	3,533	177	30	120	147	80	83
8.	CJ Ludhiana	3,200	3,200	160	160	4,157	208	50	110	158	69	76
9.	CJ Patiala	1,801	1,801	90	90	2,400	120	40	50	80	56	67
10.	CJ Sri Goindwal Sahib	0	2,780	0	139	1,668	83	10	129	73	93	88
11.	DJ Barnala	435	435	22	22	582	29	0	22	29	100	100
12.	DJ Mansa	443	443	22	22	722	36	10	12	26	55	72
13.	DJ Sangrur	650	650	33	33	1,068	53	12	21	41	63	78
14.	DJ Sri Muktsar Sahib	875	875	44	44	1,043	52	16	28	36	63	69
15.	WJ Ludhiana	320	320	16	16	234	12	1	15	11	94	91
16.	OAJ Nabha	75	75	4	4	59	3	2	2	1	50	32
17.	BJ Ludhiana	500	500	25	25	314	16	10	15	6	60	36
<b>Total</b>		<b>20,636</b>	<b>23,436</b>	<b>1,034</b>	<b>1,174</b>	<b>26,397</b>	<b>1,320</b>	<b>329</b>	<b>845</b>	<b>991</b>	<b>72</b>	<b>75</b>

Source: Departmental data

<sup>14</sup> Excluding SJ Pathankot not being a Central/District Prison.

### 4.8.2 Shortage of Medical Staff

Health care facilities in jails are crucial not only for addressing the immediate health needs of inmates but also for fulfilling the legal obligations as prescribed in MPM 2016 and PPR 2022. Rule 29.01(3,4 and 5) of PPR 2022 provides for the strength of medical staff in Jails based on inmates population as detailed in **Table 4.7**.

**Table 4.7: Norms prescribed for medical staff as per PPR 2022**

Sr. No.	Officers	Upto 500 inmates	500-1000 inmates	1000-1800 inmates	Above 1800 inmates
1.	Medical Officer (In charge)	1	1	1	1
2.	Medical Officers	1	2	4	6
3.	Pharmacy Officers	1	2	4	5
4.	Staff Nurses (Male/Female)	1	3	4	5
5.	Medical Lab Technicians	1	1	2	2

Source: Departmental data

The PPR further provides for deployment of a permanent Psychiatrist and Dentist in prisons with population exceeding 1,500 as far as practicable, and for other prisons these specialists may visit from the District Hospital. Further, special prisons for women must have at least one permanent gynaecologist and in prisons having women's barracks, gynaecologist may be deputed on visit basis from the district hospital. The status of actual posting of medical staff in jails as on 31 March 2023 is given in **Table 4.8** and **Appendix 4.5**.

**Table 4.8: Comparison of men-in-position with the sanctioned strength and the requirement**

Name of Post	Requirement	Comparison of Sanctioned Strength (SS) with requirement			Comparison of Men in Position (MIP) with requirement as per PPR		
	As per PPR 2022	SS	Shortfall in SS	Percentage Shortfall	MIP	Shortfall in MIP	Percentage Shortfall
Medical Officer (In-charge)	82	42	40	49	39	43	52
Pharmacy Officer	60	46	14	23	43	17	28
Staff Nurse	62	16	46	74	10	52	84
Medical Lab Technician	29	4	25	86	7	22	76
Psychiatrist	8	2	6	75	1	7	88
Dentist	8	2	6	75	1	7	88
Gynaecologist	1	1	0	0	0	1	100
<b>Total</b>	<b>250</b>	<b>113</b>	<b>137</b>	<b>55</b>	<b>101</b>	<b>149</b>	<b>60</b>

Source: Departmental records

From **Table 4.8**, it can be observed that actual posting of medical staff in jails as on 31 March 2023 was short by 28 per cent to 100 per cent vis-à-vis PPR norms.

The Public Accounts Committee (PAC) while discussing the shortage of health care infrastructure and staff in all the jails, as pointed out in Paragraph 5.1.10.4 of CAG's Audit Report for the period ended 31 March 2012, had also directed (September 2014) the Jail Administration to assess and convey the requirement of staff and health infrastructure to Finance Department within one month as the prisoners being human beings were also entitled for appropriate health services. However, despite assurance given to the PAC, the shortage of medical staff in all positions remained evident.

