

LOOKING INTO THE HAZE

Second National Report on Prison Monitoring in India



CHRI

Commonwealth Human Rights Initiative
working for the *practical* realisation of human rights in
the countries of the Commonwealth

Commonwealth Human Rights Initiative

The Commonwealth Human Rights Initiative (CHRI) is an independent, non-governmental, non-profit organisation headquartered in New Delhi, with offices in London, United Kingdom, and Accra, Ghana. Since 1987, it has advocated, engaged and mobilized around human rights issues in Commonwealth countries. Its specialisations in the areas of Access to Justice (ATJ) and Access to Information (ATI) are widely known. The ATJ programme has focussed on Police and Prison Reforms, to reduce arbitrariness and ensure transparency while holding duty bearers to accountability. CHRI looks at policy interventions, including legal remedies, building civil society coalitions and engaging with stakeholders. The ATI looks at Right to Information (RTI) and Freedom of Information laws across geographies, provides specialised advice, sheds light on challenging issues, processes for widespread use of transparency laws and develops capacity. We review pressures on media and media rights while a focus on Small States seeks to bring civil society voices to bear on the UN Human Rights Council and the Commonwealth Secretariat. A new area of work is SDG 8.7 whose advocacy, research and mobilization across geographies is built on tackling contemporary forms of slavery.

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ABOUT THE REPORT

ABOUT THE REPORT

In 2016, CHRI's first report on prison monitoring, "Looking into the Haze",¹ indicated a near-complete absence of independent external oversight mechanisms -- the Board of Visitors (BOVs) -- in Indian prisons. This present report is the second watch report on the functioning of BOVs as on 1 June 2018. It provides an analysis and evaluation of data received from 29 states² for 491 prisons in response to applications filed to prison headquarters across India under the Right to Information Act, 2005.

As an outcome of the advocacy pursuant to CHRI's 2016 report, the Supreme Court had on 15 September 2017³, directed "*The constitution of a Board of Visitors which includes non-official visitors is of considerable importance so that eminent members of society can participate in initiating reforms in prisons and in the rehabilitation of prisoners. Merely changing the nomenclature of prisons to 'Correction Homes' will not resolve the problem. Some proactive steps are required to be taken by eminent members of society who should be included in the Board of Visitors. The State Governments are directed to constitute an appropriate Board of Visitors in terms of Chapter XXIX of the Model Prison Manual indicating their duties and responsibilities. This exercise should be completed by 30th November, 2017.*"

The Ministry of Home Affairs (MHA) too has issued letters to states from time to time to impress upon them the need to ensure the effective functioning of the BOVs. In a letter dated 1 March 2018, the MHA emphasised that prison oversight through internal and external inspections should ensure that basic facilities such as food, sanitation and healthcare are provided to prisoners. Along with reiterating the need for the constitution of the BOV, it also advised states to "*issue directions regarding the criteria of appointment, training and functioning of Non-Official Visitors*" based on its 2011 advisory on the appointment of Non-Official Visitors.

This report thus also checks compliance of the Supreme Court directive seeking the constitution of the Board of Visitors in all Indian prisons. It further provides a comparative analysis of the status of its implementation in 2015 and 2018.

1 <https://www.humanrightsinitiative.org/download/Looking%20into%20the%20Haze%20Report-2016.pdf>.

2 For the purpose of this report, the term 'states' includes both States and Union Territories.

3 "Re Inhuman Conditions in 1382 Prisons" (WP 406 of 2013).

METHODOLOGY

This study is based on the information received from the Prison Head Quarters (PHQ) and various state prisons under Section 6⁴ of the Right to Information (RTI) Act 2005. RTI requests were filed in all States and UTs, except Jammu and Kashmir, seeking information on the following categories as on June 2018:

- The statutory rules governing visitors in prison
- The names of visitors currently appointed
- The dates of appointment of Non-official Visitors (NOVs) and the constitution of the Board of Visitors (BOVs) in the prison
- Information on meetings conducted by BOVs and visits made by NOVs
- Training provided to NOVs at the time of their appointment
- The format for visitors to record their visit remarks
- The advisory received by the Ministry of Home Affairs for appointing NOVs

The requests also inquired about whether NOVs had been appointed and BOVs had been constituted in jails across the country. Further, it also sought to know whether the appointed NOVs were actually visiting jails and whether the BOVs were meeting. The report does not analyse the implementation of appointment criteria, as most of the responses did not provide information on the designations of the NOVs. The appointment of NOVs and constitution of BOVs here has been analysed strictly against the respective mandates in the state rules. However, for analysing compliance of visits and meetings, if the state rules did not provide specific mandates for separate visits by NOVs and meetings by BOVs, the mandate in Model Prison Manual 2016 has been taken as the base for calculating compliance percentage.

To ensure that the performance of a state in any of indicators is not undermined due to failure of the Public Information Officer (PIO) in providing complete information, “no information” has not been taken as “zero compliance”. For calculating the percentage of jails with NOVs and BOVs, the total number of jails is the number of all the jails for which information was received in a particular state. To calculate the number of NOV visits, both the mandated number of visits and actual visits held in a particular jail between the last date of NOV appointment and 1 June 2018 has been multiplied by the total number of appointed NOVs. This formula was adopted as most responses only offered a cumulative number of visits to a jail against the names of all appointed NOVs, which made it impossible to gauge the actual number of visits made by individual NOVs. This formula ensures that visit performance does not exclude visits by the NOVs where more than one NOVs visited the jail in a single visit.

The report presents findings on both an intra-state and inter-state level. At the intra-state level, jail-wise compliance of NOV appointments, BOV constitution, NOV visits and BOV meetings is presented against the respective mandates. At the inter-state level, state-wise compliance of the abovementioned indicators has been presented with the state’s overall performance. A section of the report also offers comparative data on the number of jails with NOVs appointed and BOVs constituted as on 1 June 2018 against the data as on 31 January 2015.⁵

4 Section 6 [Request for obtaining information] (1)(a), RTI Act, 2005: “A person, who desires to obtain any information shall make a request in writing or through electronic means to the Central Public Information Officer or State Public Information Officer of the concerned public authority”.

5 The first Report on “Prison Monitoring in India - Looking into the Haze” had presented the data on jails with NOVs and BOVs as on 31 January 2015.

RTI RESPONSES

S.No.	States/UTs	Information from Jails		
		Total Jails*	Responses	Response Ratio
1.	Andaman & Nicobar Islands	5	1	20.00
2.	Andhra Pradesh	112	20	17.86
3.	Arunachal Pradesh	2	0	0.00
4.	Assam	31	22	70.97
5.	Bihar	58	58	100.00
6.	Chandigarh	1	1	100.00
7.	Chhattisgarh	33	29	87.88
8.	Dadar & Nagar Haveli	1	0	0.00
9.	Daman & Diu	2	1	50.00
10.	Delhi	16	15	93.75
11.	Goa	2	2	100.00
12.	Gujarat	27	15	55.56
13.	Haryana	19	10	52.63
14.	Himachal Pradesh	14	7	50.00
15.	Jharkhand	29	16	55.17
16.	Karnataka	102	6	5.88
17.	Kerala	54	54	100.00
18.	Lakshadweep	0	0	0.00
19.	Madhya Pradesh	91	18	19.78
20.	Maharashtra	154	0	0.00
21.	Manipur	2	0	0.00
22.	Meghalaya	5	5	100.00
23.	Mizoram	8	8	100.00
24.	Nagaland	11	8	72.73
25.	Odisha	91	12	13.19
26.	Puducherry	4	4	100.00
27.	Punjab	26	0	0.00
28.	Rajasthan	126	26	20.63
29.	Sikkim	2	2	100.00
30.	Tamil Nadu	137	4	2.92
31.	Telangana	49	41	83.67
32.	Tripura	13	13	100.00
33.	Uttar Pradesh	67	43	64.18
34.	Uttarakhand	11	11	100.00
35.	West Bengal	58	39	67.24
	TOTAL	1,363	491	36.02

* The total number of jails in the report is taken from the Prison Statistics India (PSI) 2015 as at the time of filling of RTI applications the latest PSI was of the year 2015. The data in 'General Information' in the State Report Cards is also based on PSI 2015.

PART I

A GLANCE ON THE STATUS OF PRISON MONITORING IN INDIA

Locating the Standard and
Evaluating the Implementation

National Snapshot

What has changed since 2015 to 2018?

VISITORS IN THE PRISON VISITING SYSTEM



BOARD OF VISITORS (BOV)

What do the Members of the BOV do?

Monitor

- Case status of under-trial prisoners
- Appeal status of convict prisoners
- Prison conditions
- Prison staff
- Health of prisoners
- Ongoing correctional programmes

Discuss and recommend

- Correctional programmes
- Improvement in prison infrastructure
- Collection and redressal of grievances
- Disposal of individual prison complaints
- Aspects of prison administration such as issues involving staff such as guards, medical officers, etc.

Regulate

- Timely and due visits by all the members
- Timely meetings of the Board
- Active participation of Non-official visitors

LOCATING THE STANDARDS AND EVALUATING THE IMPLEMENTATION

It is well-established throughout all jurisdictions that monitoring plays an important role in prison administration. Regular inspections have a two-fold function in any prison institution - first by ensuring compliance of regulations and statutory principles of incarceration, and secondly, by helping with recognition and publicity of good practices and positive initiatives. Prison facilities, owing to their nature of inherent secrecy and social isolation, often become prone to some of the worst forms of human rights violations of prisoners and the creation of extremely stressful work environments for prison staff.

In the United Kingdom, every prison or detention facility has an Independent Monitoring Board⁶ with members from the public, who work voluntarily after their appointment. These members have unrestricted access to prisons to oversee the day-to-day life of prisoners, ensure their fair treatment and report compliance of standards through weekly visits. The Board, with a chair and a vice-chair, meets once a month and is empowered to take up direct complaints from prisoners. The Independent Monitoring Board was earlier known as the Board of Visitors just as the prison monitoring board is still named in India; however, unlike India's BOV, it does not have members from the state administration, and is completely independent from state authorities.

The Prison Visitation and Support programme in the United States, which consists of 'volunteer visitors'⁷ from diverse social, economic and professional backgrounds, focuses on preserving the human rights of prisoners. This programme was founded as an organisation to support Vietnamese prisoners in the US; however, by 1975, it received recognition and access to all federal and military prisons in the country. Its objectives are restricted to providing regular assistance and care to the prisoners, and administrative reforms are excluded from its goals.

The revised United Nations Minimum Standard Rules for Treatment of Prisoners 2015 -- called the Nelson Mandela Rules⁸ -- provide for two forms of regular inspections: external and internal. External inspections are to be carried out by expert appointees, including healthcare professionals, while internal inspections are a form of administrative monitoring carried out by prison authorities. The Nelson Mandela Rules do not differentiate between the powers held by the external and internal inspectors. While both inspections must be followed by a submission of reports, the reports of external inspections are required to be made public. Their objective is to ensure adherence to domestic rules and policies, to fulfill the aims of penal and correctional services, and to check violations of human rights of prisoners. This two-tier inspection mechanism is also reflected in the Indian prison monitoring system in form of official and non-official visitors, but in a different structure, which is outlined in the sections below.

■ STANDARDS

Categories of Visitors

In India, the Board of Visitors (BOVs), comprising official and non-official visitors, is the thread connecting prisons to the overall state administration and the society. Official visitors include

6 U.K. Independent Monitoring Boards website, About us - IMB: <https://www.imb.org.uk/independent-monitoring-boards/> as on 7 July 2019.

7 U.S. Prison Visitation & Support Programme: <https://www.prisonervisitation.org/board-staff> as on 7 July 2019.

8 United Nations (2015) *United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules)*: <https://cdn.penalreform.org/wp-content/uploads/1957/06/ENG.pdf>.

judicial officers, bureaucrats from departments of industries, social welfare, education, public health, etc., who become visitors by virtue of their official positions. These are also termed as ex-officio members of the BOV. Non-official visitors (NOVs) are eminent people from society who express interest in the welfare of prisoners and prison administration. They ideally include social contributors such as psychiatrists, lawyers, teachers, retired judges and officers, social workers, doctors, etc. Some state rules also contain a third category: Ex-officio Non-official Visitors, who are NOVs by virtue of their official positions, such as Members of Legislative Assembly and Members of Parliament.

Relevant state Legislations

The rules governing BOVs and NOVs in state prisons are provided either in the relevant Jail Manuals or the Rules formulated by the state governments. However, these rules are not always very easily available, which raises some concerns over the status of their awareness among the prison administration and the visitors appointed under them. There is also an apparent lack of uniformity in the rules, as some of them date even prior to the 21st century.⁹ However, some states share common rules for BOVs and NOVs. For instance, Uttarakhand follows the Uttar Pradesh Jail Manual; Nagaland, Mizoram, Manipur and Meghalaya follow the Assam Jail Manual; Chhattisgarh follows the Madhya Pradesh Jail Manual; Jharkhand follows the old Bihar Jail Manual. Chandigarh follows the Punjab Jail Manual and Haryana's rules are identical to that of Punjab Jail Manual.

These commonalities in governing rules stem from the origins of these newer states. It should be noted that some of the new states continue following the old Manuals even as the older ones move on. For instance, Bihar formulated a new Jail Manual in 2012, but Jharkhand still follows the old Bihar Jail Manual of 1925. Only two states, Tripura¹⁰ and West Bengal¹¹, have rules based on the Model Prison Manual, 2016.

Thus, there is divergence and convergence in the rules, which are discussed below to present the existing framework of standards across the country's prisons.

Board of Visitors

✓ Composition

All Jail Manuals and Rules provide that the Board of Visitors shall comprise official and non-official members. However, there is huge divergence in the applicable rules for the composition of these members in the Board, ranging from three to more than 21 members.¹² Apart from the five states where a BOV can be formed with just three members, only in Madhya Pradesh and Chhattisgarh can a BOV be formed with less than five members. Such a small composition can deter timely meetings and effective functioning of the Board, which is supposed to monitor several aspects of prison administration and prisoners' welfare.

✓ Tenure

A specific tenure or time of constitution ensures that the Board does not become obsolete and lose efficacy. Timely constitution of the BOV reflects the administration's seriousness towards prison oversight and also ensures that government officials, who keep on changing, are informed periodically of their roles and responsibilities as a member. It also ensures timely

9 Only eight states -- Andaman & Nicobar Islands, Arunachal Pradesh, Bihar, Daman & Diu, Delhi, Goa, Sikkim, and West Bengal -- have rules/manuals formulated in the 21st century. Tripura follows the Model Prison Manual, 2016.

10 The Tripura state government issued guidelines for the functioning of BOVs and NOVs through its notification dated 03.01.2018. It states that BOVs are constituted in terms of Chapter XXIX of the MPM, 2016.

11 The Department of Correctional Administration in West Bengal issued a notification dated 07.02.2018 containing rules for BOVs and these rules are based on Chapter XXIX of MPM 2016 on BOV.

12 A BOV can be formed only with three members in Punjab, Jharkhand, Himachal Pradesh, Haryana and Chandigarh. In Gujarat, the BOV is to consist of 21 official and all other appointed visitors.

basic documentation of the meetings and functioning of the BOVs, which may otherwise be ignored, rendering the BOVs defunct. The Assam Jail Manual provides for a two-year tenure for the BOV; therefore, Nagaland, Mizoram, Manipur and Meghalaya and Assam must have a BOV constituted once every two years. A BOV must be formed once every three years in Tamil Nadu, Madhya Pradesh, Jharkhand and Chhattisgarh. Rajasthan is the only state with a six-month tenure for the Board. In Punjab, Haryana, Himachal Pradesh and Chandigarh, the BOV must be constituted every three months. Surprisingly, 18 states do not have any set tenure or time of constitution of the BOVs defined in their Rules.¹³

✓ Meetings

All Jail Manuals/Rules mandate either a joint inspection or a meeting or both by the BOV. However, a “joint inspection” may not always serve the purpose as the duties of the BOV goes beyond mere inspection of prison conditions and status of prisoners. A BOV is supposed to inter-alia recommend improvisations in the prison administration, development of correctional programmes, etc.,¹⁴ which require a meeting of the members of the Board to deliberate on these aspects. Therefore, this report does not consider “joint inspection” the same as “meeting” of the BOV.

Uttarakhand, Uttar Pradesh, Puducherry and Jharkhand are four states that do not have a rule regarding BOV meetings. In Bihar and Sikkim prisons, the BOV has to meet twice a year. Chandigarh, Haryana, Himachal Pradesh and Punjab rules do not mention any specific period in which the BOV has to convene a meeting. In these four states, the BOV meets ‘as on dates as District Judge or District Magistrate deems fit’¹⁵. In the remaining 23 states, a BOV has to convene quarterly meetings.

Non-Official Visitors

✓ Number of NOVs

The number of NOVs to be appointed in a jail varies between two and 10 among different Jail Manuals/Rules. There are 10 states and UTs - Andaman and Nicobar Islands, Chandigarh, Delhi, Haryana, Himachal Pradesh, Kerala, Puducherry, Punjab, Uttar Pradesh and Uttarakhand -- where the number of NOVs to be appointed is not specified and is left to the discretion on the government to appoint ‘any number as it may deem fit’. In 17 states, there is a distinction in the number of NOVs to be appointed in each jail on the basis of the category of the jail.¹⁶ For instance, in Bihar, the number of NOVs should be six for central jail, three for district jails and two for sub jails.¹⁷ Arunachal Pradesh, Daman and Diu, Goa, Sikkim, Tripura and West Bengal are six states and UTs with rules that mandate that the number of NOVs should be between two and six for each jail of the state, irrespective of its category.

✓ Tenure / Time of appointment

A specific tenure or time of appointment for NOVs ensures that visitors are changed routinely, which allows the state administration to maintain a list of NOVs who meet the criteria and filter out those who do not reflect commitment to their duties as prison monitors. Eight states and UTs -- Bihar, Chhattisgarh, Daman and Diu, Gujarat, Madhya Pradesh, Maharashtra, Sikkim and Tamil Nadu -- have rules mandating a 3-year tenure for the NOVs. Kerala is the

13 A & N Islands, Andhra Pradesh, Arunachal Pradesh, Bihar, Dadar & Nagar Haveli, Delhi, Goa, Gujarat, Karnataka, Kerala, Maharashtra, Odisha, Puducherry, Sikkim, West Bengal, Uttarakhand, Tripura and Telangana.

14 Ch 6.22.5, Report of the All India Committee on Jail Reforms, 1983.

15 The Jail Manuals of these states do not prescribe any specific time intervals for meeting of the Board. For instance, Rule 47 of Chapter VI of the Punjab Jail Manual states, “The Board shall meet at the jail on such dates as the District Magistrate may determine”.

16 Andhra Pradesh, Assam, Bihar, Chhattisgarh, Gujarat, Jharkhand, Karnataka, Madhya Pradesh, Maharashtra, Manipur, Meghalaya, Mizoram, Nagaland, Odisha, Rajasthan, Tamil Nadu and Telangana.

17 Rule no. 721, Bihar Prison Manual, 2012.

only state where NOVs are appointed for a term of one year. In the remaining 24 states, NOVs are appointed for a term of two years.

✓ Visits

There is no consistency in the rules on mandated number of visits by the NOVs in the respective prisons. Only 11 states' Jail Manuals/Rules require an NOV to visit the prison they are appointed to in every month.¹⁸ In Rajasthan an NOV "may visit, once a month, if he/she so desires", and in Sikkim an NOV has to visit the prison on dates 'as advised by the chairman' of the BOV. In the remaining 20 states, the Jail Manuals/Rules do not provide any separate visit mandate for the individual NOVs. However, in some of these 20 states, the rules mention rosters for visits by members of the BOV, which also include the NOVs.

