

ITEM NO.66

COURT NO.2

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

IA 105821/2018 in Writ Petition(s)(Civil) No(s). 406/2013

RE-INHUMAN CONDITIONS IN 1382 PRISONS

Date : 02-11-2018 This application was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MADAN B. LOKUR
HON'BLE MR. JUSTICE A.M. KHANWILKAR
HON'BLE MR. JUSTICE R. SUBHASH REDDY

Mr. Gaurav Agrawal, Adv. (A.C.)

For Petitioner(s) By Post

For Respondent(s)
Assam

Mr. Tushar Mehta, Sr. Adv.
Mr. Shuvodeep Roy, Adv.
Mr. Rajat Nair, Adv.
Mr. Somnath Banerjee, Adv.

UOI

Mr. A.N.S. Nadkarni, ASG
Ms. Binu Tamta, Adv.
Mr. R.M. Bajaj, Adv.
Mr. R. Bala, Adv.
Ms. Aarti Sharma, Adv.
Ms. Sushma Suri, AOR
Ms. Sushma Manchanda, Adv.
Mr. M.K. Maroria, Adv.
Ms. Suhasini Sen, Adv.
Mr. B.V. Balaram Das, Adv.
Mr. G.S. Makker, Adv.

NALSA

Ms. Anitha Shenoy, Adv.
Ms. Srishti Agnihotri, Adv.
Ms. Remya Raj, Adv.

IA 105821/18

Ms. Uttara Babbar, Adv.
Ms. Bhavana Duhoon, Adv.
Mr. V. Shyammohan, Adv.

UPON hearing the counsel the Court made the following
O R D E R

Mr. Tushar Mehta, learned Solicitor General appearing on behalf of the State of Assam has handed over in Court today an affidavit duly sworn by Mr. Joydeep Shukla, Deputy Secretary, General Administration Department, Government of Assam.

It is stated as follows:

1. Setting up of New Detention Centre

Tenders have been invited for setting up of a new detention centre in Goalpara and the work is expected to be completed with Pre-Fab Tecnology within 31.08.2019.

We expect the State of Assam to adhere to the timeline, more particularly since the executing agency is the Assam Police Housing Corporation Ltd.

2. Reunion of families

There are 47 Declared Foreign Nationals/family members that are proposed to be transferred for being re-united.

The affidavit states that since the detention centres are located at different places, the transfer process may take about 15 days.

We are of the view that it would be inappropriate to keep the families separated without any valid reason, more particularly since many of them have already been separated for considerable period of time. Therefore, we require the State of Assam to speed up the process and

complete it within a period of seven days and in any event within a maximum period of ten days since sufficient time has already elapsed.

3. Cooking gas facilities in detention centres of Tezpur, Silchar and Kokrajhar

Necessary steps are being taken to provide LPG high pressure pipeline in these three jails-cum-detention centres within the financial year 2018-2019. Some administrative approvals are required to be taken and tenders invited for this purpose.

We expect the State of Assam to adhere to the timeline stated in the affidavit.

4. Medical facilities in other detention centres

It has been brought to our notice that there are medical facilities available in Goalpara Jail-cum-Detention Centre. The affidavit states that similar or better facilities will be provided in the Central Jail-cum-Detention Centres of Jorhat, Tezpur and Silchar.

The upgrading of the medical facilities may take a little bit of time, but in the meanwhile, in the case of seriously ill patients, necessary steps are being taken with the assistance of the Department of Health Services to shift these patients to the nearest District Civil Hospital or any of the nearest Medical College hospitals for better medical treatment.

The affidavit of Mr. Joydeep Shukla is taken on record.

5. Preparation of Detention Manual

Mr. A.N.S. Nadkarni, learned Additional Solicitor General appearing for the Union of India says that the Detention Manual/Guidelines are under preparation and work is being taken up very seriously.

In the meanwhile, some circulars, etc. have been issued.

The Union of India will ensure that the requirements of the circulars/guidelines are adhered to by the State of Assam.

Learned Solicitor General appearing for the State of Assam says that necessary steps will be taken to implement these circulars faithfully.

Application stands disposed of as far as the aforesaid issues are concerned.

As regards other pending issues, list the application in the month of February, 2019.

(SANJAY KUMAR-I)
AR-CUM-PS

(KAILASH CHANDER)
ASSISTANT REGISTRAR