#### 4.8.3 Impact of Shortage of Health Care Infrastructure

Audit noticed that due to shortage of medical staff and lack of health care infrastructure in jail hospitals:

- 45,497 inmates<sup>15</sup> including 1,901 women inmates were referred to other Government/Civil hospitals outside the jail premises for treatment during 2020-2023 (**Appendix 4.6**).
- Out of 45,497 inmates referred to other hospitals by the Medical Officer, 12,387 (27 per cent) inmates referred solely due to inadequate health care facilities in the jail hospitals could not be transferred to Civil hospitals outside the jail because the Police Department could not provide escorts to the ailing prisoners. As a result, these inmates were deprived of the required health care facilities.
- During this period twenty-two prisoners (eight in 2021, 13 in 2022 and one in 2023) managed to escape during treatment at hospitals outside the jail premises.

The Government stated (March 2024) that all jails in Punjab are equipped with the necessary medical infrastructure. The process to equip WJ Bathinda and CJ Sri Goindwal Sahib was underway. Additionally, CJ Hoshiarpur and Gurdaspur would receive the required health care infrastructure upon completion of their hospital buildings. Regarding the remaining jails, it was assured to provide health care infrastructure in accordance with PPR 2022 in due course of time.

The reply was not convincing, as initially the Jail Administration took abnormally long time in adopting MPM 2016 which delayed setting of reformative norms by six years. Even after notifying PPR 2022, no improvement in health care infrastructure was visible across the test-checked

<sup>15</sup>

Total referred	2020-21	2021-22	2022-23	Total
Male Inmates	11,796	15,549	16,251	43,596
Female Inmates	Converted to COVID Jail	898	1,003	1,901
<b>Total</b>	<b>11,796</b>	<b>16,447</b>	<b>17,254</b>	<b>45,497</b>

jails. Most of the jail hospitals continue to lack health care facilities, necessitating referral of a significant number of inmates to hospitals outside the jail premises for medical treatment as shown in **Appendix 4.6**.

#### **4.8.4 Deprivation of Health Care due to Non-Construction of Hospitals**

In May 2015, SJ Barnala was declared District Jail (DJ) and in November 2015, the DJs at Hoshiarpur and Gurdaspur were declared Central Jails (CJ).

Audit noticed that despite significant delays of over eight years, the inmates at DJ Barnala, CJ Hoshiarpur and CJ Gurdaspur were yet to be provided with upgraded health care facilities, as detailed in the subsequent paragraphs:

##### **(a) Absence of hospital at DJ Barnala**

The DJ Barnala had an occupancy of 603 jail inmates as on 31 March 2023. Considering this, a 30 bedded hospital was required but only a dispensary without even a single bed was operational. The Jail Superintendent consistently raised (2020-2024) concerns with the Jail Administration regarding construction of an equipped hospital. The District and Session Judge (D&SJ), considering the prevailing health conditions of the jail inmates also reported the necessity of a hospital inside the jail premises during monthly inspections of February and March 2024. However, the Jail Administration intimated that the cost estimates from Punjab Police Housing Corporation were awaited (August 2024).

##### **(b) Delayed commencement of hospitals at Central Jail Hoshiarpur and Central Jail Gurdaspur**

The Jail Administration, after two years of declaring DJs at Hoshiarpur and Gurdaspur as CJs, decided in November 2017 to upgrade the hospital facilities as well. Financial sanction of ₹ 5.00 crore (₹ 2.47 crore for hospital at CJ Hoshiarpur and ₹ 2.53 crore for hospital at CJ Gurdaspur) was granted by the Government in September 2021.

- (i) For the construction of hospital at CJ, Hoshiarpur, the ADGP transferred ₹ 49.37 lakh (20 per cent) to PPHC in November 2021 but the commencement was delayed as the drawings and designs were approved as late as in March 2022. The work of construction of hospital building could finally be allotted in November 2022 at a cost of ₹ 2.85 crore, for completion within a year.