✓ Gender Specification

Gender specification in the NOVs aims to make the prison-visiting system gender representative and inclusive. Apart from Uttar Pradesh, Uttarakhand and the Andaman and Nicobar Islands, in all states there is a gender specification in the appointment of NOVs. Andhra Pradesh, Gujarat, Jharkhand, Karnataka, Maharashtra, Tamil Nadu and Telangana have rules which have prison category-wise specification for number of women visitors. Bihar, Chhattisgarh, Madhya Pradesh and Rajasthan only specify women visitors in women jails or jails where women prisoners are incarcerated. Six states provide for two women visitors in all jails.¹⁹ The remaining states provide for at least one woman visitor.

■ IMPLEMENTATION

The status of implementation of standards on BOVs and NOVs across 491 prisons for which information was received appears to be unclear. This reflects neglect on the part of the state governments in ensuring prison oversight and improving prison conditions in their states. It is a pity that such an important external oversight mechanism

S. No.	Name of State/UT	Overall Performance Percentage
1	Goa	100%
2	Chhattisgarh	77.58%
3	Sikkim	75%
4	Andhra Pradesh	68.62%
5	Rajasthan	68.20%
6	Tripura	66.66%
7	Mizoram	62.50%
8	West Bengal	55.05%
9	Nagaland	51.55%
10	Karnataka	50.56%
11	Chandigarh	50%
12	Assam	46.05%
13	Gujarat	39.24%
14	Bihar	38.62%
15	Odisha	35.58%
16	Andaman & Nicobar Islands	33.33%
17	Uttar Pradesh	32.45%
18	Delhi	27.92%
19	Uttarakhand	27.25%
20	Telangana	21.35%
21	Madhya Pradesh	18.52%
22	Tamil Nadu	18.42%
23	Meghalaya	6.66%
24	Daman & Diu	0%
25	Haryana	0%
26	Himachal Pradesh	0%
27	Jharkhand	0%
28	Kerala	0%
29	Lakshadweep	0%
30	Puducherry	0%
31	Arunachal Pradesh	No Info
32	Dadar & Nagar Haveli	No Info
33	Maharashtra	No Info
34	Manipur	No Info
35	Punjab	No Info

¹⁸ A & N Islands, Arunachal Pradesh, Chandigarh, Delhi, Haryana, Himachal Pradesh, Punjab, Uttar Pradesh, Uttarakhand, Tripura and West Bengal.

¹⁹ Arunachal Pradesh, Goa, Sikkim, Tripura, Puducherry and West Bengal.

has failed to achieve its mandate not just for want of effective oversight by visitors, but for the lack of visitors themselves.

The only state that could achieve full compliance of the standards laid down in its jail manual is Goa. Goa is followed by Chhattisgarh, with a 77.58% of overall state performance based on the applicable standards. This is followed by nine states, which have an overall performance percentage between 50% to 75%.²⁰ Eight states fall in the category of 25% to 50% overall performance percentage.²¹ Telangana, Madhya Pradesh, Tamil Nadu and Meghalaya have an overall performance percentage up to 25%, with Meghalaya performing at 6.66%. Seven states do not have any BOV or a single NOV in any of their jails.²²

Board of Visitors

✓ Constitution in Jails

Only six states and UTs - the Andaman and Nicobar Islands, Chhattisgarh, Goa, Karnataka, Sikkim and Tripura -- had BOVs constituted in all the jails for which information was received. 11 states out of 30 for which information was received did not have BOVs constituted in any of their jails.²³ 18 states have BOVs constituted in at least one of their prisons.²⁴ BOVs were constituted in only 119 jails out of 491 jails for which information was received, which means there are only 24.24% of jails with BOVs in the country. Out of these 119 jails, the BOVs of only 37 jails had complied with the numeric strength of Board as given in their respective rules.

✓ Meetings

All meetings as per the mandate set in the respective state rules were held only in the Andaman and Nicobar Islands, Goa and Sikkim, which means only three out 30 states were in full compliance of BOV meeting mandate. Not even a single BOV meeting was held in any of the prisons of Meghalaya, Tamil Nadu, Tripura and Telangana, which renders the respective BOVs absolutely futile. As per the respective rules, 119 BOVs across the country had to convene a total of 502 meetings, out of which only 100 were convened. The BOV meeting percentage in the country's jail thus stands at a mere 19.92%.²⁵ This reflects that even where BOVs are formed they are still far behind in realising the purpose of BOV constitution in a prison.

Non-Official Visitors

✓ Appointment in Jails

Chandigarh, Chhattisgarh, Goa, Sikkim and Tripura are the only five states that had NOVs appointed in all the jails for which information was received. NOVs were not appointed in any of the jails of the Andaman and Nicobar Islands, Daman & Diu, Haryana, Himachal Pradesh, Jharkhand, Kerala and Puducherry. In 22 states the NOVs had been appointed in at least one of their jails. Out of the 491 prisons for which information was received, NOVs were appointed in 257 jails, which means that 52.34% of jails in the country have NOVs. 223 Jails out of the 257 had NOVs that complied with the numeric strength of NOVs to be appointed as per the respective state prison manuals.

20 Sikkim, Andhra Pradesh, Rajasthan, Tripura, Mizoram, West Bengal, Nagaland, Karnataka and Chandigarh.

21 Assam, Gujarat, Bihar, Odisha, A & N Islands, Uttar Pradesh, Delhi and Uttarakhand.

22 Daman & Diu, Haryana, Himachal Pradesh, Jharkhand, Kerala, Lakshadweep and Puducherry.

23 Uttarakhand, Puducherry, Madhya Pradesh, Kerala, Lakshadweep, Jharkhand, Himachal Pradesh, Haryana, Delhi, Daman & Diu and Chandigarh.

24 A & N Islands, Chhattisgarh, Goa, Karnataka, Sikkim, Tripura, Assam, Bihar, Gujarat, Meghalaya, Mizoram, Nagaland, Odisha, Rajasthan, Tamil Nadu, Telangana, Uttar Pradesh and West Bengal.

25 District Jail Rajpipla in Gujarat has a BOV formed in 1974 which has boosted this number with 177 meetings which were mandated as per the state's rules. If the data from this jail is removed the performance percentage of BOV meetings in all jails across the country would still be at just 29.53%.

✓ Visits

Madhya Pradesh is the only state where the NOV's have visited the jails as per the monthly visit mandate. In Assam, Meghalaya and Tripura the appointed NOV's in the prisons have not visited it even once after their appointment. In 12 states out of 22 which have NOV's in at least one of their jails, the NOV's have visited the prisons they are appointed in at least once after their appointment.²⁶ The remaining 10 states either did not provide any information on NOV visits or the information was provided in the manner which does not allow calculation of actual number of NOV visits in the state. In the total 257 jails which had NOV's, there should have been a total of 2766 visits in these jails across the country. However, the total number of visits which were actually made in these jails was 293, which is a mere 10.59% of the total mandated visits. This reflects that even though NOV's are appointed in 52.34% of the jails, they hardly visit prisons, thus rendering the system ineffective and dysfunctional.

✓ Gender Ratio

Uttarakhand and Mizoram have all male NOV's. Only nine states out of the 22 with NOV's have a gender ratio of more than 30%.²⁷ Out of a total of 892 NOV's appointed in prisons of the country, only 187 are women, which means that for approximately every five male NOV's, there is only one female NOV.

STATUTORY STANDARDS ON BOVS AND NOV'S

S. No.	States/UTs	Governed By		BOV			NOV			Gender Specification
		Statute/ Notification/ Manual	Year	Tenure	Numeric Composition	Meetings	Tenure	Composition	Visits	
1.	Andaman & Nicobar Islands	Chapter XXIV, The A & N Prison Manual	2004	Not Specified	6 Ovs + All NOV's	Quarterly	2 Years	As Lt. Gov. deems fit	Once a Month	No
2.	Andhra Pradesh	Chapter IV, Andhra Pradesh Prison Rules	1979	Not Specified	All Ovs + NOV's+ Ex-officio NOV's	Quarterly	2 Years	Central Jail - 6	Not Specified	Yes
3.	Arunachal Pradesh	Chapter XXVII, Arunachal Pradesh Jail Manual	2008	Not Specified	All Ovs + NOV's	Quarterly	2 Years	District Jail - 3	Once a Month	Yes
4.	Assam	Chapter III, Assam Jail Manual	1934	2 Years	Central jail & District Jail - 2 Ovs + 4 NOV's Sub Jail - 2 Ovs + 2 NOV's	Quarterly	2 Years	6 NOV's	Not Specified	Yes
5.	Bihar	Bihar Prison Manual	2012	Not Specified	All Ovs + NOV's	Bi-Annual	3 Years	Central Jail - 4	Not Specified	yes
6.	Chandigarh	Punjab Jail Manual	1996	3 Months	2 OV + 1 NOV's	As on dates as D.J. deems fit	2 Years	District Jail - 4	Once a Month	Yes
7.	Chhattisgarh	Part XVII, Madhya Pradesh Jail Manual	1987	3 Years	2 OVs + 2 NOV's	Quarterly	3 Years	Sub Jail - 2	Not Specified	Yes
8.	Dadar & Nagar Haveli	-	-	-	-	-	-	Central Jail - 6	-	-

²⁶ Andhra Pradesh, Bihar, Delhi, Gujarat, Karnataka, Madhya Pradesh, Nagaland, Odisha, Tamil Nadu, Telangana, Uttar Pradesh and West Bengal.

²⁷ West Bengal, Tripura, Tamil Nadu, Sikkim, Meghalaya, Gujarat, Goa, Delhi and Bihar.

9.	Daman & Diu	D & D Visitors of Prison Rules	2002	Not Specified	All Ovs + NOVs	Quarterly	3 Years	District Jail - 3	Not Specified	Yes
10	Delhi	Government Notification dt. 18.03.2014	2014	Not Specified	Not Specified	Quarterly	2 Years	Sub Jail - 2	Once a Month	Yes
11.	Goa	Chapter XIX, Goa Prison Rules	2006	Not Specified	12 Ovs + 6 NOVs	Quarterly	2 Years	6 NOVs	Not Specified	yes
12.	Gujarat	Gujarat Prison (Visitors) Rules	1974	Not Specified	All Ovs + all other appointed visitors	Quarterly	3 Years	Central Jail - 10 District Jail - 6 Sub Jail - 4	Not Specified	Yes
13.	Haryana	Chapter V, Punjab Jail Manual	1996	Once in 3 Months	2 Ovs + 1 NOVs	As on dates as D.M. deems fit	2 Years	As govt. deems fit	Once a Month	Yes
14.	Himachal Pradesh	Chapter 6, Manual for the Suprintendence of Management of Jails in Himachal Pradesh	-	Once in 3 Months	2 OV + 1NOVs	As on dates as D.J. deems fit	2 Years	As govt. deems fit	Once a month	Yes
15.	Jharkhand	Bihar Prison Manual	1925	Once in 3 years	3 Members	Not Specified	2 Years	Central Jail - 6 District Jail - 3	Not Specified	Yes
16.	Karnataka	Karnataka Prison Rules	1964	Not Specified	10 Ovs + 10/6 NOVs	Quarterly	2 Years	Central Jail - 10 District Jail - 6	Not Specified	Yes
17.	Kerala	Chapter XII, Kerala Prison Manual	1979	Not Specified	All Ovs + NOVs	Quarterly	1 Year	As govt. deems fit	Not Specified	Yes
18.	Lakshadweep									
19.	Madhya Pradesh	Part XVII, Madhya Pradesh Jail Manual	1987	3 Years	2 OVs + 2 NOVs	Quarterly	3 Years	Central Jail - 6 District Jail - 3 Sub Jail - 2	Not Specified	Yes
20.	Maharashtra	Maharashtra Prison Rules	1962	Not Specified	All Ovs + NOVs	Quarterly	3 Years	Central Jail - 9 District Jail - 6 Sub Jail - 4	Not Mentioned	Yes
21.	Manipur	Chapter III, Assam Jail Manual	1934	2 Years	Central jail & District Jail - 2 Ovs + 4 NOVs Sub Jail - 2 Ovs + 2 NOVs	Quarterly	2 Years	Central Jail - 4 District Jail - 4 Sub Jail - 2	Not Specified	Yes
22.	Meghalaya	Chapter III, Assam Jail Manual	1934	2 Years	Central jail & District Jail - 2 Ovs + 4 NOVs Sub Jail - 2 Ovs + 2 NOVs	Quarterly	2 Years	Central Jail - 4 District Jail - 4 Sub Jail - 2	Not Specified	Yes
23.	Mizoram	Chapter III, Assam Jail Manual	1934	2 Years	Central jail & District Jail - 2 Ovs + 4 NOVs Sub Jail - 2 Ovs + 2 NOVs	Quarterly	2 Years	Central Jail - 4 District Jail - 4 Sub Jail - 2	Not Specified	Yes

24.	Nagaland	Chapter III, Assam Jail Manual	1934	2 Years	Central jail & District Jail - 2 Ovs + 4 NOVs Sub Jail - 2 Ovs + 2 NOVs	Quarterly	2 Years	Central Jail - 4 District Jail - 4 Sub Jail - 2	Not Specified	Yes
25.	Odisha	Chapter IV, Odisha Jail Manual	1978	Not Specified	All OVs + NOVs	Quarterly	2 Years	Central Jail - 6 Other - 5	Not Specified	Yes
26.	Puducherry	Pondicherry Prison Rules	1969	Not Specified	All Ovs + NOVs	Not Specified	2 Years	As govt. deems fit	Not Mentioned	yes
27.	Punjab	Chapter V, Punjab Jail Manual	1996	Once in 3 Months	2 Ovs + 1 NOVs	As on dates as D.M. deems fit	2 Years	As govt. deems fit	Once a Month	Yes
28.	Rajasthan	Rajasthan Prison Rules	1951	6 Months	2 Ovs + 2 NOVs	Quarterly	2 Years	Central Jail - 6 District Jail - 3 Other - 2	No min mandate	Yes
29.	Sikkim	Sikkim Jail Manual	2010	Not Specified	All OVs + NOVs	Bi-Annual	3 Years	4 NOVs	No min mandate	Yes
30.	Tamil Nadu	Chapter XXVI, Tamil Nadu Jail Manual	1982	3 Years	All OVs + NOVs	Quarterly	3 Years	Central Jail - 6 Special Prison for Women - 3	Not Specified	Yes
31.	Telangana	Chapter IV, Andhra Pradesh Prison Rules	1979	Not Specified	All Ovs + NOVs + Ex-officio NOVs	Quarterly	2 Years	Central Jail - 6 District Jail - 3	Not Specified	Yes
32.	Tripura	Chapter XXIX, Model Prison Manual	2016	Not Specified	10 OVs + 6 NOVs	Quarterly	2 Years	6 NOVs	Once a Month	Yes
33.	Uttar Pradesh	Chapter 25, U.P. Jail Manual	Not Available	Not Specified	1 OV + All NOVs	Not Specified	2 Years	Not Specified	Once a Month	No
34.	Uttarakhand	Chapter 25, U.P. Jail Manual	Not Available	Not Specified	1 OV + All NOVs	Not Specified	2 Years	Not Specified	Once a Month	No
35.	West Bengal	Government Notification DT. 07.02.2018	2018	Not Specified	10 OV + 6 NOV	Quarterly	2 Years	6 NOVs	Once a Month	Yes

STATUS OF IMPLEMENTATION - BOV

S. No.	States/UTs	Information from Jails			Constitution of BOVs			BOV Meetings		
		Total Jails	Information received from	Response Ratio	No. of Jails	Performance Percentage	Numeric Composition Followed in	Mandate	Actual	Performance Percentage
1.	Andaman & Nicobar Islands	5	1	20.00	1	100.00	1	9	10	111.11
2.	Andhra Pradesh	112	20	17.86	No Info	N/A	N/A	N/A	N/A	N/A
3.	Arunachal Pradesh	2	0	0.00	No Info	No Info	No Info	No Info	No Info	No Info
4.	Assam	31	22	70.97	4	18.18	4	10	4	40.00
5.	Bihar	58	58	100.00	6	10.34	0	10	3	30.00
6.	Chandigarh	1	1	100.00	0	0.00	N/A	N/A	Im*	N/A
7.	Chhattisgarh	33	29	87.88	29	100.00	5	No Info	N/A	N/A
8.	Dadar & Nagar Haveli	1	0	0.00	No Info	No Info	No Info	No Info	No Info	No Info
9.	Daman & Diu	2	1	50.00	0	0.00	N/A	N/A	N/A	N/A
10.	Delhi	16	15	93.75	0	0.00	N/A	N/A	N/A	N/A
11.	Goa	2	2	100.00	1	100.00	1	3	12	400.00
12.	Gujarat	27	15	55.56	13	86.67	0	244	24	9.84
13.	Haryana	19	10	52.63	0	0.00	N/A	N/A	N/A	N/A
14.	Himachal Pradesh	14	7	50.00	0	0.00	N/A	N/A	N/A	N/A
15.	Jharkhand	29	16	55.17	0	0.00	N/A	N/A	N/A	N/A
16.	Karnataka	102	6	5.88	6	100.00	0	107	21	19.63
17.	Kerala	54	54	100.00	0	0.00	N/A	N/A	N/A	N/A
18.	Lakshadweep	0	0	0.00	0	N/A	N/A	N/A	N/A	N/A
19.	Madhya Pradesh	91	18	19.78	0	0.00	N/A	N/A	N/A	N/A
20.	Maharashtra	154	0	0.00	No Info	No Info	No Info	No Info	No Info	No Info
21.	Manipur	2	0	0.00	No Info	No Info	No Info	No Info	No Info	No Info
22.	Meghalaya	5	5	100.00	1	20.00	0	1	0	0.00
23.	Mizoram	8	8	100.00	2	25.00	2	No Info	N/A	N/A
24.	Nagaland	11	8	72.73	7	87.50	5	25	5	20.00
25.	Odisha	91	12	13.19	3	25.00	0	9	1	11.11
26.	Puducherry	4	4	100.00	0	0.00	N/A	N/A	N/A	N/A
27.	Punjab	26	0	0.00	No Info	No Info	No Info	No Info	No Info	No Info
28.	Rajasthan	126	26	20.63	7	26.92	2	0	0	N/A
29.	Sikkim	2	2	100.00	2	100.00	2	4	4	100.00
30.	Tamil Nadu	137	4	2.92	1	25.00	0	12	0	0.00
31.	Telangana	49	41	83.67	2	4.88	0	16	0	0.00
32.	Tripura	13	13	100.00	13	100.00	13	11	0	0.00
33.	Uttar Pradesh	67	43	64.18	6	13.95	1	26	3	11.54
34.	Uttarakhand	11	11	100.00	0	0.00	N/A	N/A	N/A	N/A
35.	West Bengal	58	39	67.24	15	38.46	1	15	13	86.67
	TOTAL	1363	491	36.02	119	24.24	37	502	100	19.92