After allotment, in January 2023, the Jail Superintendent reported that the proposed hospital site would encroach upon space designated for sports, cultural activities, and the weekly parade of inmates. The site was relocated to the garden area, and construction commenced in June 2023

i.e., seven and a half years after declaring the DJ as CJ, which was still under progress (November 2024).

- (ii) Similarly, for the construction of hospital at CJ Gurdaspur, the ADGP transferred ₹50.63 lakh (20 *per cent*) to PPHC in November 2021. After receiving the funds, PPHC conveyed (December 2021) that due to existing septic tank and sewer arrangements at the proposed site, the construction of hospital building was not feasible. Alternatively, demolition of existing store was decided (February 2022) for construction of hospital. It took the Jail Administration six months to request (August 2022) the Public Works Department (PWD) to issue NOC for demolition of store, which was issued in February 2023. The work of construction of hospital building was finally allotted in January 2024 and the work was under progress (November 2024).

Thus, administrative delays regarding the site, design, drawings and seeking NOC of PWD, deprived 2,685 inmates<sup>16</sup> housed in these Jails of the upgraded facilities for over eight years, despite having funds.

The Jail Administration replied (November 2024) that 60 *per cent* construction of hospital at CJ Hoshiarpur and 25 *per cent* of CJ Gurdaspur has been completed. The reply confirms non-construction of hospitals.

## 4.9 Prisoner's Food/Diet

### 4.9.1 Non-Providing of Biscuits to Jail Inmates

As per Para 812 of the PJM 1996, the Inspector-General, with the previous sanction of the State Government, shall fix the scale of prison diet to be provided to each class of prisoners. The State Government, while revising the scale of diet for inmates in January 2014, prescribed 50 grams of biscuits containing 235 calories daily by replacing 60 grams each of black chana and jaggery from the inmates' diet.

Ludhiana Baking School (LBS) situated in CJ Ludhiana having an average capacity of producing seven quintals of biscuits per day was supplying biscuits to all its sister jails<sup>17</sup>.

Audit observed that during 2020-2023, against average daily production capacity of seven quintals, LBS could produce and supply around five quintals of biscuits. Whereas the daily average demand of biscuits remained between 9.48 quintals and 14.78 quintals leading to a short supply of 47 to 71 *per cent*, as detailed in **Table 4.9**.

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<sup>16</sup> Average daily inmates in DJ Barnala (582), Hoshiarpur (1,116) and Gurdaspur (987) during 2022-23.

<sup>17</sup> "Sister Jails" are the jails of Punjab consuming biscuits produced by LBS Ludhiana.

**Table 4.9: Requirements of jails vis-à-vis production of biscuits by LBS***(In quintals)*

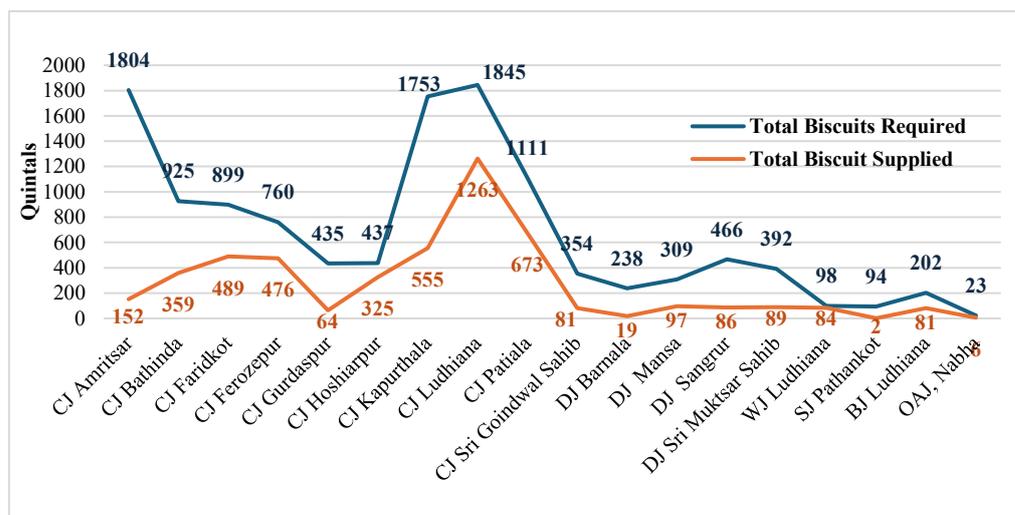
Year	Annual				Average daily			Shortage against capacity
	Demand	Production	Gap	Percentage gap	Demand	Production	Capacity	
2020-21	3,461	1,840	1,621	47	9.48	5.04	7.00	1.96
2021-22	4,531	2,088	2,443	54	12.42	5.72	7.00	1.28
2022-23	5,395	1,564	3,831	71	14.78	4.28	7.00	2.72
<b>Total</b>	<b>13,388</b>	<b>5,492</b>	<b>7,896</b>	<b>59</b>	<b>12.23</b>	<b>5.02</b>	<b>7.00</b>	<b>1.98</b>

Source: Departmental records

As is evident from **Table 4.9**, the gap between demand and production increased considerably from 1,621 quintals in 2020-21 to 3,831 quintals in 2022-23. Despite this, the Jail Administration did not resort to meet the shortage by entering into a rate contract, as was recommended by Government while revising the diet scale for inmates in January 2014.

The State Government attributed (March 2024) short production of about two quintals daily to delay in payment of bills by sister jails, which in turn was due to time of four to six months taken by the ADGP in sanctioning funds. These delayed payments caused shortage of working capital with LBS that impacted the procurement of sufficient raw materials thereby creating a vicious cycle that ultimately led to short production. Shortage in average daily production against the capacity increased from 1.96 to 2.72 quintals during 2020-2023.

Similar gap of 60 per cent was seen between requirement of biscuits in the test-checked jails and supplies made by LBS during 2020-2023, as shown in **Chart 4.4**.

**Chart 4.4: Details of requirement and supply of biscuits during 2020-2023**

The overall gap of 60 per cent between requirement and supply was unevenly distributed among the test-checked jails, ranging from 14 per cent to

98 per cent (**Appendix 4.7**). WJ Ludhiana was least affected, with a 14 per cent shortage only, as against the demand of 98 quintals, 84 quintals were supplied. In contrast, SJ Pathankot faced the most severe shortage at 98 per cent while CJ Amritsar received only 8 per cent of their required supply, falling short by 1,652 quintals.

The Jail Administration, without ensuring its capacity to supply biscuits, discontinued providing 60 grams each of black chana and jaggery to the jail inmates. Consequently, a significant portion of jail inmates, ranging between 47 and 71 per cent did not receive the prescribed daily supplement of 50 grams of biscuits containing 235 calories during 2020-2023.

Despite assurance given by the Jail Administration (September 2014) to PAC nine years ago to scale up the production of biscuits, it was still not supplying the required quantity of biscuits to meet the caloric needs of jail inmates. It had not (i) upgraded the production capacity of LBS (March 2024), (ii) addressed the issue of delayed payments by sister jails to LBS or (iii) resorted to earlier or some other measures to compensate the loss of daily calorie intake of Jail inmates.

The Government assured (March 2024) expansion of the capacity of LBS by utilising the grant of ₹ one crore likely to be released shortly. The reply was not convincing, as the assurance given to the PAC almost a decade ago in September 2014 for scaling up of production was still awaiting its implementation.

#### 4.9.2 Diet of Inmates Lacked Vitamins C and D Supplements

As per Para 825 of PJM 1996, one or the other antiscorbutic (Lime Juice: 30 gms; Amchur: 5 gms or seedless Tamarind: 3.5 gms) shall be issued daily between 1 April and 31 October in the jail dietary to all prisoners, in addition to the condiments. However, in line with the recommendations of the Indian Council for Medical Research (ICMR), Rule 26.03 of PPR had provisions of Vitamin C and D along with its sources as part of diet of jail inmates, as tabulated in **Table 4.10**.

**Table 4.10: Detail of prescribed daily diet as per PPR 2022**

Nutrients	Requirement per prisoner (as per PPR 2022)	Sources
Vitamin C	50 mg	Tamarind, amla, amchur, guava, all citrus fruits, eggs, lime, orange, etc.
Vitamin D	400 IU	Fish, liver oils, milk

Source: Departmental data

Audit observed that antiscorbutic, Vitamin C and D were seldom provided to the inmates of test-checked 18 jails during 2020-2023, as detailed in **Table 4.11**.