STATUS OF IMPLEMENTATION - NOV

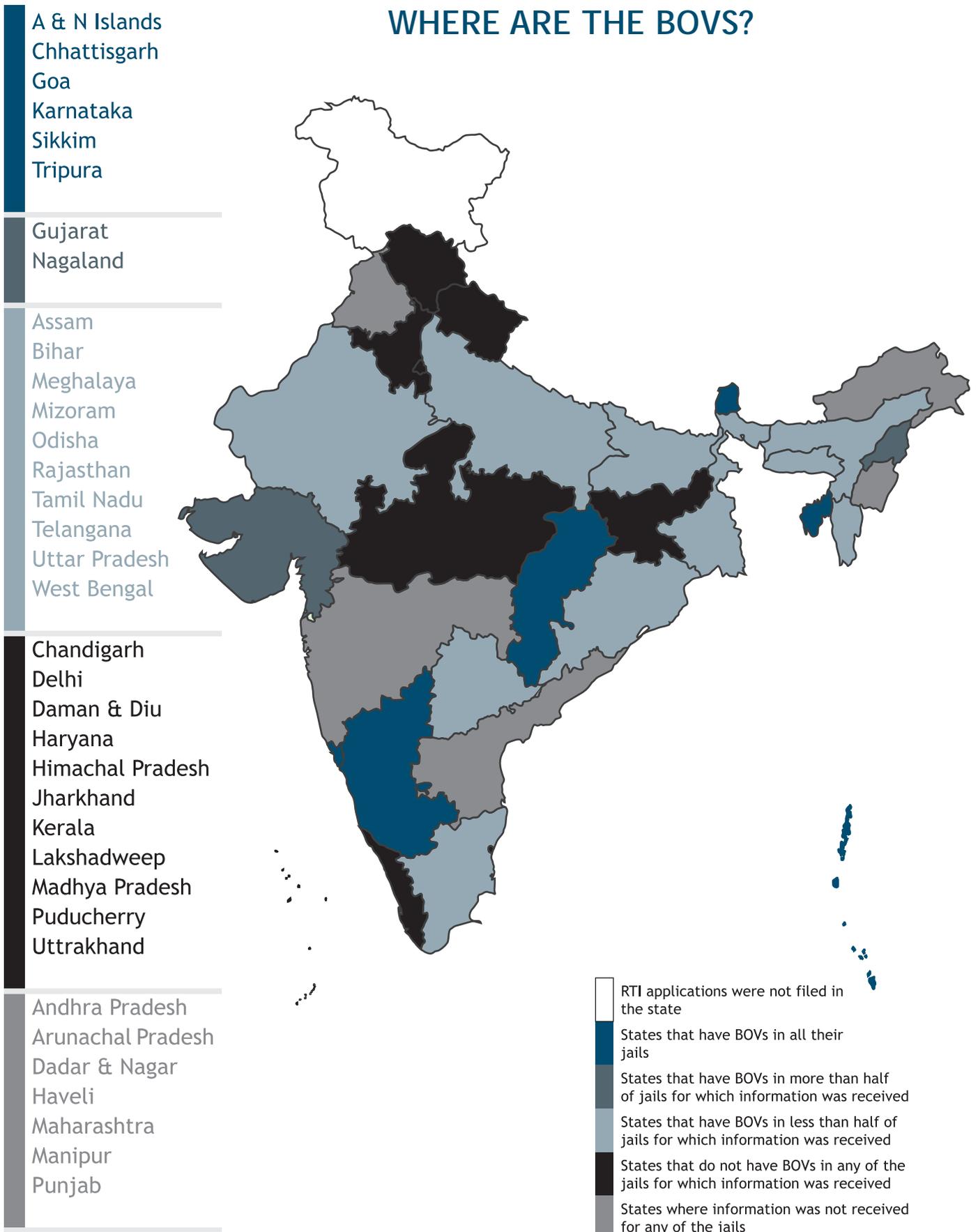
S. No.	States/UTs	Information from Jails			Appointment of NOVs			NOV Visits			NOV Gender Ratio		
		Total Jails	Information received from	Response Ratio	No. of Jails	Performance Percentage	Numeric Composition Followed in	Mandate	Actual	Performance Percentage	Women	Total	Ratio
1.	Andaman & Nicobar Islands	5	1	20.00	0	0.00	N/A	No NOV	N/A	N/A	0	0	N/A
2.	Andhra Pradesh	112	20	17.86	6	30.00	6	116	88	75.86	7	29	24.14
3.	Arunachal Pradesh	2	0	0.00	No Info	No Info	No Info	No Info	No Info	No Info	No Info	No Info	No Info
4.	Assam	31	22	70.97	4	18.18	4	40	0	0.00	4	16	25.00
5.	Bihar	58	58	100.00	11	18.97	11	29	21	72.41	11	36	30.56
6.	Chandigarh	1	1	100.00	1	100.00	1	Im*	Im*	N/A	2	8	25.00
7.	Chhattisgarh	33	29	87.88	29	100.00	27	No Info	N/A	N/A	6	98	6.12
8.	Dadar & Nagar Haveli	1	0	0.00	No Info	No Info	No Info	No Info	No Info	No Info	No Info	No Info	No Info
9.	Daman & Diu^	2	1	50.00	0	0.00	N/A	N/A	N/A	N/A	0	0	N/A
10.	Delhi	16	15	93.75	10	66.67	10	462	4	0.87	7	21	33.33
11.	Goa	2	2	100.00	1	100.00	1	No Info	N/A	N/A	4	6	66.67
12.	Gujarat	27	15	55.56	9	60.00	6	49	8	16.33	15	47	31.91
13.	Haryana^	19	10	52.63	0	0.00	N/A	N/A	N/A	N/A	0	0	N/A
14.	Himachal Pradesh^	14	7	50.00	0	0.00	N/A	N/A	N/A	N/A	0	0	N/A
15.	Jharkhand^	29	16	55.17	0	0.00	N/A	N/A	N/A	N/A	0	0	N/A
16.	Karnataka	102	6	5.88	5	83.33	3	188	76	40.43	12	45	26.67
17.	Kerala^	54	54	100.00	0	0.00	N/A	N/A	N/A	N/A	0	0	N/A
18.	Lakshadweep^	0	0	0.00	0	0.00	N/A	N/A	N/A	N/A	0	0	N/A
19.	Madhya Pradesh	91	18	19.78	2	11.11	0	4	6	150.00	1	4	25.00
20.	Maharashtra	154	0	0.00	No Info	No Info	No Info	No Info	No Info	No Info	No Info	No Info	No Info
21.	Manipur	2	0	0.00	No Info	No Info	No Info	No Info	No Info	No Info	No Info	No Info	No Info
22.	Meghalaya	5	5	100.00	1	20.00	0	10	0	0.00	1	2	50.00
23.	Mizoram	8	8	100.00	2	25.00	2	No Info	N/A	N/A	0	8	0.00
24.	Nagaland	11	8	72.73	2	25.00	2	126	7	5.56	Im*	10	N/A
25.	Odisha	91	12	13.19	25	25 / 29	20	250	28	11.20	34	119	28.57
26.	Puducherry^	4	4	100.00	0	0.00	N/A	N/A	N/A	N/A	0	0	N/A
27.	Punjab	26	0	0.00	No Info	No Info	No Info	No Info	No Info	No Info	No Info	No Info	No Info
28.	Rajasthan	126	26	20.63	90	71.43	88	No mandate	-	N/A	20	238	8.40
29.	Sikkim	2	2	100.00	2	100.00	0	Im*	-	N/A	3	6	50.00
30.	Tamil Nadu	137	4	2.92	3	75.00	0	237	25	10.55	4	7	57.14
31.	Telangana	49	41	83.67	4	9.76	4	37	5	13.51	4	19	21.05
32.	Tripura	13	13	100.00	13	100.00	13	264	0	0.00	26	78	33.33
33.	Uttar Pradesh	67	43	64.18	22	51.16	22	879	13	1.48	8	63	12.70
34.	Uttarakhand	11	11	100.00	1	9.09	1	No Info	N/A	N/A	0	1	0.00
35.	West Bengal	58	39	67.24	14	35.90	2	75	12	16.00	18	31	58.06
	TOTAL	1363	491	36.02	257	52.34	223	2766	293	10.59	187	892	20.96

*Immeasurable. Please refer to the respective state report cards for more information.

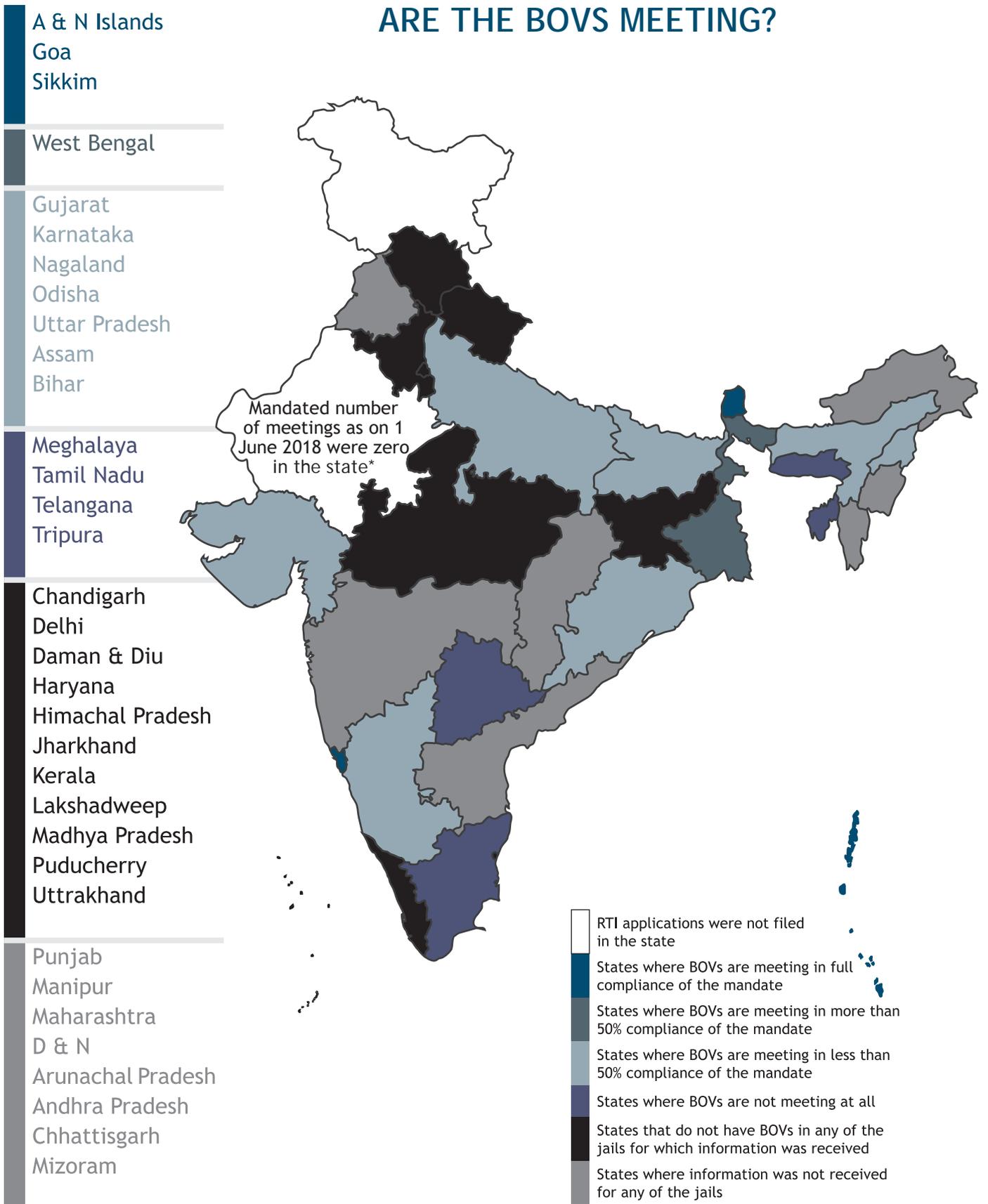
^Zero performance states: In these states, none of the prisons from which information was received had either a BOV constituted or any NOV appointed, as per the RTI responses.

NATIONAL SNAPSHOT

WHERE ARE THE BOVS?

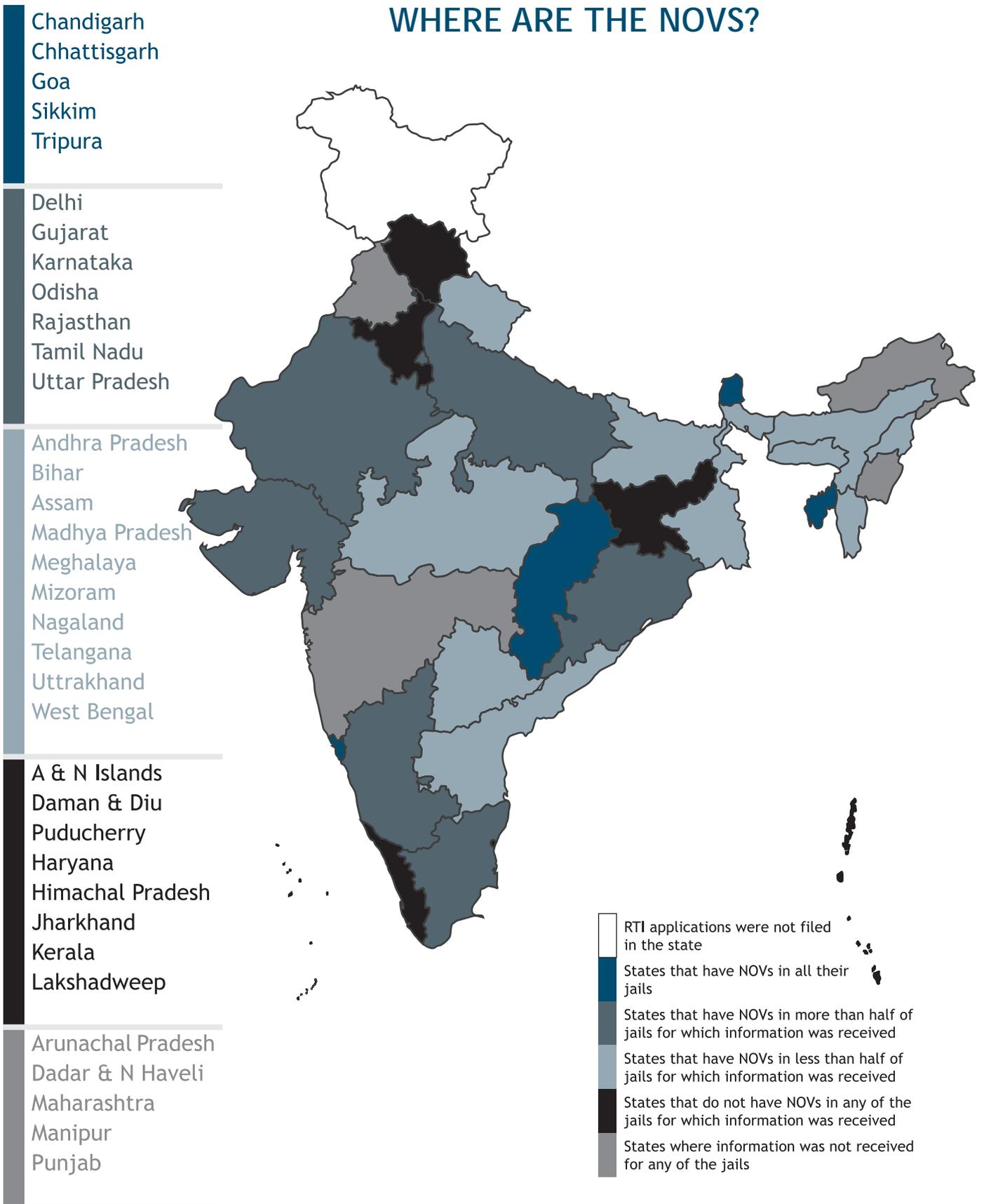


ARE THE BOVS MEETING?



* In Rajasthan, the all 26 BOVs were constituted within the period of 3 months from 1 June 2018. The rules mandate quarterly meeting of BOVs, hence the mandated number of meetings in the state were zero as on 1 June 2018. Also see, Rajasthan's state card and jail-wise table for more information on the state's performance.

WHERE ARE THE NOV'S?



ARE THE NOVS VISITING?

- Madhya Pradesh

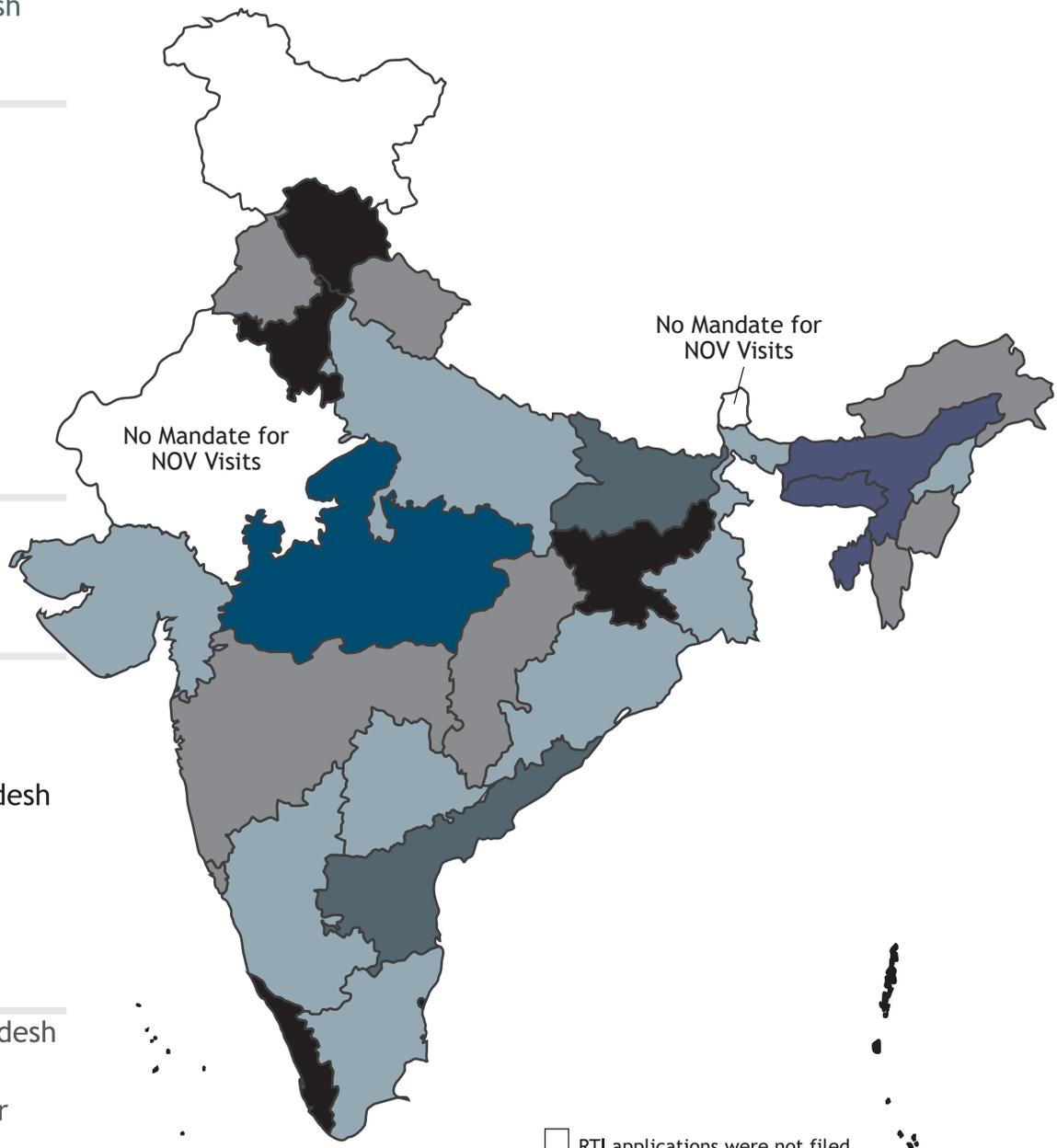
- Andhra Pradesh
- Bihar

- Delhi
- Gujarat
- Karnataka
- Nagaland
- Odisha
- Tamil Nadu
- Telangana
- Uttar Pradesh
- West Bengal

- Assam
- Meghalaya
- Tripura

- A & N Islands
- Daman & Diu
- Haryana
- Himachal Pradesh
- Jharkhand
- Kerala
- Lakshadweep
- Puducherry

- Arunachal Pradesh
- Chhattisgarh
- Dadar & Nagar
- Haveli
- Goa
- Maharashtra
- Manipur
- Mizoram
- Punjab
- Uttarakhand



- RTI applications were not filed in the state
- States where NOVs are visiting in full compliance of the mandate
- States where NOVs are visiting in more than 50% compliance of the mandate
- States where NOVs are visiting in less than 50% compliance of the mandate
- States where NOVs are not visiting at all
- States that do not have NOVs in any of the jails for which information was received
- States where information was not received for any of the jails

* NOV visit mandate in Rajasthan cannot be ascertained. Kindly read Rajasthan's State Remarks at page 67 for more information.