**Table 4.11: Status of diet in test-checked jails between 1 April 2020 and 31 October 2022**

Sr. No	Name of the Jail	1 April 2020 to 1 June 2022	2 June 2022 to 31 October 2022	
		Antiscorbutic	Vitamin C	Vitamin D
1.	CJ Amritsar	Yes*	Yes*	No
2.	CJ Bathinda	Yes*	No	No
3.	CJ Faridkot	No	Yes*	Yes**
4.	CJ Ferozepur	No	No	Yes**
5.	CJ Gurdaspur	No	Yes**	Yes**
6.	CJ Hoshiarpur	No	Yes**	Yes**
7.	CJ Kapurthala	Yes	Yes	Yes
8.	CJ Ludhiana	Yes*	Yes*	No
9.	CJ Patiala	No	Yes**	Yes**
10.	CJ Sri Goindwal Sahib	No	Yes*	No
11.	DJ Barnala	Yes*	No	No
12.	DJ Mansa	No	No	No
13.	DJ Sangrur	No	Yes	Yes
14.	DJ Sri Muktsar Sahib	Yes*	No	No
15.	SJ Pathankot	No	No	No
16.	WJ Ludhiana	No	No	Yes**
17.	OAJ Nabha	No	No	Yes**
18.	BJ Ludhiana	Yes**	Yes**	Yes

Source: Departmental data

Yes	Provided to all prisoners
Yes*	Provided to prisoners engaged in rigorous imprisonment
Yes**	Provided on the advice of the Medical Officer
No	Not Provided

As is evident from **Table 4.11**:

- **Antiscorbutic** were provided only by CJ Kapurthala to all of its inmates. CJs at Amritsar, Bathinda, Ludhiana, DJs at Barnala and Sri Muktsar Sahib provided antiscorbutic to only those inmates who were put on rigorous labour. However, BJ Ludhiana provided it on the advice of the Medical Officer only.
- **Vitamin C** was provided only by CJ Kapurthala and DJ Sangrur to all of their prisoners. The CJ at Amritsar, Faridkot, Ludhiana and Sri Goindwal Sahib, provided Vitamin C to the inmates those were put on rigorous labour. Eight jails did not provide Vitamin C to any of their inmate.
- **Vitamin D** was provided by only three jails viz. CJ Kapurthala, DJ Sangrur and BJ Ludhiana to all the jail inmates. However, CJs at Faridkot, Ferozepur, Gurdaspur, Hoshiarpur, Patiala, Women Jail Ludhiana and OAJ Nabha provided Vitamin D to only those inmates who were prescribed it by the Medical Officer.

Thus, the jail inmates were deprived of the prescribed antiscorbutic and the Vitamins.

The Jail Superintendents assured (between May 2023 and August 2023) to take up matter with the higher authorities, whereas the Government stated (March 2024) that a five-member Committee<sup>18</sup> was constituted (March 2024) for revising the diet scale on the recommendations of ICMR. The reply of the Government was not addressing the short provisioning of prescribed vitamins to all prisoners. The revision in the diet scale and its implementation would be awaited.

### 4.9.3 Supply of Drinking Water without Prescribed Testing

Paragraph 914 of the Punjab Jail Manual, 1996 prescribed qualitative analysis of water from all jail wells/tubewells by the Chemical Examiner, Punjab on or about 5<sup>th</sup> of January each year. According to Rule 28.09 of the PPR 2022, samples of water used for domestic purposes in every prison must be submitted twice a year to the appropriate authority for both chemical and bacteriological examination to prevent any health hazard.

The status of testing of water being supplied to the jail inmates housed in 18 test-checked jails during 2020-2023 was as shown in **Table 4.12**.