** NOV visit mandate in Sikkim cannot be ascertained. Kindly read Sikkim's State Remarks at page 69 for more information.

WHAT HAS CHANGED FROM 2015 TO 2018?

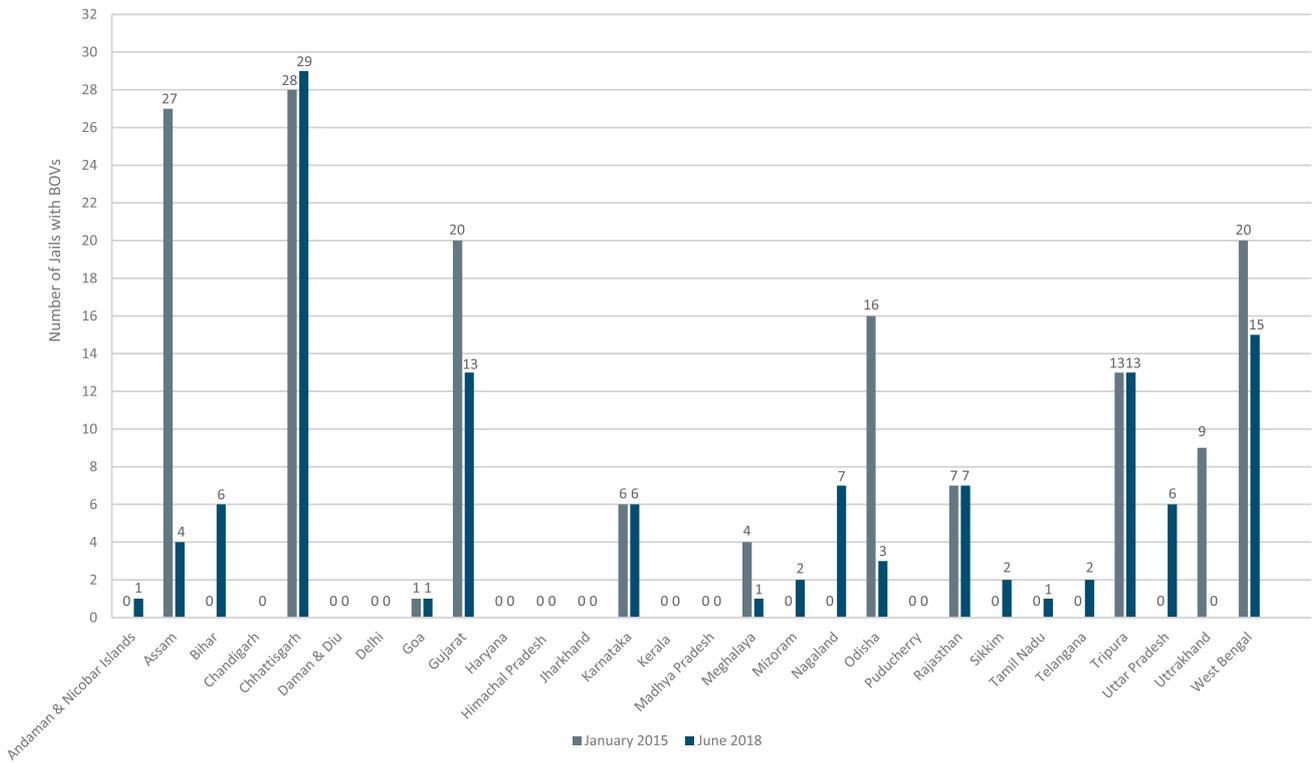
This state-level comparison is based on the CHRI's first report on Prison Monitoring in India titled "Looking into the Haze" which presented the status of BOVs and NOVs in the prisons across the country as on 31 January 2015. The data on number of jails with NOVs and BOVs from the first report was taken and compared with RTI data on jails with BOVs and NOVs as on 1 June 2018²⁸. While Andhra Pradesh furnished information on NOVs, it did not send any information on the BOVs. Below are the findings of this comparative analysis:²⁹



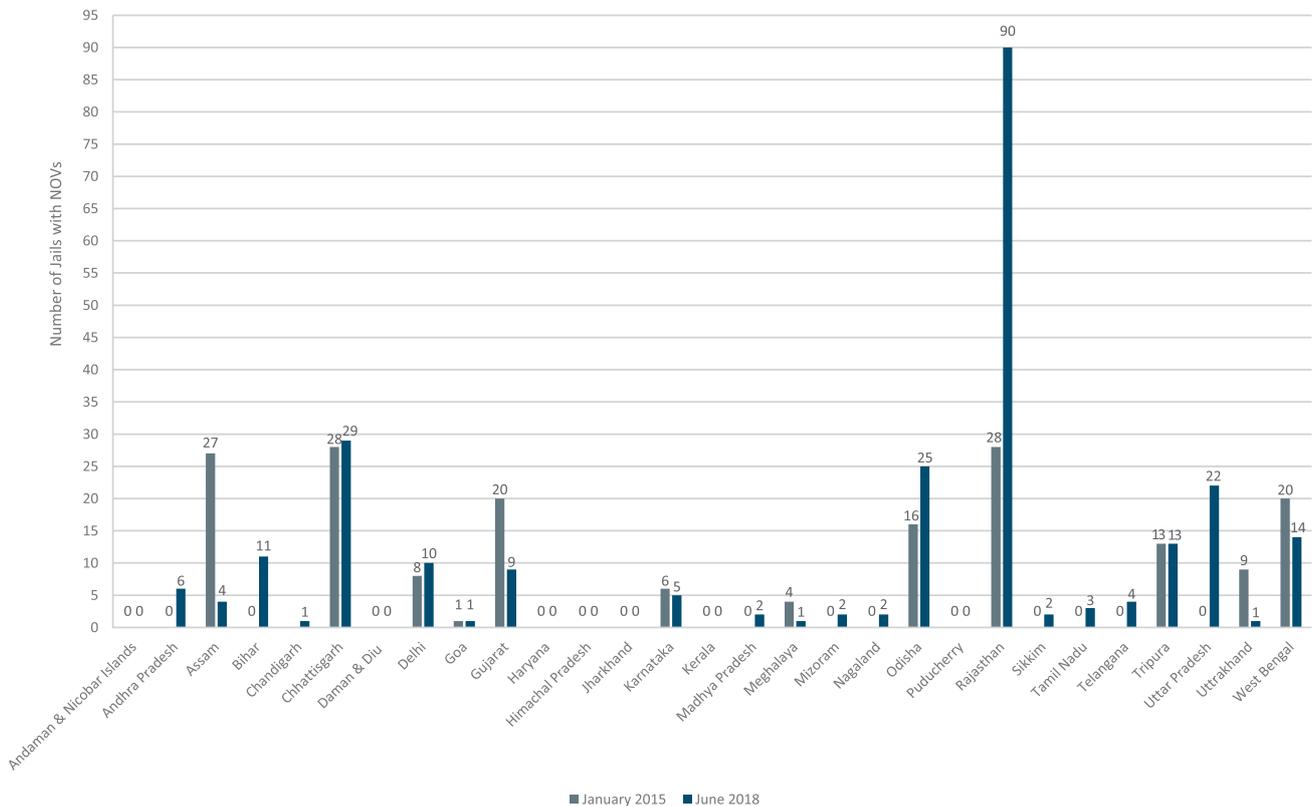
28 It is difficult to calculate the number of jails for which the information was received in the first report because the first report includes all the prisons irrespective of the fact that no information was received from some of them. Information was marked as 'nil' from the jails for which no information was received. However, the present report has excluded the jails for which no information was received, from the study.

29 No information was received from Arunachal Pradesh and Maharashtra. Arunachal Pradesh had 1 Jail with BOV and 1 Jail with NOV as on 31st January, 2015. Maharashtra had 2 Jails with BOVs and 2 Jails with NOVs as on 31st January 2015.

NUMBER OF JAILS WITH BOVS IN 2015 AND 2018



NUMBER OF JAILS WITH NOVS IN 2015 AND 2018



RECOMMENDATIONS

CHRI's 2016 report included detailed recommendations to advocate for the effective implementation of Board of Visitors across states. With the continuation of the dismal performance by states, those recommendations continue to be important and are thus reproduced below in context of the current report and findings:

1. BOARD OF VISITORS

Constitution and composition

- ✓ In states³⁰ where BOVs are constituted after the appointment of NOVs, this must be done within seven days of the appointment with the district magistrate as the chairperson. The board should include the chief judicial magistrate, the chief medical officer, one other official visitor (OV) and at least four NOVs for central jails of whom two must be women. At district and sub-jails there must be two NOVs, of whom one must be a woman. Visitors at all jails should be appointed for a minimum tenure of one year to ensure continuity. It is important because institutional memory has a tendency to erode with frequent change of officers.
- ✓ In states³¹ where all official and non-official visitors form a board, a quorum of persons should be present during the meeting to ensure the validity of the meeting and joint inspection conducted by the board. It must have the district magistrate as the chairperson, the chief judicial magistrate, the chief medical officer, one other OV and at least four NOVs for central jails of whom two must be women. For district and sub jails, there must be two NOVs of whom one must be a woman.

Chairperson

- ✓ In all states, District Magistrates must be the chairpersons of the BOV. In the absence of the district magistrates, district and session judges must take over the responsibility.

Meeting

- ✓ The rules must be amended for the board to make bi-monthly joint inspections and quarterly meetings at the prison premises. The first meeting must be held within seven days of constitution of the board where the roster for individual visits by NOVs, Official Visitors and joint inspection by the Board must be prepared for the ensuing 12 months.
- ✓ During the meeting, the visitors' book and the action taken by the Superintendent on the remarks must be handed over to the Board.

2. NON-OFFICIAL VISITORS

Appointment

- ✓ All new jail manuals and acts must include lay persons to be part of the visiting system.
- ✓ NOVs must be appointed for all the jails including sub jails (also known as judicial lock-ups), women's jails, special jails, open air jails, youth reformatories and institutions where prisoners with mental illnesses are kept, even if they are not explicitly mentioned in the jail manual.
- ✓ Written consent of the NOV must be taken at the time of appointment.

30 Rajasthan, Madhya Pradesh, Delhi, Chhattisgarh, Himachal Pradesh, Haryana, Punjab, Nagaland, Assam, Meghalaya, Mizoram, Manipur, Tripura.

31 Gujarat, Goa, Karnataka, Uttarakhand, Maharashtra, Telangana, Andhra Pradesh, Odisha, Sikkim, Daman & Diu, Puducherry, Kerala, Andaman & Nicobar Islands, Arunachal Pradesh, Jharkhand, Bihar and Uttar Pradesh.

- ✓ At the time of their appointment, they must be given a guide book, a copy of relevant chapters of the jail manual that deals with visitors, circulars, notifications, court orders and judgments, orders that are passed by the government from time to time regarding the visitors themselves, administration of jails and treatment of prisoners. This guide book must explain the functioning of prisons, the records that are maintained, the important contact details for improved coordination and the power and duties of the visitors.

Selection Standards and Criteria

CHRI's earlier research³² has shown that non-official visitors are almost inevitably selected from amongst political parties and against criteria that is amenable to loose definition and does not necessarily throw up people with skills and professional experience relevant to the post. A 2011 MHA advisory provided that people who have '*knowledge and/or expertise in areas such as prison reforms, legal rights, counselling, social work, criminology, adult education, vocational training courses, diet and nutrition, yoga, child care, music, etc.*' should be selected as NOV's by the state authorities.³³ We have also found that appointments are made without prior information to the visitor and no orientation or training or explanation of duties and functions is provided. The criteria for appointing NOV's must take into account the following:

- ✓ **Background:** The candidates must be between 18-55 years of age with no direct involvement in the criminal justice system³⁴. Their professional record must not be indicative of any conflict of interest with any prisoner or prison official, and in fact, must be reflective of interest in the welfare of prisons or the likelihood of interest in the prisoners and their welfare both while they are in prison and after their release. They must be persons with wide knowledge and experience in either law, criminology, social service, psychiatry, healthcare or mass media with excellent listening and observation skills who can bring in useful resources and expertise inside prison while also focusing on prisoner rehabilitation post release. Bihar sets a good practice³⁵ by calling for only distinguished social workers, educationists, psychologists and medical professionals as non-official visitors.
- ✓ **Gender Balance:** There must be equal representation of men and women in the appointment of visitors. Women visitors must be appointed for each and every jail, in particular for women jails. Having said that, women representatives cannot be token presences or restricted to women's prisons. Therefore, a formula of having no more than 60% of any one gender be adopted for NOV participation. This will also ensure a more equitable proportion of both men and women in the board of visitors.
- ✓ **Re-appointment:** For re-appointment, a visitor's performance during the first tenure must be considered. The frequency of their visits, the nature of their remarks and the nature of response to prisoners' requests and complaints must form the criteria for re-appointment along with attendance at least one orientation session to familiarise them with the duties, powers, functions and relationship with authorities. Further, six months prior to completion of the term of NOV's, each jail must send a reminder to the district magistrate of that particular district and the home department to start the search for fresh appointees.

32 Rajasthan Prison Visiting System-A study on Role Perception and Role Knowledge of Non-official Visitors (2011).

33 MHA advisory titled 'Advisory for appointment and working of Non-Official Visitors for Prisons', dated 18.02.2011. Also see Annexure II for the full text of the advisory.

34 Scotland sets a good practice as the Independent Prison Monitors appointed as part of Her Majesty's Inspectorate of Prison Reforms for Scotland are expected to possess excellent listening and observation skills; the ability to gain the respect of prisoners, prison staff and the prison Governor; the confidence in dealing with challenging situations; and a commitment to social justice.

35 Rule 721, Bihar Jail Manual, 2012.

Training

- ✓ The visitors, right after their appointment must be imparted regular and comprehensive training to apprise them of their role and duties inside prison and their relationship with the authorities. The Bureau of Police Research and Development (BPRD) has drafted a Training Manual of Basic Course for Prison Officers which contains a module on Prison Oversight Mechanisms.³⁶ The objective of this module is to impart an understanding of the need of prison oversight and role of official and non-official visitors during prison inspections. The Prison Training Institutes must conduct regular trainings of all involved stakeholders including the visitors as well as jail staff, in line with this module.
- ✓ The training must be conducted bi-annually. The state human rights commission must provide periodic orientation as part of their awareness building mandate. The NOVs, at the time of appointment, should be made aware of their rights and duties and what they can do to improve the prison and prisoners' conditions.
- ✓ Advisories, guidelines, notifications and orders issued by the central government and the state government must be disseminated to visitors to ensure guided and informed visits.

Identification Cards

NOVs must be issued identification cards by the home department in association with the prison departments to the NOVs for reasons of prison security and to prevent arbitrary restriction.

Frequency of Visits

Frequency and restrictions on visits by NOVs vary from state to state. The rules must be amended for necessitating all the NOVs to visit the prison at least once a month. The frequency of visits must be tailored to meet the standards of 'regular' inspections so that signs of potential dissatisfaction in the inmate population, problems with infrastructure, staffing, health care, etc., can be identified in time and violations prevented. There must be a provision for the visitors to make unannounced visits apart from roster-based visits to reduce the 'manufactured' nature of visits. Transparent scrutiny of conditions of detention is only possible when unannounced visits are made. Further, the practice of surprise visits benefits supervision while stringent restrictions defeat the purpose of having outsiders visit these closed facilities.

Remuneration

Conveyance allowance must be paid to those NOVs who reside at a distance of more than five kilometers from the prison so that distance does not become a disincentive for prison visits. Arunachal Pradesh, Goa, Maharashtra and Sikkim have set a good practice in this regard³⁷.

Powers and duties

- ✓ Taking a cue from the Rajasthan and Madhya Pradesh jail manuals³⁸, a list of questions to be noted by the visitor during the inspection must be added to the rules and handed over to the visitor at the time of appointment.
- ✓ Visitors must divide the areas of observation among themselves to ensure optimum utilisation of their visit. This would also work in ensuring that the work is not duplicated by other bodies³⁹ that are mandated to visit the jails.

³⁶ Unit 14 - Prison Oversight Mechanisms, Training Manual of Basic Course for Prison Officers prepared by BPRD, MHA. See, Annexure IV for complete structure of the training.

³⁷ Rule 1302, Arunachal Pradesh Jail Manual; Rule 15.18, Chapter XV, Sikkim Jail Manual; Rule 386, Goa Jail Manual; Rule 12, Chapter XV, Maharashtra Jail Manual.

³⁸ Addendum to Rule 11, Part 23 of Rajasthan Jail Manua.

³⁹ Inter-departmental committees in Maharashtra, Jail Adalats, Periodic Review Committees in Rajasthan, Core Committee in Gujarat etc.

- ✓ They must be allowed access to all parts of the prison and to prisoners with the only limitations being relevant to their safety. This, too, cannot be used as an overboard excuse for limiting access. They must be allowed to converse with prisoners in reasonable privacy.
- ✓ They must call for any record, document, order, notification, circular etc. held by the prison officials to ensure objectivity in the framing of strategies and documenting of remarks in the visitors book.
- ✓ The list of under-trials who have completed one-fourth of their maximum sentences must be provided to the NOV's in pursuance to the advisory no. V-13013/70/2012-IS(VI) issued by the Ministry of Home Affairs dated 17th January, 2013⁴⁰
- ✓ They must maintain independence and impartiality in their observation and decision-making.
- ✓ They must provide strategic discussions on current and future challenges of legislative direction at both state and national level using their experience from the visits.

Cancellation of appointments

The Rules must explicitly contain the reasons for which a visitor may be dismissed and they must be noted in the letter of appointment of a visitor. The reasons must be one of the following:

- ✓ Involvement in offence or conduct involving moral turpitude⁴¹ and/or,
- ✓ Unsatisfactory performance of a visitor which must include visits made less than five times a year and no articulate remarks made in the visitor's book in which case the appointment should lapse automatically.

3. OFFICIAL VISITORS

- ✓ Representative/s from the following departments and commissions must be notified as official visitors in jails of all states:
 - Department of Social Welfare
 - Department of Women and Child Development
 - Department of Education
 - Department of Industry
 - Department of Agriculture
 - Department of Employment
 - Department of Family Welfare and Medical Health
 - Foreign Regional Registration Office⁴²
 - State Human Rights Commission
 - State Commission for Women
 - State Commission for Scheduled Castes

⁴⁰ Page 2, Point 5, Use of Section 436A of the Cr.P.C to reduce overcrowding of prisons.