**Table 4.12: Status of testing of water supplied to the jail inmates**

Sr. No.	Name of the Jail	Status of testing of water		
		2020-21	2021-22	2022-23
1.	CJ Amritsar	Yes	Yes	Yes
2.	CJ Bathinda	Yes	Yes	Yes
3.	CJ Faridkot	No	No	Yes
4.	CJ Ferozepur	No	No	No
5.	CJ Gurdaspur	No	No	Yes
6.	CJ Hoshiarpur	No	No	No
7.	CJ Kapurthala	No	Yes	No
8.	CJ Ludhiana	No	No	Yes
9.	CJ Patiala	No	No	No
10.	CJ Shri Goindwal Sahib	No	No	Yes
11.	DJ Barnala	No	No	Yes
12.	DJ Mansa	No	No	No
13.	DJ Sangrur	No	No	No
14.	DJ Sri Muktsar Sahib	No	Yes	Yes
15.	SJ Pathankot	No	No	Yes
16.	WJ Ludhiana	No	No	Yes
17.	OAJ Nabha	No	No	No
18.	BJ Ludhiana	No	No	Yes

Source: Departmental data

<b>Yes</b>	Water tested twice annually	<b>No</b>	Water not tested
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<sup>18</sup> (i) Deputy Inspector General of Prisons; (ii) Additional Superintendent Central Jail, Kapurthala; (iii) Superintendent Central Jail, Amritsar; (iv) Medical Officer Central Jail, Patiala; and (v) Dietician from Director Health Services.

As is evident from **Table 4.12**, with the implementation of PPR in June 2022, compliance with regard to the testing of water increased from 11 *per cent* jails to 61 *per cent* jails as the frequency of water testing was increased from once to twice a year. Had the Jail Administration adopted MPM 2016 having the same provisions to frame its own rules without abnormal delay of over six years, the compliance to rules for ensuring supply of safe drinking water would have improved much earlier.

The non-serious approach of the Jail Administration of supplying water to jail inmates without conducting mandatory testing not only violates prescribed rules, but also exposed the jail inmates to health hazard of waterborne diseases.

A total of 1,154 cases of waterborne diseases, including, Cholera, Typhoid, Diarrhoea and Dysentery, were detected in the test-checked 18 jails during the period from 2020-21 to 2022-23 (**Appendix 4.8**) which emphasised the critical need for regular testing of water by the Jail Administration to ensure the availability of drinking water that is safe for jail inmates.

The PAC while discussing the paragraph 5.1.10.7 of the CAG's Audit Report for the period ended 31 March 2012, instructed (September 2014) the Jail Administration to form committees of jail officers or concerned beneficiaries to ensure regular testing of drinking water and installation of RO systems in every jail. Despite, PAC's instructions and the provision of water testing stipulated in PPR 2022, 39 *per cent* of the jails were yet to conduct regular water testing in compliance to rules for ensuring supply of safe drinking water to jail inmates.

The Jail Administration assured (August 2024) that the necessary directions had been issued to the Jail Superintendent.

## **4.10 Clothing and Bedding Facilities**

### **4.10.1 Non-Providing of Clothing Facilities to Convicts**

The Punjab Government notified (October 2015) the clothing scale for convicts based on gender, season and religion. It stipulates that upon admission to jails:

- (a) All male convicts will receive two cotton *pajama kurtas* and two under-wears. Additionally, they will be provided with two cotton caps or *pugrees* (5 meters for Sikhs only), two cotton sheets, two *durries*, two towels, a woollen muffler, a woollen sweater/woollen jacket and one *razai* or three blankets.
- (b) Female convicts will be given two cotton *salwar kurtas* (ladies suit) with *dupatta*, two woollen shawls, two woollen cardigans, two sets of ladies

under garments, two cotton sheets, two *durries*, two towels, one comb and one *razai* with a blanket or four blankets.