⁴¹ Baleshwar Singh vs. Collector, Banaras and Ors. AIR1959All7. It [moral turpitude] means anything done contrary to justice, honesty, modesty or goods morals. It implies depravity and weakness of character of disposition of the person charged with the particular conduct. Every false statement made by a person may not be moral turpitude, but it would be so if it discloses vileness or depravity in the doing of any private and social duty which a person owns to his fellowmen or to the society in general. If therefore the individual charged with a certain conduct owes duty, either to another individual or to the society in general, to act in a specific manner or not to so act and he still acts contrary to it and does so knowingly, his conduct must be held to be due to vileness and depravity. It will be contrary to accepted customary rule and duty between man and man.

⁴² Foreign Registration Regional Office is the nodal office that manages the repatriation of foreign prisoners to their home country after the completion of their sentence.

- State Commission for Scheduled Tribes
- State Minority Commission
- ✓ It must be mandatory for all the official visitors to inspect the jails once every two months.
- ✓ Official visitors should divide the areas of observation among themselves to ensure optimum utilisation of their visit and balanced distribution of time between areas of prison conditions, prisoner treatment and fair trial.

4. REPORTING MECHANISMS

A robust reporting mechanism must be included in the rules to gauge the performance of a Visitor and to ensure time-bound action by the state. The purpose of such a mechanism is to ensure that the administration is promptly provided a clear picture of the issues and challenges in jails, and can thus set about improving conditions and preventing any undue harm. In its absence, the prison will invariably remain in a state of neglect and decline. Therefore, the superintendent of jails must forward the remarks to the higher authorities in a timely manner to work towards the spirit of making jails a better place and assist prison authorities without curtailing the rights of prisoners, because the value of visitors lies in reporting to the government. The following steps are recommended for this:

- ✓ The inspection notes recorded by each visitor must be forwarded every week to the chairperson of the board and the deputy inspector general of the range in which the jail falls, within two days of their visit.
- ✓ The inspection notes relating to prolonged detention of undertrials must be forwarded to the chief judicial magistrate, the district and Sessions judge and the periodic review committee⁴³.
- ✓ Such inspection notes must also be forwarded to the chief secretary and the competent government representative handling the portfolio of jails on the state level at the end of every month. An annual report must also be submitted on the treatment of prisoners and conditions of prison which would be laid before the legislative assembly⁴⁴.
- ✓ The inspection notes that relate to long detention of undertrial prisoners must be forwarded to the concerned court which reserves the authority to try the prolonged detention and the undertrial review committee of that jail.
- ✓ The mechanism, as it stands currently, allows for the visitor book to be forwarded to a higher authority in the department of prisons first, and if such an authority deems it fit, the visitor book is forwarded to the government. This procedure defeats the whole purpose of 'independent' monitoring as prison administration is given the chance to be 'judge in its own cause'. Therefore, every visitor must be granted the right to communicate with any authority that they believe is appropriate directly without having to seek prior permission from the jail administration.

5. VOLUNTARY DISCLOSURE

- ✓ A bulletin board with the names of NOV's and the roster of visits must be placed inside the prison where the prisoners can view it clearly.
- ✓ The list of NOV's, a roster of their visits with those of the official visitors and minutes of

⁴³ Based on the 2013 MHA advisory titled 'Use of Section 436A of the Cr.P.C to reduce overcrowding of prisons', the Hon'ble Supreme Court in the case of In Re-Inhuman Conditions in 1382 prisons ordered National Legal Services Authority, Ministry of Home Affairs and State Legal Services Authorities to constitute Undertrial Review Committees in every district

⁴⁴ In United Kingdom, under Section 57 of the Criminal Justice Act 1982 the HM Chief Inspector of Prisons' submits an annual report to be laid before the Parliament.

meetings conducted by the board should be made available on the website of the state prison department under Section 4 (1) (b) of the Right to Information act, 2005.

6. JOINT DELIBERATIONS

- ✓ One state-level meeting of official and non-official visitors of all prisons must be conducted every year in each state. This meeting must be chaired by the state human rights commission and attended by official and non-official visitors, superintendents of all prisons and officials from headquarters and the state prisons and correctional services department. An agenda of prison improvement based on the visiting notes of various official and non-official visitors shall be prepared by the prisons department and circulated in advance for discussions at the meeting. Bihar has set a good practice in this regard⁴⁵.

⁴⁵ Rule 747, Bihar Jail Manual.



STATE REPORT CARDS

HOW TO READ A STATE REPORT CARD

The report card presents a state's overall performance by taking aggregates of BOV and NOV performance in the jails for which information was received in the particular state. The BOV and NOV performance is calculated by capturing data on three categories: a) number of jails where BOV and NOV exist; b) no. of jails where numeric composition of BOV and NOV is followed; and c) an aggregated percentage of BOV meetings and NOV visits in all the jail against the mandated number of meetings and visits, respectively. The contents of the report card along with calculation used for determining performance is further explained below:

General information

- A) **Number of jails in the state:** Information is based on Prison Statistics of India (PSI), 2015. However, if there is an inconsistency between PSI, 2015 and the information in responses, the latter is taken.
- B) **Prison Population:** Information is based on PSI, 2015.
- C) **Occupancy Rate:** The number of inmates staying in jails against the authorized capacity for 100 inmates, based on PSI 2015.

State's Overall Performance Indicator

The triangular info-graphic presents the state's overall performance percentage. It is calculated by taking the average of BOV Performance and NOV Performance in the state.

State's RTI Response Indicator

The horizontal bar at the bottom of the report card presents the number of jails for which information was received, in response to the RTI requests filed by CHRI out of the total number of jails in that state.

The Performance Tables

The two tables in the report card present category/indicator wise data with regards to the performance of BOV and NOV against the respective mandates. In both the tables, the first column is the performance and the second is the mandate against which the performance is calculated. The calculation of indicator wise performance is explained below:

- **Jails:** Number of jails which have BOVs or NOVs / Number of jails for which information was received
- **Composition:** Number of jails where numeric composition of BOVs or NOVs is followed / Number of jails which have BOVs or NOVs
- **Meetings:** Total number of BOV meetings that were held in all the jails for which information on meetings was received / Total number of mandated BOV meetings* to be held in all the jails for which information on meetings was received
- **Visits:** Total number of NOV visits that were made in all the jails for which information on visits was received / Total number of mandated NOV visits* to be made in all the jails for which information on visits was received

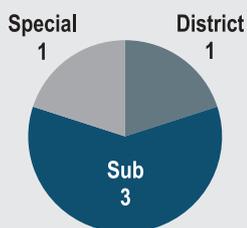
The BOV and NOV compliance is calculated by taking the average of respective performance percentage of the three indicators each for BOV and NOV.

Jail-wise Information Table

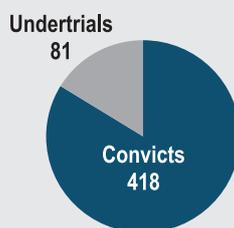
The report card is followed by a detailed table that contains jail wise information on respective mandates and actual performance. In the NOV table, the number of NOVs are put adjacent to the name of the jail, in brackets.

* The total number of mandated BOV meetings and NOV visits in a state are calculated by adding the total number of meetings and visits that the each jail was mandated to have, as per the relevant state rules, between the date of composition/appointment to 1 June, 2018.

ANDAMAN & NICOBAR ISLANDS



Jails



Prison Population

40%

Occupancy Rate

State's Overall Performance Indicator

[66.66% + 0% = 33.33%]

33.33%

Indicators	BOV	
	Performance	Mandate
<i>Jails</i>	1/1 [100%]	Rule no. 24.01 Tenure: Not specified
<i>Composition</i>	Followed - 0/1 [0%]	Rule no. 24.03 6 OV's + All NOV's
<i>Meetings</i>	10/9 [100%]	Rule no. 24.08 Frequency: Quarterly
Compliance	100% + 0% + 100% = 66.66%	

Indicators	NOV	
	Performance	Mandate
<i>Jails</i>	0/1 [0%]	Rule no. 24.05 Tenure: 2 years; Rule no. 24.21
<i>Composition</i>	Followed - N/A	Rule no. 24.05 As Lt. Gov. deems fit
<i>Visits</i>	N/A	Rule no. 24.12: Once a month
Compliance	0% + N/A + N/A = 0%	

ANDAMAN & NICOBAR ISLANDS

Information was received from 1 out of 5 jails

BOV

Meetings: Quarterly; Rule no. 24.08

Composition: 6 members; Rule no. 24.03

S.No.	Jail	Date of Constitution	Meetings		Composition
			M	P	
1.	District Jail Prothrapur	23.08.2017	9	10	

BOV constituted in 1/1 jails. Meeting Performance - 10/9

Composition followed in jails - 0/1

NOV

Visits: Once a month; Paragraph no. 46

Composition: As govt. deems fit; Paragraph no. 44

S. No.	Jail & No. of NOVs	Date of Appointment	Visits		Composition
			M	P	

NOV appointed in 0/1 jails. Visit Performance - N/A

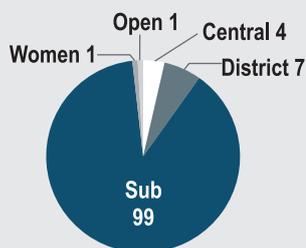
Composition followed in jails - N/A. Gender Ratio - N/A

State Remarks

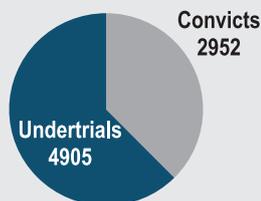
There are 1 District Jails, 1 Special Jail and 3 Sub Jails in Andaman and Nicobar Islands as per the PSI 2015. Information was received from 1 out of 5 jails. The response received from the District Jail Prothrapur provides a list of NOVs expired in January 2017 as per their statutory two year tenure since 30.01.2015. However, as per the response, BOV is constituted in the jail.

The rules for governing BOVs and NOVs in the union territory are provided in chapter XXIV of the A & N Prison Manual, 2004.

ANDHRA PRADESH



Jails



Prison Population

88.9%

Occupancy Rate

State's Overall Performance Indicator
[N/A + 68.62% = 68.62%]

68.62%

Indicators	BOV	
	Performance	Mandate
Jails	No Information	Rule 28 (1) Tenure: Not specified
Composition	Followed - N/A	Rule 28 (1) All OVs + All NOVs + All Ex-officio NOVs
Meetings	N/A	Rule no. 28 (1) Frequency: Quarterly
Compliance	N/A	

Indicators	NOV	
	Performance	Mandate
Jails	6/20 [30%]	Rule no. 27 (1) Tenure: 2 years
Composition	Followed - 6/6 [100%]	Rule no. 27 (1) 6 for CJ and 3 for DJ
Visits	88/116 [75.86%]	Rule 29.10, MPM 2016: Once a month
Compliance	30% + 100% + 75.86% = 68.62%	

ANDHRA PRADESH

Information was received from 20 out of 112 jails

BOV

Meetings: Quarterly; Rule no. 28(1)

Composition: OVs, NOVs and ex-officio NOVs; Rule no. 28(1)

S.No.	Jail	Date of Constitution	Meetings		Composition
			M	P	

BOV constituted in jails - N/A. Meeting Performance - N/A
Composition followed in jails - N/A

NOV

Visits: Once a month; Rule 29.10, MPM 2016

Composition: 6 for CJ and 3 for DJ; Rule no. 27(1)

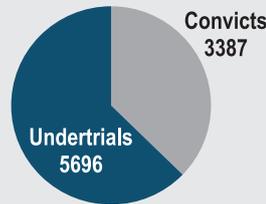
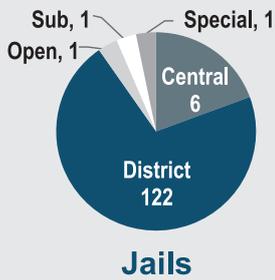
S. No.	Jail & No. of NOVs	Date of Appointment	Visits		Composition
			M	P	
1.	Central Prison Nellore (6)	23.03.2018	12	12	✓
2.	Central Prison Rajamahendravarnam (6)	23.03.2018	12	42	✓
3.	Central Prison Visakhapatnam (6)	10.04.2017	78	6	✓
4.	District Prison Kurnool (3)	23.03.2018	6	12	✓
5.	District Prison Ongole (4)	23.03.2018	8	16	✓
6.	District Prison Srikakulam (4)	26.06.2018	0	0	✓

NOV appointed in 6/20 jails. Visit Performance - 88/116
Composition followed in jails - 6/6. Gender Ratio - 7/29

State Remarks

There are 4 Central Jails, 7 District Jails, 99 Sub Jails, 1 Women Jail and 1 Open Jail in Andhra Pradesh as per PSI 2015. The Prison Headquarters responded to the RTI requests with a consolidated information on 20 jails in the state. The response does not mention anything about the remaining 92 jails in the states. While the response on questions related to NOVs was provided for 20 jails, information on questions related to BOVs was declined by stating that the said rule (as mentioned in the RTI application) does not exist in Andhra Pradesh Prison Rules, 1979. Therefore, state's performance is calculated only on the basis of information provided regarding NOVs.

The response stated that NOVs are briefed about the rules related to visits by the NOVs as given in the statute. However, the response does not mention any details about any training being provided to the NOVs.



109.7%

Occupancy Rate

State's Overall Performance Indicator
 [52.72% + 39.39% = 46.05%]

46.05%

Indicators	BOV	
	Performance	Mandate
<i>Jails</i>	4/22 [18.18%]	Rule 20 Tenure: 2 Years
<i>Composition</i>	4/4 [100%]	Rule 20 2 OVs and 4 NOVs for C.J. & D.J. and 2 NOVs for Sub Jails
<i>Meetings</i>	4/10 [40%]	Rule no. 21 Frequency: Quarterly
Compliance	18.18% + 100% + 40% = 52.72%	

Indicators	NOV	
	Performance	Mandate
<i>Jails</i>	4/22 [18.18%]	Rule no. 20 Tenure: 2 Years
<i>Composition</i>	4/4 [100%]	Rule no. 20 4 NOVs for C.J. & D.J. and 2 NOVs for Sub Jails
<i>Visits</i>	0/40 [0%]	Rule 29.10, MPM 2016: Once a month
Compliance	18.18% + 100% + 0% = 39.39%	

ASSAM

Information was received from 22 out of 31 jails

BOV

Meetings: Quarterly; Rule no. 21

Composition: 2 OVs and 4 NOVs for C.J. & D.J. and 2 NOVs for Sub Jails; Rule no. 20

S.No.	Jail	Date of Constitution	Meetings		Composition
			M	P	
1.	District Jail Ara	18.01.2017	5	4	✓
2.	District Jail Dhimaji	15.05.2018	0	0	✓
3.	District Jail Magaldai	15.05.2018	0	0	✓
4.	District Jail Sivasagar	18.01.2017	5	0	✓

BOV constituted in jails - 4/22. Meeting Performance - 4/10

Composition followed in jails - 4/4

NOV

Visits: Once a month; Rule no. 29.10, MPM, 2016

Composition: : 4 NOVs for C.J. & D.J. and 2 NOVs for Sub Jails; Rule no. 20

S. No.	Jail & No. of NOVs	Date of Appointment	Visits		Composition
			M	P	
1.	Central Jail Jorhat (4)	18.01.2017	20	0	✓
2.	District Jail Dhemaaji (4)	15.05.2018	0	0	✓
3.	District Jail Magaldai (4)	15.05.2018	0	0	✓
4.	District Jail Sivasagar (4)	18.01.2017	20	0	✓

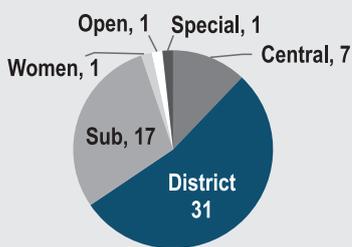
NOV appointed in 4/22 jails. Visit Performance - 0/40

Composition followed in jails - 4/4 Gender Ratio - 4/16

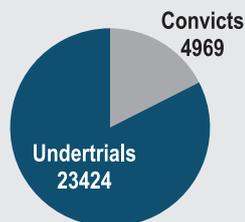
State Remarks

There are 6 Central Jails, 22 District Jails, 1 Sub Jail, 1 Open Jail and 1 Special Jail in Assam as per the PSI 2015. Information was received from 22 out of 31 jails. The rules governing BOVs and NOVs are provided in chapter III of the Assam Jail Manual. For the mandate on number of visits by NOVs, MPM 2016 is referred to as the Assam Jail Manual does not mentioned the mandated number of visits by the NOVs. It appears from the responses that NOVs are appointed as a part of the BOV in the jails of the state. Therefore, where the BOVs have expired as per the two year tenure, NOVs appointed thereunder are considered as expired as well. Tenure for NOVs is not mentioned in the Jail Manual.

As per the responses received no training is provided to the NOVs at the time of appointment. None of the jails have received any format for the visitors to record visit remarks. However, the responses from 5 jails stated to have received the advisory from the Ministry of Home Affairs on appointment of NOVs.



Jails



Prison Population

75.2%

Occupancy Rate

State's Overall Performance Indicator

[13.44% + 63.79% = 38.62%]

38.62%

Indicators	BOV	
	Performance	Mandate
<i>Jails</i>	6/58 [10.34%]	Rule no. 743 Tenure: Not specified
<i>Composition</i>	Followed - 0/6 [0%]	Rule no. 743 All Official (14 Ex-officio) and Non-Official
<i>Meetings</i>	3/10 [30%]	Rule no. 744 Frequency: Bi-Annual
Compliance	10.34% + 0% + 30% = 13.44%	

Indicators	NOV	
	Performance	Mandate
<i>Jails</i>	11/58 [18.96%]	Rule no. 721 Tenure: 3 years, Rule no. 722
<i>Composition</i>	Followed - 11/11 [100%]	Rule no. 721 6 for CJ, 3 for DJ & 2 for Sub Divisional Jails
<i>Visits</i>	21/29 [72.41%]	Rule no. 29.10, MPM 2016 Once a Month
Compliance	18.96% + 100% + 72.41 = 63.79%	

BIHAR

Information was received from 58 out of 58 jails

BOV

Meetings: Bi-Annual; Rule no. 744

Composition: All Official and all Non-official; Rule no. 743

S.No.	Jail	Date of Constitution	Meetings		Composition
			M	P	
1.	District Jail Ara	10.04.2018	0	0	
2.	Central Jail Gaya	22.07.2018	0	0	
3.	Sub Jail Buxar	12.12.2012	10	0	
4.	District Jail Jehanabad	20.03.2018	0	0	
5.	District Jail Samastipur	-	-	3	
6.	District Jail Nawada	16.03.2018	0	0	

BOV constituted in jails - 6/58. Meeting Performance - 3/10

Composition followed in jails - 0/6

NOV

Visits: Once a month; Rule no. 29.10, MPM 2016

Composition: : 6 for CJ, 3 for DJ & 2 for Sub Divisional Jails; Rule no. 721

S. No.	Jail & No. of NOVs	Date of Appointment	Visits		Composition
			M	P	
1.	District Jail Ara (3)	10.04.2018	3	6	✓
2.	District Jail Araria (3)	10.04.2018	3	0	✓
3.	District Jail Aurangabad (3)	10.04.2018	3	0	✓
4.	District Jail Biharsharif (3)	10.05.2018	0	0	✓
5.	District Jail Gopalganj (5)	10.04.2018	5	0	✓
6.	District Jail Katihar (3)	10.04.2018	3	6	✓
7.	District Jail Siwan (3)	10.04.2018	3	0	✓
8.	District Jail, Kishanganj (3)	10.04.2018	3	9	✓
9.	S.K.R.B. Central Jail Muzaffarpur (6)	10.04.2018	6	0	✓
10.	Sub Jail Daudnagar (2)	10.05.2018	0	0	✓
11.	Sub Jail Hilsa (2)	14.06.2018	0	0	✓

NOV appointed in 11/58 jails. Visit Performance - 21/29

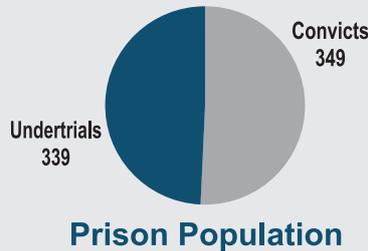
Composition followed in jails - 11/11. Gender Ratio 11/36

State Remarks

There are 7 Central Jails, 31 District Jails, 17 Sub Jails, 1 Women Jail, 1 Open Jail and 1 Special Jail in Bihar as per the PSI 2015. All the jails in Bihar provided information on all the questions asked in the RTI applications. The rules governing the BOVs and NOVs in Bihar are given in the Bihar Prison Manual 2012. However, the manual does not have any rule on number of visits to be made by the NOVs therefore the mandate for calculating NOVs' visit performance is taken from Rule no. 29.10 of the MPM 2016. Rule no. 719 states 14 Ex-officio visitors to be appointed in each jail as per their respective jurisdictions and Rule no. 743 states all official and non-official visitors in the district to form the BOV. No jail could comply with the mandated BOV composition for not having appointed all the Ex-officio/ official visitors.

As per the responses, none of the jails had received any advisory from the Ministry of Home Affairs on appointment of NOVs or have received any format for recording the remarks by the visitors. No training as such is provided to the NOVs as per the responses.

CHANDIGARH



61.4%

Occupancy Rate

State's Overall Performance Indicator
[0% + 100% = 50%]

50%

Indicators	BOV	
	Performance	Mandate
<i>Jails</i>	0/1 [0%]	Para no. 47 Tenure: once in a quarter
<i>Composition</i>	Followed - N/A	Para no. 47 2 NOV + 1 OV
<i>Meetings</i>	N/A	Para no. 47 Frequency: As on dates as DJ deems fit
Compliance	0% + N/A + N/A = 0%	

Indicators	NOV	
	Performance	Mandate
<i>Jails</i>	1/1 [100%]	Para no. 44 Tenure: 2 years
<i>Composition</i>	Followed - 1/1 [100%]	Para no. 44 As govt. deems fit
<i>Visits</i>	Immeasurable*	Para no. 46: Once a month
Compliance	100% + 100% + N/A = 100%	

CHANDIGARH

Information was received from 1 out of 1 jail

BOV

Meetings: As on dates as DJ deems fit; Paragraph no. 47

Composition: 2 NOV + 1 OV; Paragraph no. 47

S.No.	Jail	Date of Constitution	Meetings		Composition
			M	P	

BOV constituted in 0/1 jails. Meeting Performance - N/A
Composition followed in jails - N/A

NOV

Visits: Once a month; Paragraph no. 46

Composition: : As govt. deems fit; Paragraph no. 44

S. No.	Jail & No. of NOVs	Date of Appointment	Visits		Composition
			M	P	
1.	Model Central Jail (8)	21.06.2016	184	1m*	✓

NOV appointed in 1/1 jails. Visit Performance - Immeasurable*
Composition followed in jails - 1/1. Gender Ratio - 2/8

State Remarks

Chandigarh has one Model Central Jail as per PSI 2015. As per the information received from this jail BOV is not constituted in the jail. Eight NOVs are appointed in the jail by a government notification dated 21.06.2016. The visit performance of NOVs cannot be measured because photocopies of the visitors register provided against the question 'number of visits made since their (NOVs) appointment' contains handwritten names of visitors and initials under visits remarks. The visit records of NOV are not separate from other visitor records. No separate inspection reports are attached in the response.

Para no. 47 of the Punjab Jail Manual provides for constitution of BOV comprising 2 NOVs and 1 OV, once in a quarter for making prison visits. However, para no. 44 states that the state government may appoint as number of NOVs for each jail as it may deem fit. The response also includes a copy of 'Advisory for appointment and working of NOV for prisons' by MHA dated 18.02.2011.

CHHATTISGARH



233.9%

Occupancy Rate

State's Overall Performance Indicator

[58.62% + 96.55% = 77.58%]

77.58%

Indicators	BOV	
	Performance	Mandate
<i>Jails</i>	29/29 [100%]	Rule no. 815 Tenure: once in 3 years
<i>Composition</i>	5/29 [17.24%]	Rule no. 815 2 OV's + 2 NOV's
<i>Meetings</i>	N/A	Rule no. 816 Frequency: Quarterly
Compliance	100% + 17.24% = 58.62%	

Indicators	NOV	
	Performance	Mandate
<i>Jails</i>	29/29 [83.33%]	Rule no. 814 Tenure: 3 years
<i>Composition</i>	27/29 [60%]	Rule no. 815; Central Jail - 6, Dist. Jail - 3 & Sub Jail - 2.
<i>Visits</i>	N/A	Rule 29.10, MPM 2016 Once a month
Compliance	100% + 93.10% = 96.55%	

CHHATTISGARH

Information was received from 29 out of 33 jails

BOV

Meetings: Quarterly; Rule no. 187(6)

Composition: 10 OVs and 10/6 NOVs; Rule no. 186 &187

S.No.	Jail	Date of Constitution	Meetings		Composition
			M	P	
1.	Central Jail Ambikapur	27.03.2017	4	-	✓
2.	Central Jail Bilaspur	27.03.2017	4	-	✓
3.	Central Jail Durg	27.03.2017	4	-	✓
4.	Central Jail Jagdalpur	27.03.2017	4	-	✓
5.	Central Jail Raipur	27.03.2017	4	-	✓
6.	District Jail Baikunthpur	27.03.2017	4	-	
7.	District Jail Dantewada	27.03.2017	4	-	
8.	District Jail Janjgir	27.03.2017	4	-	
9.	District Jail Jashpur	27.03.2017	4	-	
10.	District Jail Kanker	27.03.2017	4	-	
11.	District Jail Korba	27.03.2017	4	-	
12.	District Jail Mahasumund	27.03.2017	4	-	
13.	District Jail Raigarh	27.03.2017	4	-	
14.	District Jail Rajnadvan	27.03.2017	4	-	
15.	Sub Jail Dhamtari	27.03.2017	4	-	
16.	Sub Jail Balod	27.03.2017	4	-	
17.	Sub Jail Balodabazar	27.03.2017	4	-	
18.	Sub Jail Bemetra	27.03.2017	4	-	
19.	Sub Jail Dongargarh	27.03.2017	4	-	
20.	Sub Jail Gariaband	27.03.2017	4	-	
21.	Sub Jail Kabirdham	27.03.2017	4	-	
22.	Sub Jail Katghora	27.03.2017	4	-	
23.	Sub Jail Manendragarh	27.03.2017	4	-	
24.	Sub Jail Narayanpur	27.03.2017	4	-	
25.	Sub Jail Pendrarod	27.03.2017	4	-	
26.	Sub Jail Ramanujanj	27.03.2017	4	-	
27.	Sub Jail Sakti	27.03.2017	4	-	
28.	Sub Jail Sarangarh	27.03.2017	4	-	
29.	Sub Jail Surajpur	27.03.2017	4	-	

BOV constituted in jails - 29/29. Meeting Performance - N/A

Composition followed in jails - 5/29

NOV

Visits: Once a month; Rule no. 29.10, MPM, 2016

Composition: : C.J. - 10, D.J. - 6; Rule no. 187(2)c

S. No.	Jail & No. of NOVs	Date of Appointment	Visits		Composition
			M	P	
1.	Central Jail Ambikapur (8)	30.09.2015	256	-	✓
2.	Central Jail Bilaspur (8)	30.09.2015	256	-	✓
3.	Central Jail Durg (8)	30.09.2015	256	-	✓
4.	Central Jail Jagdalpur (8)	30.09.2015	256	-	✓
5.	Central Jail Raipur (8)	30.09.2015	256	-	✓
6.	District Jail Baikunthpur (3)	30.09.2015	96	-	✓
7.	District Jail Dantewada (3)	30.09.2015	96	-	✓
8.	District Jail Janjgir (3)	30.09.2015	96	-	✓
9.	District Jail Jashpur (3)	30.09.2015	96	-	✓
10.	District Jail Kanker (3)	30.09.2015	96	-	✓
11.	District Jail Korba (2)	30.09.2015	64	-	
12.	District Jail Mahasumund (3)	30.09.2015	96	-	✓
13.	District Jail Raigarh (3)	30.09.2015	96	-	✓
14.	District Jail Rajnandganv (3)	30.09.2015	96	-	✓
15.	Sub Jail Dhamtari (3)	30.09.2015	96	-	✓
16.	Sub Jail Balod (2)	30.09.2015	64	-	✓
17.	Sub Jail Balodabazar (2)	30.09.2015	64	-	✓
18.	Sub Jail Bemetra (2)	30.09.2015	64	-	✓
19.	Sub Jail Dongargarh (2)	30.09.2015	64	-	✓
20.	Sub Jail Gariaband (2)	30.09.2015	64	-	✓
21.	Sub Jail Kabirdham (2)	30.09.2015	64	-	✓
22.	Sub Jail Katghora (2)	30.09.2015	64	-	✓
23.	Sub Jail Manendragarh (2)	30.09.2015	64	-	✓
24.	Sub Jail Narayanpur (1)	30.09.2015	32	-	
25.	Sub Jail Pendrarod (2)	30.09.2015	64	-	✓
26.	Sub Jail Ramanujganj (2)	30.09.2015	64	-	✓
27.	Sub Jail Sakti (2)	30.09.2015	64	-	✓
28.	Sub Jail Sarangarh (2)	30.09.2015	64	-	✓
29.	Sub Jail Surajpur (2)	30.09.2015	64	-	✓

NOV appointed in 29/29 jails. Visit Performance - N/A

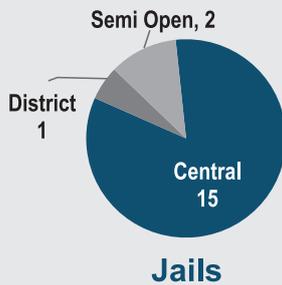
Composition followed in jails - 27/29. Gender Ratio - 6/98

State Remarks

There are 5 Central Jails, 12 District Jails and 16 Sub Jails in Chhattisgarh as per the response received from the PIO, PHQ Prisons and Correctional Services, Chhattisgarh. A consolidated information on 29 out of 33 prisons in the state was sent by the Law Officer cum PIO, HQ Prisons and Correctional Services, Chhattisgarh. However, no information regarding the BOV meetings and NOV visits was provided in the response and therefore the meeting and visit performance is marked as N/A. The final assessment does not include the mandate on meetings and visits, however respective mandates of BOV meetings and NOV visits are calculated and mentioned. The rules governing BOVs and NOVVs in the state are provided in the Chhattisgarh Jail Manual which is based on the Madhya Pradesh Jail Manual.

As per the responses, no training is given to the NOVVs at the time of the appointment. The consolidated response also stated that the PHQ has not received either the advisory by the MHA on appointment of NOVVs or any format for visitors to record the visit remarks.

DELHI



226.9%
Occupancy Rate

State's Overall Performance Indicator
[0% + 55.84% = 27.92%]

27.92%

Indicators	BOV	
	Performance	Mandate
<i>Jails</i>	0/15 [0%]	Para no. 1 Tenure: Not specified
<i>Composition</i>	Followed - N/A	Not mentioned
<i>Meetings</i>	N/A	Para no. 10 Frequency: Quarterly
Compliance	0% = 0%	

Indicators	NOV	
	Performance	Mandate
<i>Jails</i>	10/15 [66.66%]	Para no. 3 Tenure: 2 years
<i>Composition</i>	Followed - 10/10 [100%]	Para no. 3: Any number as deems fit
<i>Visits</i>	4/462 [0.87%]	Para no. 5: Once a month
Compliance	66.6% + 100% + 0.87% = 55.84%	

DELHI

Information was received from 15 out of 16 jails

BOV

Meetings: Quarterly; Para. 10, Gov. Notification dt. 18.03.2014

Composition: Not mentioned

S.No.	Jail	Date of Constitution	Meetings		Composition
			M	P	

BOV constituted in 0/15 jails. Meeting Performance - N/A

Composition followed in jail - N/A

NOV

Visits: Once a month; Para 5, Gov. Notification dt. 18.03.2014

Composition: any no. as Lt. Gov deems fit; Para 3, Gov. Nt. dt. 18.03.2014

S. No.	Jail & No. of NOVs	Date of Appointment	Visits		Composition
			M	P	
1.	Central Jail 1 (2)	04.07.2016	44	0	✓
2.	Central Jail 2 (2)	04.07.2016	44	0	✓
3.	Central Jail 3 (2)	04.07.2016	44	0	✓
4.	Central Jail 4 (2)	04.07.2016	44	0	✓
5.	Central Jail 5 (2)	04.07.2016	44	0	✓
6.	Central Jail 6 (2)	04.07.2016	44	0	✓
7.	Central Jail 7 (2)	04.07.2016	44	0	✓
8.	Central Jail 8 (2)	04.07.2016	44	2	✓
9.	Central Jail 9 (2)	04.07.2016	44	2	✓
10.	District Jail Rohini (3)	04.07.2016	66	0	✓

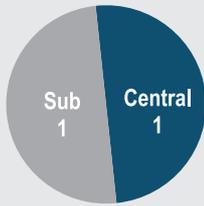
NOV appointed in 10/15 jails. Visit Performance - 4/462

Composition followed in 10/10 Jails. Gender Ratio - 7/21

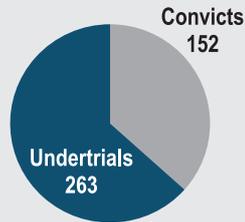
State Remarks

There are 15 Central jails, one district jail and two semi open jails (one male and one female jail) in Delhi as per the National Prisons Information Portal. Separate RTI responses were received from 14 jails, PHQ response included details on NOV's appointed in Central Jail no. 1-9 and District Jail Rohini. However, no separate response was received from District Jail Rohini. All the 14 responses stated in different words that information regarding BOVs and NOV's pertains to the PHQ. The response received from PHQ provides a list of NOV's for Central Jail no. 1 -9 and District Jail Rohini which were made through a notification dated 13.04.2016. The letter of appointment provided by the PHQ does not bear any date, hence, the last date of signature by a NOV is taken as the date of appointment. As per the RTI responses there is no BOV constituted in any of the Jails of Delhi.

The response received from the PHQ states that no training is provided by the prisons department to the NOV's. On the question of any rules or guidelines issued by MHA based on its advisory on the appointment and working of NOV's, the PHQ response sought 'complete details of the advisory'. PHQ Delhi has not received any performa for visitors to record their remarks either by Home Department, State Home Department, NHRC or State NHRC yet. The Delhi government has notified Delhi Prison Rules 2018 dated 01.10.2018. However, the report analyses Delhi's performance based on the rules promulgated in the notification dated 18.03.2014 by the Home Department of the Government of NCT as were applicable in the U.T. at time of filling of RTIs. The 2014 rules do not provide a mandated composition of the BOVs but the Delhi Prison Rules 2018 vide rule no. 1641 and 1642 state that a BOV shall be comprised of 6 official and 8 non-official members.



Jails



Prison Population

38.6%

Occupancy Rate

State's Overall Performance Indicator
[100% + 100% = 100%]

100%

Indicators	BOV	
	Performance	Mandate
<i>Jails</i>	1/1 [100%]	Rule no. 376 Tenure: Not specified
<i>Composition</i>	1/1 [100%]	Rule no. 377 & 378: 12 Official + 6 Non-official members.
<i>Meetings</i>	12/3 [100%]	Rule no. 385 Frequency: Quarterly
Compliance	100% + 100% + 100% = 100%	

Indicators	NOV	
	Performance	Mandate
<i>Jails</i>	1/1 [100%]	Rule no. 378 Tenure: 2 years
<i>Composition</i>	1/1 [100%]	Rule no. 378 6 NOVs
<i>Visits</i>	N/A	Rule 29.10, MPM 2016: Once a month
Compliance	100% + 100% = 100%	

GOA

Information was received from 1 out of 1 jail

BOV

Meetings: Quarterly; Rule no. 385

Composition: : 12 OVs and 6 NOV; Rule no. 377 & 378

S.No.	Jail	Date of Constitution	Meetings		Composition
			M	P	
1.	New Modern Central Jail, Colvale	06.06.2017	3	12	✓

BOV constituted in jails - 1/1. Meeting Performance - 12/3

Composition followed in jails - 1/1

NOV

Visits: Once a month; Rule no. 29.10, MPM, 2016

Composition: 6 NOV; Rule no. 378

S. No.	Jail & No. of NOVs	Date of Appointment	Visits		Composition
			M	P	
1.	New Modern Central Jail, Colvale (6)	06.06.2017	11	-	✓

NOV appointed in 1/1 jails. Visit Performance - N/A

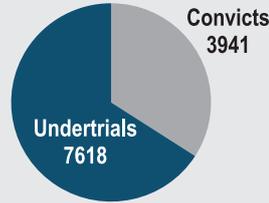
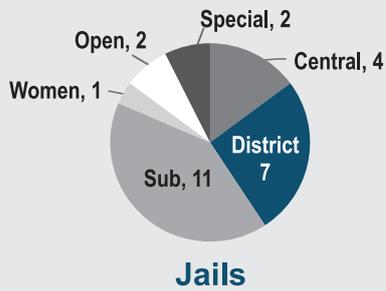
Composition followed in jails - 1/1. Gender Ratio - 4/6

State Remarks

There are 1 Central Prison and 1 Sub Jail in Goa as per the PSI 2015. As per the response received from the Additional IG Prisons cum PIO the Sub Jail Sada Vasco has been closed for maintenance since January, 2017 and all its establishments have been shifted to the Central Prison Colvale. The rules governing the BOVs and NOVs in the state are given in chapter XIX of the Goa Prison Rules, 2006. However, the 2006 rules do mention the number of visits to be made by the NOVs and therefore the Rule no. 2910 of MPM 2016 which mentions the visit mandate for NOVs has been referred to. The response does not provide information with regards to the visits by the NOVs, hence, NOV visit performance is marked as N/A but the mandate as per the applicable rule is mentioned.

As per the response, no training is provided to the NOVs at the time of the appointment. The response provides a copy of the 'Prison Monitoring - A Guide to Action' issued by the Goa Human Rights Commission which contains guidelines to aid the BOVs.