The Jail-wise status of provisioning of different items of bedding and clothing at the time of admission to the inmates in 18 test-checked jails was as under:

- DJ Sri Muktsar Sahib and OAJ Nabha did not provide even a single item of bedding and clothing to any category of jail inmates during any of the three years period between 2020-21 and 2022-23.
- CJ Bathinda, CJ Fardikot, CJ Gurdaspur, CJ Hoshiarpur, CJ Kapurthala, DJ Mansa and DJ Sangrur did not provide any women specific items to its female inmates housed during 2020-2023.
- Woollen Sweater/Jacket to male inmates were also not provided by 10<sup>19</sup> out of the 17 test-checked jails.
- The cotton sheets were not provided by CJ Faridkot, DJ Sri Muktsar Sahib, OAJ Nabha and BJ Ludhiana whereas CJ Hoshiarpur, CJ Sri Goindwal Sahib, DJ Barnala and WJ Ludhiana provided these sheets intermittently during 2020-2023.
- *Durries* were not provided by CJ Ludhiana, DJ Barnala, DJ Sri Muktsar Sahib, SJ Pathankot and OAJ Nabha whereas CJ Faridkot, CJ Hoshiarpur, CJ Sri Goindwal Sahib, WJ Ludhiana and BJ Ludhiana provided the *durries* intermittently during 2020-23.
- The CJ Amritsar provided only the Salwar Kurta and CJ Ferozepur provided Salwar Kurta and the woollen shawl to its female inmates during all the three years. However, CJ Patiala and WJ Ludhiana provided Salwar Kurta for the initial two years and did not provide it during 2022-23.

As is evident from the above, the Jail Administration did not fulfil the prescribed scale of clothing and bedding provisions for convicts thereby compromising the rights and welfare of the inmates housed in the Jails.

The Government replied (March 2024) that the requisite raw material to manufacture clothes was last supplied to jails in the year 2020-21. E-tender for procurement of raw material for production of clothes and other items to be manufactured in the jail factories could not be finalised due to pending election process and non-receipt of approval from the Election Commissioner in 2021-22. No tender was floated at Headquarter level during 2022-23 but Jail Superintendents were directed to procure raw material as per their requirement in the Jail factories.

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<sup>19</sup> CJs: (i) Amritsar; (ii) Faridkot (iii) Patiala, (iv) Sri Goindwal Sahib; DJs (v) Barnala; (vi) Mansa; (vii) Sangrur; (viii) Sri Muktsar Sahib Sub-jail: (ix) Pathankot; (x) Open Air jail.

The reply of the Government was not satisfactory, as even during 2020-21 position of supply of clothing and bedding to the jail inmates was very poor and reply in respect of 2021-22 and 2022-23 did not indicate viable solutions to ensure providing the basic facility of bedding and clothing to the convicts at the time of their admission to the jail.

Thus, basic necessities of minimum prescribed bedding and clothing, essential for maintaining hygiene, providing reasonable comfort from extreme weather conditions, and human dignity were denied to many of the convicts.

#### 4.10.2 Non-Providing of Sanitary Pads to Women Inmates

The Government of Punjab, while notifying (October 2015) the clothing scale, prescribed 5-10 sanitary pads monthly as per recommendations of the Medical Officer for each woman up to the age of 50 years.

Audit noticed that in 12 out of 18 test-checked jails wherein women inmates ranging between 839 and 1,271 were housed, a minimum of five sanitary pads per eligible woman inmate were not provided during 2020-2023 except for in DJ Mansa, as exhibited in **Table 4.13** and **Appendix 4.9**.

**Table 4.13: Average number of sanitary pads provided per month to eligible women inmates**

Sr. No.	Name of Jail	2020-21	2021-22	2022-23
1.	CJ Amritsar	4.82	2.3	3.37
2.	CJ Bathinda	0.09	0.75	0
3.	CJ Faridkot	3.33	3.46	3.43
4.	CJ Ferozepur	0.68	0.25	0.68
5.	CJ Gurdaspur	0	0	0
6.	CJ Hoshiarpur	2.56	2.56	2.56
7.	CJ Kapurthala	0.57	0.55	1.17
8.	CJ Patiala	2.76	4.06	4.51
9.	DJ Mansa	5.42	6.6	5.27
10.	DJ Sangrur	0.59	0.56	0.51
11.	DJ Sri Muktsar Sahib	0	0	0
12.	WJ Ludhiana	0.89	1.86	2.45

Source: Departmental data

Satisfactory position	Unsatisfactory position
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**Table 4.13** shows that average supply of sanitary pads per eligible woman inmate were far below the norm in 11 out of 12 test-checked jails. Audit noticed that due to short supply of sanitary pads, female inmates in CJ Amritsar, CJ Faridkot and WJ Ludhiana had to purchase sanitary pads from the jail canteens.