GUJARAT



95.5%

Occupancy Rate

State's Overall Performance Indicator

[32.16% + 46.32% = 39.24%]

39.24%

Indicators	BOV	
	Performance	Mandate
<i>Jails</i>	13/15 [86.66%]	Rule 2 Tenure: Not specified
<i>Composition</i>	Followed - 0/13 [0%]	Rule 2 21 Ex-official and all other appoint. visitors
<i>Meetings</i>	24/244 [9.83%]	Rule no. 10 Frequency: Quarterly
Compliance	86.66% + 0% + 9.83% = 32.16%	

Indicators	NOV	
	Performance	Mandate
<i>Jails</i>	9/15 [60%]	Rule no. 4 & 5 Tenure: Not more than 3 years
<i>Composition</i>	Followed - 6/9 [62.66%]	Rule no. 4 10 for CJ, 6 for DJ & 4 for Sub Jail
<i>Visits</i>	8/49 [16.32%]	Rule 29.10, MPM 2016: Once a month
Compliance	60% + 62.66% + 16.32% = 46.32%	

GUJARAT

Information was received from 14 out of 27 jails

BOV

Meetings: Quarterly; Rule no. 10

Composition: 21 Ex-official and all other appoint. visitors; Rule no. 2

S.No.	Jail	Date of Constitution	Meetings		Composition
			M	P	
1.	District Jail Mehsana	07.08.2018	0	0	
2.	District Jail Galpadar	23.04.2018	0	0	
3.	District Jail Gandhidham Kutch	25.05.2018	0	0	
4.	District Jail Jamnagar	22.06.2018	0	0	
5.	District Jail Junagarh	15.06.2016	7	3	
6.	District Jail Nadiad	19.11.2013	18	8	
7.	District Jail Rajpipla	15.01.1974	177	4	
8.	Special Prison Palra	23.04.2018	0	0	
9.	Special Prison Porbandar	06.06.2016	7	1	
10.	Sub Jail Godal	-	-	1	
11.	Sub Jail Modasa	20.06.2014	15	5	
12.	Sub Jail Patan	18.11.2013	18	2	
13.	Sub Jail Surendranagar	25.11.2017	2	0	

BOV constituted in jails - 13/15. Meeting Performance - 24/244

Composition followed in jails - 0/13

NOV

Visits: Once a month; Rule no. 29.10, MPM 2016

Composition: : 10 for CJ, 6 for DJ & 4 for Sub Jail; Rule no. 4

S. No.	Jail & No. of NOVs	Date of Appointment	Visits		Composition
			M	P	
1.	District Jail Junagarh (6)	15.06.2016	23	4	✓
2.	District Jail Galpadar (6)	25.05.2018	0	0	✓
3.	District Jail Rajpipla (4)	13.06.2016	23	-	
4.	District Jail Jamnagar (5)	22.06.2018	0	0	
5.	District Jail Gandhidham Kutch (6)	25.05.2018	0	0	✓
6.	District Jail Mehsana (6)	07.08.2018	0	0	✓
7.	Special Prison Palra (6)	23.04.2018	1	0	✓
8.	Sub Jail Godal (4)	27.04.2018	1	4	✓
9.	Sub Jail Patan (4)	09.04.2018	1	0	

NOV appointed in 9/15 jails. Visit Performance - 8/49

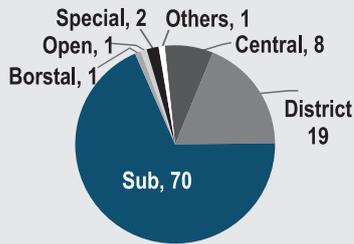
Composition followed in jails - 6/9. Gender Ratio - 15/47

State Remarks

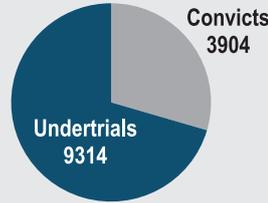
There are 4 Central Prisons, 7 District Prisons, 11 Sub Jails, 1 Women Jail, 2 Open Jails and 2 Special Jails in Gujarat. Information was received from 14 out of 27 total jails. The rules for BOV and NOVs are notified as Gujarat Prisons (Visitors) Rules, 1974 dated 15.01.1974. Since there is no tenure for BOV specified in the relevant rule, even BOV constituted in 1974 is marked as constituted. Rule 29.10 of MPM, 2016 was used to calculate visit performance as the state rules do not provide for mandated number of visits by the Non-official visitors. As per Rule no. 3, there shall be 21 ex-officio visitors in every prison of the state, therefore none of the BOVs in the state could comply with the composition mandate as no jail had appointed all the ex-officio visitors as mentioned in the rules.

As per the response received, no training was provided to the NOVs at the time of the appointment. Only 3 prisons' responses out of total 14 received stated to have received the 'Advisory for appointment and working of NOV for prisons' by MHA dated 18.02.2011.

KARNATAKA



Jails



Prison Population

95.9%

Occupancy Rate

State's Overall Performance Indicator

[39.87% + 61.25% = 50.56%]

50.56%

Indicators	BOV	
	Performance	Mandate
<i>Jails</i>	6/6 [100%]	Rule no. 186 & 187 Tenure: Not specified
<i>Composition</i>	0/6 [0%]	Rule no. 186 & 187 10 OVs (ex-officio) + 10 or 6 NOVs
<i>Meetings</i>	21/107 [19.62%]	Rule no. 187(6) Frequency: Quarterly
Compliance	100% + 0% + 19.62% = 39.87%	

Indicators	NOV	
	Performance	Mandate
<i>Jails</i>	5/6 [83.33%]	Rule no. 187 (4) Tenure: 2 years & Annual/Bi-annual for MLA appointments
<i>Composition</i>	3/5 [60%]	Rule no. 187 (2) C.J. - 10 & D.J. - 6
<i>Visits</i>	76/188 [40.42%]	Rule 29.10, MPM 2016 Once a month
Compliance	83.33% + 60% + 40.42% = 61.25%	

KARNATAKA

Information was received from 6 out of 102 jails

BOV

Meetings: Quarterly; Rule no. 187(6)

Composition: 10 OVs and 10/6NOVs; Rule no. 186 &187

S.No.	Jail	Date of Constitution	Meetings		Composition
			M	P	
1.	Central Prison Belagavi	19.11.2015	10	3	
2.	Central Prison Dharwad	19.03.2018	0	2	
3.	Central Prison Kalaburgi	13.06.2018	0	0	
4.	Central Prison Mysuru	-	-	2	
5.	Central Prison Shivamogga	25.01.1994	97	16	
6.	Central Prison Vijayapur	-	-	3	

BOV constituted in jails - 6/6. Meeting Performance - 21/107

Composition followed in jails - 0/6

NOV

Visits: Once a month; Rule no. 29.10, MPM, 2016

Composition: C.J. - 10, D.J. - 6; Rule no. 187(2)c

S. No.	Jail & No. of NOVs	Date of Appointment	Visits		Composition
			M	P	
1.	Central Prison Dharwad (10)	19.03.2018	20	5	✓
2.	Central Prison Kalaburgi (10)	22.01.2018	40	20	✓
3.	Central Prison Mysuru (10)	28.12.2017	50	30	✓
4.	Central Prison Shivamogga (6)	31.10.2017	42	12	
5.	Central Prison Vijayapur (9)	05.01.2018	36	9	

NOV appointed in 5/6 jails. Visit Performance - 76/188

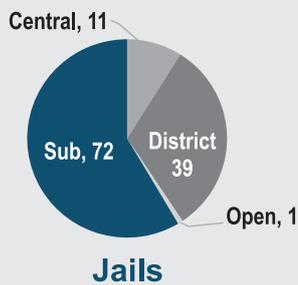
Composition followed in jails - 3/5. Gender Ratio - 12/45

State Remarks

There are 8 Central Jails, 19 District Jails, 70 Sub Jails, 1 Borstal School, 1 Open jail, 2 Special jails and 1 other Jail in Karnataka as per the PSI 2015. Information was received from only 6 Central Jails out of 102 total number of jails in the state. The rules governing BOVs and NOVs are provided in the Karnataka Prison Rules, 1964. However, since there is no rule with regards to number of visits by the NOVs in the 1974 rules, MPM 2016 is referred to assess the NOV visit performance. Since rules do not specify BOV tenure, a BOV that was formed in January 1994 has also been considered a currently constituted BOV. The number of meetings (italicised) for Central Prisons Mysuru and Vijayapur are not included in the BOV meeting performance as no date of constitution of the BOVs in these jails was provided which makes the mandate and performance immeasurable.

As per the responses, no training is provided to the NOVs at the time of the appointment. Only one jail, Central Prison Dharwad stated to have received a format for inspection from the Additional Director General of Prisons and IG prisons, Karnataka. However, copy of the format is not provided in the response from this prison. None of the jails stated to have received the advisory by the MHA on appointment of NOVs.

MADHYA PRADESH



139.8%
Occupancy Rate

State's Overall Performance Indicator
[0% + 37.03% = 18.52%]

18.52%

Indicators	BOV	
	Performance	Mandate
<i>Jails</i>	0/18 [0%]	Rule no. 815 Tenure: once in 3 years
<i>Composition</i>	N/A	Rule no. 815 2 OVs and 2 NOVs
<i>Meetings</i>	N/A	Rule no. 816 Frequency: Quarterly
Compliance	0% + N/A + N/A = 0%	

Indicators	NOV	
	Performance	Mandate
<i>Jails</i>	2/18 [11.11%]	Rule no. 814 Tenure: 3 Years
<i>Composition</i>	0/2 [0%]	Rule no. 815; Central Jail - 6, Dist. Jail - 3 & Sub Jail - 2.
<i>Visits</i>	6/4 [100%]	Rule 29.10, MPM 2016: Once a month
Compliance	11.11% + 0% + 100% = 37.03%	

MADHYA PRADESH

Information was received from 18 out of 91 jails

BOV

Meetings: Quarterly; Rule no. 816

Composition: 2 OVs and 2 NOVs; Rule no. 815

S.No.	Jail	Date of Constitution	Meetings		Composition
			M	P	

BOV constituted in jails - 0/18. Meeting Performance - N/A

Composition followed in jails - N/A

NOV

Visits: Once a month; Rule no. 29.10, MPM, 2016

Composition: Central Jail - 6, Dist. Jail - 3 & Sub Jail - 2; Rule no. 815

S. No.	Jail & No. of NOVs	Date of Appointment	Visits		Composition
			M	P	
1.	Central Jail Narsinghpur (3)	23.04.2018	3	4	
2.	Sub Jail Dabra (1)	23.04.2018	1	2	

NOV appointed in 2/18 jails. Visit Performance - 6/4

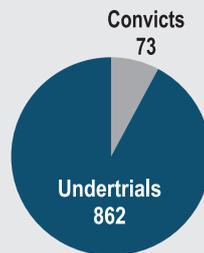
Composition followed in jails - 0/2. Gender Ratio - 1/4

State Remarks

There are 11 Central Jails, 39 District Jails, 72 Sub Jails and 1 Open Jail in Madhya Pradesh as per PSI 2015. Information was received from only 18 out of these 72 jails in the state. The rules governing the BOVs and NOVs in the state are provided in the Madhya Pradesh Jail Manual. However, number of visits to be made by the NOVs are not mentioned in the Jail Manual, therefore MPM 2016 is referred for the NOV visit mandate.

Only one jail out 18 stated that it had received the advisory from the Ministry of Home Affairs on appointment of NOVs. As per the responses, no training is being given to the NOVs in the state at the time of their appointment. None of the jails had received any format for the visitors to record visit remarks.

MEGHALAYA



177.9%
Occupancy Rate

State's Overall Performance Indicator
[6.66% + 6.66% = 6.66%]

6.66%

Indicators	BOV	
	Performance	Mandate
<i>Jails</i>	1/5 [20%]	Rule no. 20 Tenure: 2 Years
<i>Composition</i>	0/1 [0%]	Rule no. 20 2 OV's and 4 NOV's for C.J. & D.J. and 2 NOV's for Sub Jails
<i>Meetings</i>	0/1 [0%]	Rule no. 21 Frequency: Quarterly
Compliance	20% + 0% + 0% = 6.66%	

Indicators	NOV	
	Performance	Mandate
<i>Jails</i>	1/5 [20%]	Rule no. 20 Tenure: Not specified
<i>Composition</i>	0/1 [0%]	Rule no. 20 4 NOV's for C.J. & D.J. and 2 NOV's for Sub Jails
<i>Visits</i>	0/10 [0%]	Rule 29.10, MPM 2016: Once a month
Compliance	20% + 0% + 0% = 6.66%	

MEGHALAYA

Information was received from 5 out of 5 jails

BOV

Meetings: Quarterly; Rule no. 21

Composition: 2 OVs and 4 NOVs for C.J. & D.J. and 2 NOVs for Sub Jails; Rule no. 20

S.No.	Jail	Date of Constitution	Meetings		Composition
			M	P	
1.	District Prison Nongpoh	14.12.2017	1	0	

BOV constituted in jails - 1/5. Meeting Performance - 0/1

Composition followed in jails - 0/1

NOV

Visits: Once a month; Rule no. 29.10, MPM, 2016

Composition: 4 NOVs for C.J. & D.J. and 2 NOVs for Sub Jails; Rule no. 20

S. No.	Jail & No. of NOVs	Date of Appointment	Visits		Composition
			M	P	
1.	District Prison Nongpoh (2)	14.12.2017	10	0	

NOV appointed in 1/5 jails. Visit Performance - 0/10

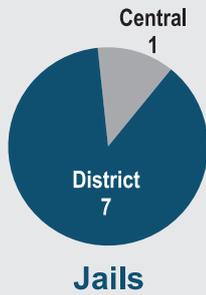
Composition followed in jails - 0/1. Gender Ratio - 1/2

State Remarks

There are 5 District Jails in Meghalaya as per the responses received. Information was received from all 5 District Jails, however, except one jail the BOVs in rest 4 had expired by June, 2016. As per the responses, notification on constitution of BOVs consists of appointment of NOVs and hence, with the expiry of the BOVs, NOVs too are considered as expired. The government notification dated 04.02.2016 for the constitution of BOVs states that the Assam jail manual is followed in the state. Chapter III of the Assam Jail Manual contains rules on 'Visitors'. However, since the Assam jail manual does not mention the number of mandated visits for the NOVs, the MPM 2016 is referred for the NOV visit mandate.

As per the responses, no training is provided to the NOVs at the time of appointment. None of the jails have received any format for the visitors to record visit remarks. However, the response from the Asst. IG Prisons cum PIO stated to have received the advisory from the Ministry of Home Affairs on appointment of NOVs.

MIZORAM



94.9%
Occupancy Rate

State's Overall Performance Indicator
[62.5% + 62.5% = 62.5%]

62.5%

Indicators	BOV	
	Performance	Mandate
<i>Jails</i>	2/8 [25%]	Rule 20 Tenure: 2 Years
<i>Composition</i>	2/2 [100%]	Rule 20 2 OV's and 4 NOV's for C.J. & D.J. and 2 NOV's for Sub Jails
<i>Meetings</i>	N/A	Rule no. 21 Frequency: Quarterly
Compliance	25% + 100% = 62.5%	

Indicators	NOV	
	Performance	Mandate
<i>Jails</i>	2/8 [25%]	Rule no. 20 Tenure: 2 Years
<i>Composition</i>	2/2 [100%]	Rule no. 20 4 NOV's for C.J. & D.J. and 2 NOV's for Sub Jails
<i>Visits</i>	N/A	Rule 29.10, MPM 2016: Once a month
Compliance	25% + 100% = 62.5%	

MIZORAM

Information was received from 8 out of 8 jails

BOV

Meetings: Quarterly; Rule no. 21

Composition: 2 OVs and 4 NOVs for C.J. & D.J. and 2 NOVs for Sub Jails; Rule no. 20

S.No.	Jail	Date of Constitution	Meetings		Composition
			M	P	
1.	District Jail Serchhip	10.10.2017	2	-	✓
2.	District Jail Mamit	10.10.2017	2	-	✓

BOV constituted in jails - 2/8. Meeting Performance - N/A
Composition followed in jails - 2/2

NOV

Visits: Once a month; Rule no. 29.10, MPM, 2016

Composition: 4 NOVs for C.J. & D.J. and 2 NOVs for Sub Jails; Rule no. 20

S. No.	Jail & No. of NOVs	Date of Appointment	Visits		Composition
			M	P	
1.	District Jail Serchhip (4)	10.10.2017	28	-	✓
2.	District Jail Mamit (4)	10.10.2017	28	-	✓

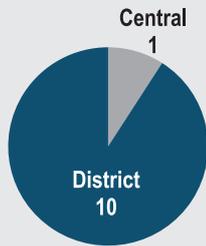
NOV appointed in 2/6 jails. Visit Performance - N/A
Composition followed in jails - 2/2. Gender Ratio - All Male

State Remarks

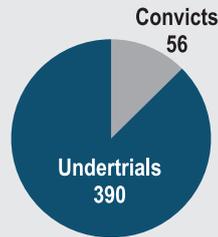
There are 1 Central Jail and 7 District Jails in Mizoram as per the response from the SPIO and Deputy IG Prisons, Mizoram. A consolidated response was provided for all the 8 jails, however, the BOVs and NOVs in 6 jails were expired in May, 2018 as per their 2 year tenure. The consolidated response does not contain any information on visits and meetings for the two jails which have active BOVs and NOVs. As per the response, Mizoram prisons follow the Assam Jail Manual. Chapter III of the Assam Jail Manual contains rules governing BOVs and NOVs.

As per the responses, no training is given to the NOVs at the time of the appointment. The consolidated response also stated that it has not received either the advisory by the MHA on appointment of NOVs or any format for visitors to record the visit remarks.

NAGALAND



Jails



Prison Population

33.8%

Occupancy Rate

State's Overall Performance Indicator

[59.58% + 43.51% = 51.55%]

51.55%

Indicators	BOV	
	Performance	Mandate
<i>Jails</i>	7/8 [87.50%]	Rule no. 20 Tenure: 2 Years
<i>Composition</i>	5/7 [71.42%]	Rule no. 20 2 OV's and 4 NOV's for C.J. & D.J. and 2 NOV's for Sub Jails
<i>Meetings</i>	5/25 [20%]	Rule no. 21 Frequency: Quarterly
Compliance	87.50% + 71.42% + 20% = 59.58%	

Indicators	NOV	
	Performance	Mandate
<i>Jails</i>	2/8 [25%]	Rule no. 20 Tenure: 2 Years
<i>Composition</i>	2/2 [100%]	Rule no. 20 4 NOV's for C.J. & D.J. and 2 NOV's for Sub Jails
<i>Visits</i>	7/126 [5.55%]	Rule 29.10, MPM 2016: Once a month
Compliance	25% + 100% + 5.55% = 43.51%	

NAGALAND

Information was received from 8 out of 11 jails

BOV

Meetings: Quarterly; Rule no. 21

Composition: 12 OVVs and 4 NOVVs for C.J. & D.J. and 2 NOVVs for Sub Jails; Rule no. 20

S.No.	Jail	Date of Constitution	Meetings		Composition
			M	P	
1.	Central Jail Dimapur	21.03.2017	4	0	✓
2.	District Jail Dimapur	21.03.2017	4	0	✓
3.	District Jail Kiphire	21.06.2017	3	0	
4.	District Jail Mokokchung	22.06.2017	3	1	✓
5.	District Jail Mon	07.08.2017	3	3	
6.	District Jail Peren	04.05.2017	4	0	✓
7.	District Jail Phek	07.04.2017	4	1	✓

BOV constituted in jails - 7/8. Meeting Performance - 5/25

Composition followed in jails - 5/7

NOV

Visits: Once a month; Rule no. 29.10, MPM, 2016

Composition: 4 NOVVs for C.J. & D.J. and 2 NOVVs for Sub Jails; Rule no. 20

S. No.	Jail & No. of NOVVs	Date of Appointment	Visits		Composition
			M	P	
1.	District Jail Phek (6)	07.04.2017	78	7	✓
2.	District Jail Peren (4)	04.05.2017	48	0	✓

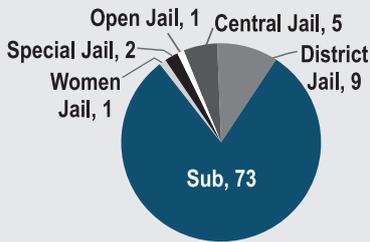
NOV appointed in 2/8 jails. Visit Performance - 7/126

Composition followed in jails - 2/2. Gender Ratio - Immeasurable

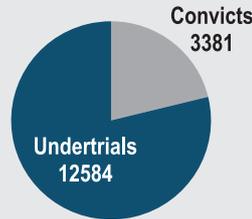
State Remarks

There are 1 Central Jail and 10 District Jails in Nagaland as per the PSI 2015. Information in form of separate responses was received from 8 of these 11 jails. The Directorate of Prisons website of Nagaland mentioned that Assam jail manual is followed in the state. Chapter III of the Assam Jail Manual contains rules on 'Visitors'. However, since the Assam jail manual does not mention the number of mandated visits for the NOVVs, the MPM 2016 is referred for the NOV visit mandate.