The Government replied (March 2024) that the sanitary pads to the eligible women inmates were being provided on the recommendation of Medical

Officer, instead of providing the number of sanitary pads as provided in the notification. The demand was also supplemented through the pads supplied by different NGOs and additional requirement was being met by purchase from the jail canteen.

The reply of the Government was not satisfactory, as none of the jails maintained any record to substantiate that sanitary pads were being provided on the recommendation of Medical Officers, number of sanitary pads issued per inmate, sanitary pads received in donations, etc. However, short supply of sanitary pads indicated that female inmates across test-checked jails in Punjab (except for DJ Mansa) did not receive even the minimum prescribed sanitary pads during 2020-2023, thereby compromising menstrual hygiene.

#### **4.10.3 Non-Providing of Mechanised Laundry and Boilers**

Para 6.58 of MPM 2016 and Rule 27.24 to 27.27 of PPR 2022 prescribe that Prisoners' clothing and bedding shall be systematically washed and boiled every three months, but hospital clothing be cleaned more frequently. The Central and District prisons were to have their own boiler and mechanised laundry for boiling and washing blankets and clothing of newly admitted prisoners and hospital patients.

Audit noticed that mechanised laundry washing machines were not available in nine<sup>20</sup> out of 18 test-checked jails. Audit further observed that none of the 18 test-checked jails was provided with the boiler machine (**Appendix 4.10**).

The Government, while acknowledging (March 2024) the audit observation stated that it had provided 17 vertical washing machines in seven jails. It was further stated that as per PPR 2022, matter for providing of boiler in the jails was under consideration. The reply was not satisfactory as nine out of 18 test-checked jails were still to get washing machines and no test-checked jail was provided with boilers even after 21 months of implementation of PPR in June 2022.

### **4.11 Conclusion**

The Jail Administration took six years to adopt framework outlined in the Model Prison Manual, 2016 and notify the Punjab Prison Rules, 2022. Despite recommendations of the Public Accounts Committee, overcrowding in jails persisted. Over 27 per cent physical *peshies* were missed mainly due to non-availability of police escorts leading to extended detention of under trials. Delays in construction of jails and repair of barracks worsened overcrowding and reduced the availability of per capita facilities. Toilet facilities were inadequate in 74 per cent of male and 63 per cent of female barracks leading to

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<sup>20</sup> CJs: (i) Faridkot; (ii) Gurdaspur; DJs (iii) Mansa; (iv) Sangrur; (v) Sri Muktsar Sahib; Sub-jail: (vi) Pathankot; Women jail: (vii) Ludhiana. Open Air jail: (viii) Nabha; Borstal jail: (ix) Ludhiana.

unhygienic conditions. Health care facilities also exhibited 72 *per cent* shortage of hospital beds and 60 *per cent* shortage of medical staff. This necessitated treatment of 45,497 inmates in Civil Hospitals outside the jail thereby enabling 22 prisoners to escape. While the essential supplements were inconsistently provided, drinking water also did not undergo the prescribed testing in 39 *per cent* of the test-checked jails. Female inmates were deprived of sanitary pads, essential for their menstrual health and dignity. There was persistent shortage of bedding and clothing for convicts, nine jails lacked mechanised laundry machines, and none had boilers for washing clothes.

#### **4.12 Recommendations**

For improving prison conditions and management practices, the Jail Administration may:

- *establish a mechanism for promptly adopting improved prison management practices as per PPR, 2022 to enhance the human dignity of prisoners;*
- *prioritise addressing the core issue of overcrowding among jail inmates;*
- *maintain close coordination with the judiciary and Police Department to ensure deployment of police escorts for conducting all scheduled court appearances (peshies) or explore the option of peshies through Video Conferencing;*
- *strengthen the framework for repair, maintenance, and construction of jail infrastructure;*
- *provide adequate toilet facilities and healthcare infrastructure, including sufficient medical staff, to ensure in-house treatment for all ailing prisoners; and*
- *ensure the provision of essential supplements, conduct mandatory testing of drinking water, and improve facilities for bedding and clothing.*