As per the responses, no training is provided to the NOVVs at the time of appointment. None of the jails have received any format for the visitors to record visit remarks. Four jails stated to have received the advisory from the Ministry of Home Affairs on appointment of NOVVs. The NOV gender ratio in the state cannot be measured because only designations have been mentioned in the responses for NOVVs.



Jails



Prison Population

88.6%

Occupancy Rate

State's Overall Performance Indicator

[12.03% + 59.13% = 35.58%]

35.58%

Indicators	BOV	
	Performance	Mandate
<i>Jails</i>	3/12 [25%]	Rule 45 Tenure: Not specified
<i>Composition</i>	0/3 [0%]	Rule 45 All OV's and NOV's
<i>Meetings</i>	1/9 [11.11%]	Rule no. 46 Frequency: Quarterly
Compliance	25% + 0% + 11.11% = 12.03%	

Indicators	NOV	
	Performance	Mandate
<i>Jails</i>	25/29 [86.20%]	Rule no. 43 Tenure: 2 years
<i>Composition</i>	20/25 [80%]	Rule no. 42 6 NOV's for Central Jail & 5 for other jails
<i>Visits</i>	28/250 [11.2%]	Rule 29.10, MPM 2016 Once a month
Compliance	86.20% + 80% + 11.2% = 59.13	

ODISHA

Information was received from 12 out of 91 jails

BOV

Meetings: Quarterly; Rule no. 46

Composition: All OVs and NOV's; Rule no. 45

S.No.	Jail	Date of Constitution	Meetings		Composition
			M	P	
1.	Angul Jail, Angul	16.12.2017	1	0	
2.	Circle Jail, Berhampur	27.03.2017	4	0	
3.	District Jail Dhenkanal	19.03.2007	4	1	

BOV constituted in jails - 3/12. Meeting Performance - 1/9

Composition followed in jails - 0/2

NOV

Visits: Once a month; Rule no. 29.10, MPM, 2016

Composition: C.J. - 6 NOV's, D.J. and others - 5 NOV's; Rule no. 42

S. No.	Jail & No. of NOV's	Date of Appointment	Visits		Composition
			M	P	
1.	Central Jail Sambalpur (6)	05.06.2018	-	-	✓
2.	Angul Jail, Angul (5)	16.12.2017	25	0	✓
3.	Circle Jail, Berhampur (5)	27.03.2017	70	3	✓
4.	Central Jail, Cuttack (6)	10.05.2018	-	-	✓
5.	District Jail Balasore (6)	31.07.2017	-	-	✓
6.	District Jail Daspalla (5)	05.07.2017	-	-	✓
7.	District Jail Dhenkanal (5)	19.12.2016	85	0	✓
8.	District Jail Keonjhar (5)	15.01.2018	-	-	✓
9.	District Jail Puri (5)	27.07.2017	-	-	✓
10.	District Jail Sundargarh (5)	22.04.2017	-	-	✓
11.	Special Sub Jail Bhadrak (5)	01.08.2017	-	-	✓
12.	Special Sub Jail Bonaigarh (5)	13.11.2017	-	-	✓
13.	Special Sub Jail Rourkella (5)	03.11.2017	30	10	✓
14.	Special Sub Jail Talcher (5)	31.03.2017	-	-	✓
15.	Sub Jail Anandpur (5)	31.03.2017	-	-	✓
16.	Sub Jail Athamallik (5)	31.03.2017	-	-	✓
17.	Sub Jail Bhanjangan (3)	06.12.2017	15	0	
18.	Sub Jail Nabrangpur (3)	23.10.2017	-	-	
19.	Sub Jail Nilgiri (6)	31.07.2017	-	-	✓
20.	Sub Jail Padampur (3)	24.10.2017	-	-	
21.	Sub Jail Pallahara (5)	31.03.2017	-	-	✓
22.	Sub Jail Paralakemundi (5)	06.12.2017	25	15	✓
23.	Sub Jail Salipur (3)	01.01.2018	-	-	
24.	Sub Jail Sohela (3)	24.10.2017	-	-	
25.	Sub Jail Udayagiri (5)	06.12.2017	-	-	✓

NOV appointed in 25/29 jails. Visit Performance - 28/250

Composition followed in jails - 20/25. Gender Performance - 34/119

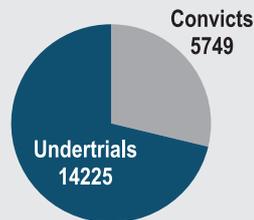
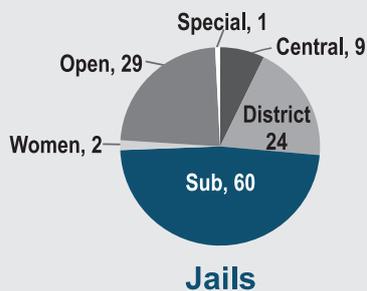
State Remarks

There are 5 Central jails, 9 District Jails, 73 Sub Jails, 2 Special Jails, 1 Women Jail and 1 Open Jail in Odisha as per PSI 2015. Separate responses providing information on BOVs as well as NOVs were received from only 12 jails. Consolidated information on NOVs appointed in 23 jails was received from the PIO, Directorate of Prisons and Correctional Services, Odisha. However, no information with regards to visits by the NOVs in these 23 prisons was provided. Some of the jails which were also enlisted in the consolidated information had provided separate responses. Therefore, the BOV compliance is assessed for 12 jails whereas NOV compliance is assessed for 29 jails which is the total number of prisons for which information was received including 12 separate responses.

Rules for BOVs and NOVs in Odisha Prisons are given in chapter IV of the Orrisa Jail Manual. However, by government notification dated 04.05.1978 some of these rules were amended. The assessment table above contains amended rules.

As per the responses, no training is provided to the NOVs at the time of the appointment. None of the jails stated to have received the advisory from the MHA on appointment of NOVs or any format for the visitors to record the visit remarks.

RAJASTHAN



102.4%

Occupancy Rate

State's Overall Performance Indicator
[51.83% + 84.56% = 68.20%]

68.20%

Indicators	BOV	
	Performance	Mandate
<i>Jails</i>	7/26 [26.92%]	Rule no. 7 Tenure: Bi-annual (6 Months)
<i>Composition</i>	Followed - 2/7 [28.57%]	Rule no. 7 2 Official and 2 Non-official
<i>Meetings</i>	0/0 [100%]	Rule no. 8 Frequency: Quarterly
Compliance	26.92% + 28.57% + 100% = 51.83%	

Indicators	NOV	
	Performance	Mandate
<i>Jails</i>	90/126 [71.42%]	Rule no. 3 Tenure: 2 years, Rule no. 4
<i>Composition</i>	Followed - 88/90 [97.77%]	Rule no. 3 6 for CJ, 3 for DJ & 2 for other 'lock-up' jails
<i>Visits</i>	N/A	Rule no. 8 May visit if desires, once a month
Compliance	71.42% + 97.77% + N/A = 84.56%	

RAJASTHAN

Separate responses received from 26 out of 126 jails, Information on NOV's received for 90 jails from the Directorate of Prisons

BOV

Meetings: Quarterly; Rule no. 8

Composition: 2 Official and 2 Non-official; Rule no. 7

S.No.	Jail	Date of Constitution	Meetings		Composition
			M	P	
1.	Central Jail Alwar	30.06.2018	0	0	✓
2.	District Jail Dhaulpur	11.07.2018	0	0	
3.	District Jail Pali	14.06.2018	0	0	
4.	District Jail Sawaimadhopur	11.06.2018	0	0	✓
5.	Sub Jail Bali	14.06.2018	0	0	
6.	Sub Jail Jaitaran	14.06.2018	0	0	
7.	Sub Jail Sojat	20.08.2018	0	0	

BOV constituted in jails - 7/26. Meeting Performance - 0/0

Composition followed in jails - 2/7

NOV

Visits: No min. mandate; as per roster; Rule no. 8

Composition: 6 for CJ, 3 for DJ & 2 for other 'lock-up' jails; Rule no. 3

S. No.	Jail & No. of NOV's	Date of Appointment	Visits		Composition
			M	P	
1.	Sub Jail Shahpur (2)	23.05.2018	-	-	✓
2.	Central Jail Udaipur (6)	24.04.2018	-	0	✓
3.	Sub Jail Salumbar (2)	24.04.2018	-	-	✓
4.	Sub Jail Jhadol (2)	24.04.2018	-	-	✓
5.	Sub Jail Kodla (2)	24.04.2018	-	-	✓
6.	Sub Jail Mandi (2)	24.04.2018	-	-	✓
7.	Sub Jail Kanod (2)	24.04.2018	-	-	✓
8.	District Jail Hanumangarh (3)	14.05.2018	-	-	✓
9.	Sub Jail Nahor (2)	14.05.2018	-	-	✓
10.	Sub Jail Bhadra (2)	14.05.2018	-	-	✓
11.	District Jail Dungarpur (3)	14.05.2018	-	-	✓
12.	Sub Jail Sagwada (2)	14.05.2018	-	-	✓
13.	District Jail Pratapgarh (3)	14.05.2018	-	-	✓
14.	Sub Jail Choti Sadri (2)	14.05.2018	-	-	✓
15.	District Jail Chittorgarh (3)	14.05.2018	-	0	✓
16.	Sub Jail Nimbaheda (2)	14.05.2018	-	-	✓
17.	Sub Jail Begu (2)	14.05.2018	-	-	✓
18.	District Jail Rajsamand (3)	14.05.2018	-	-	✓
19.	District Jail Jaisalmer (3)	14.05.2018	-	-	✓
20.	Sub Jail Pokhran (2)	14.05.2018	-	-	✓
21.	Central Jail Bikaner (6)	17.05.2018	-	-	✓
22.	Sub Jail Nokha (2)	17.05.2018	-	-	✓
23.	Central Jail Jodhpur (6)	17.05.2018	-	-	✓
24.	Sub Jail Falodi (2)	17.05.2018	-	-	✓
25.	Sub Jail Bilada (2)	17.05.2018	-	-	✓
26.	Women Jail Jodhpur (3)	17.05.2018	-	-	✓
27.	District Jail Karauli (3)	17.05.2018	-	-	✓

28.	District Jail Dausa (3)	17.05.2018	-	-	✓
29.	Sub Jail Bandikui (1)	17.05.2018	-	-	
30.	Central Jail Alwar (6)	17.05.2018	-	-	✓
31.	Sub Jail Kishangarh (2)	17.05.2018	-	-	✓
32.	Sub Jail Behrod (2)	17.05.2018	-	-	✓
33.	Sub Jail Ratangarh (2)	22.05.2018	-	-	✓
34.	High Security Jail Ajmer (2)	22.05.2018	-	-	✓
35.	Sub Jail Sanchor (2)	22.05.2018	-	-	✓
36.	Sub Jail Sangod (2)	22.05.2018	-	-	✓
37.	Sub Jail Ramganj Mandi (2)	22.05.2018	-	-	✓
38.	District Jail Pali (3)	22.05.2018	-	-	✓
39.	Sub Jail Bali (2)	22.05.2018	-	-	✓
40.	Sub Jail Jaitaran (2)	22.05.2018	-	-	✓
41.	Sub Jail Shirkaranpur (2)	22.05.2018	-	-	✓
42.	Central Jail Jaipur (5)	24.05.2018	-	-	
43.	District Jail Jaipur (3)	24.05.2018	-	-	✓
44.	Sub Jail Sambhar (2)	24.05.2018	-	-	✓
45.	Women Inmate Correctional Home Jaipur (2)	24.05.2018	-	-	✓
46.	Central Jail Sriganganagar (6)	24.05.2018	-	-	✓
47.	Sub Jail Raisinghnagar (2)	24.05.2018	-	-	✓
48.	Sub Jail Suratgarh (2)	24.05.2018	-	-	✓
49.	Sub Jail Anupgarh (2)	24.05.2018	-	-	✓
50.	District Jail Jalor (3)	24.05.2018	-	-	✓
51.	Sub Jail Bheenmal (2)	24.05.2018	-	-	✓
52.	Sub Jail Saanchor (2)	24.05.2018	-	-	✓
53.	District Jail Sirohi (2)	24.05.2018	-	-	✓
54.	Central Jail Kota (5)	24.05.2018	-	-	
55.	District Jail Sikar (3)	24.05.2018	-	-	✓
56.	District Jail Boondi (2)	24.05.2018	-	-	
57.	Central Jail Bharatpur (6)	25.05.2018	-	-	✓
58.	Sub Jail Deeg (2)	25.05.2018	-	-	✓
59.	Sub Jail Bayana (2)	25.05.2018	-	-	✓
60.	District Jail Bara (3)	15.07.2018	-	-	✓
61.	Sub Jail Chabra (2)	15.07.2018	-	-	✓
62.	Sub Jail Atru (2)	15.07.2018	-	-	✓
63.	Sub Jail Mandalgarh (2)	15.07.2018	-	-	✓
64.	Sub Jail Sojat (2)	15.07.2018	-	-	✓
65.	Sub Jail Gangapur City (2)	15.07.2018	-	-	✓
66.	Sub Jail Fatehpur (2)	15.07.2018	-	-	✓
67.	Sub Jail Neem Ka Thana (2)	15.07.2018	-	-	✓
68.	District Jail Dhaulpur (3)	11.07.2018	-	-	✓
69.	District Jail Jhalawad (3)	06.06.2017	-	0	✓
70.	Sub Jail Aklera (2)	06.06.2017	-	0	✓
71.	Sub Jail Bhawanimandi (2)	06.06.2017	-	0	✓
72.	District Jail Bhilwada (3)	23.05.2018	-	1	✓
73.	District Jail Tonk (3)	23.05.2018	-	0	✓
74.	District Jail Sawaimadhopur (3)	-	-	-	✓
75.	Sub Jail Deedwana (2)	23.05.2018	-	-	✓
76.	Sub Jail Parbatsar (2)	23.05.2018	-	-	✓
77.	District Jail Baswada (3)	23.05.2018	-	-	✓

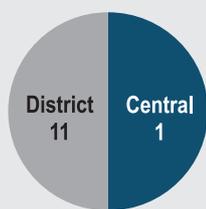
78.	Sub Jail Kushalgarh (2)	23.05.2018	-	-	✓
79.	Sub Jail Malpura (3)	23.05.2018	-	-	✓
80.	Sub Jail Rajgarh (2)	23.05.2018	-	-	✓
81.	District Jail Barmer (3)	23.05.2018	-	-	✓
82.	Sub Jail Balotara (2)	23.05.2018	-	-	✓
83.	Sub Jail Gulabpura (2)	23.05.2018	-	-	✓
84.	District Jail Churu (3)	23.05.2018	-	-	✓
85.	District Jail Jhunjhunu (3)	23.05.2018	-	-	✓
86.	Central Jail Ajmer (6)	23.05.2018	-	-	✓
87.	Sub Jail Jhajpur (2)	23.05.2018	-	-	✓
88.	Sub Jail Byavar (2)	23.05.2018	-	-	✓
89.	District Jail Nagor (3)	23.05.2018	-	0	✓
90.	Sub Jail Merta City (2)	23.05.2018	-	-	✓
NOV appointed in 90/126 jails. Visit Performance - N/A Composition followed in jails - 88/90. Gender Ratio - 20/238					

State Remarks

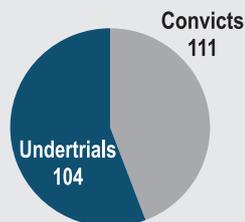
There are 9 Central Jails, 24 District Jails, 60 Sub Jails, 2 Women Jails, 1 Borstal School, 29 Open Jails and 1 Special Jail in Rajasthan as per the PSI 2015. The Directorate of Rajasthan Prisons sent information on appointment of NOVs for 90 jails without any information on their visits. Since the Directorate sent information of 90 jails which have NOVs it is assumed that the rest do not have NOVs appointed currently and hence the performance of NOV appointment is taken as 90 out of 126 jails. However, separate responses were received from 26 jails which had provided information on BOVs as well and hence BOV performance is taken by considering 26 to be the number of jails.

Part 23 of the Rajasthan Prisons Rules 1951 deals with the BOVs and NOVs. Rule 7 in Part 23 of the 1951 Rules state that there should be a bi-annual constitution of BOVs by District Collector and hence all responses on BOVs stating the date of constitution of BOV being prior to 6 months from 1 June, 2019 have been marked as not having BOVs. Rule 8 states that NOVs may visit, 'if he/she desires', the prison once in a month but must visit as per the roster. Therefore, there is no minimum visit mandate for NOVs and since mandated visits as per the respective rosters cannot be measured, the visit performance of NOVs is marked as N/A.

As per the responses, received, no training is being provided to the NOVs at the time of the appointment. The response from the Directorate attached the 'Advisory for appointment and working of NOV for prisons' by MHA dated 18.02.2011.



Jails



Prison Population

99.2%

Occupancy Rate

State's Overall Performance Indicator

[100% + 50% = 75%]

75%

Indicators	BOV	
	Performance	Mandate
<i>Jails</i>	2/2 [100%]	Rule 15.01 Tenure: Not specified
<i>Composition</i>	2/2 [100%]	Rule 15.03 & 15.04 5 OVs and 4 NOVs
<i>Meetings</i>	4/4 [100%]	Rule no. 15.06 Frequency: Bi-annual
Compliance	100% + 100% + 100% = 100%	

Indicators	NOV	
	Performance	Mandate
<i>Jails</i>	2/2 [100%]	Rule no. 15.04 Tenure: 3 years
<i>Composition</i>	0/2 [0%]	Rule no. 15.04 4 NOVs
<i>Visits</i>	Immeasurable	Rule no. 15.20 As advised by the chairman
Compliance	100% + 0% = 50%	

SIKKIM

Information was received from 2 out of 2 jails

BOV

Meetings: Bi-annual; Rule no. 15.06

Composition: 5 OVs and 4 NOVs; Rule no. 15.03 & 15.04

S.No.	Jail	Date of Constitution	Meetings		Composition
			M	P	
1.	District Jail Namchi	17.03.2017	2	2	✓
2.	State Central Prison	17.03.2017	2	2	✓

BOV constituted in jails - 2/2. Meeting Performance - 4/4
Composition followed in jails - 2/2

NOV

Visits: As advised by the Chairman; 15.20

Composition: 4 NOVs; Rule no. 15.04

S. No.	Jail & No. of NOVs	Date of Appointment	Visits		Composition
			M	P	
1.	District Jail Namchi (3)	17.03.2017	-	3	
2.	State Central Prison (3)	17.03.2017	-	3	

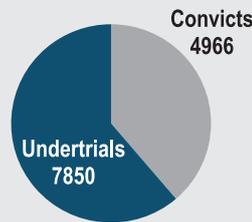
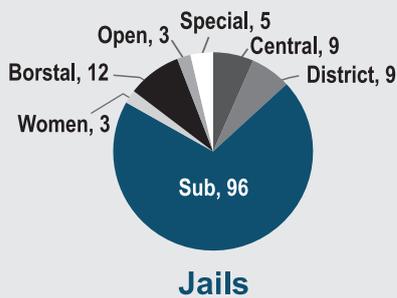
NOV appointed in 2/2 jails. Visit Performance - Immeasurable
Composition followed in jails - 0/2. Gender Ratio - 3/6

State Remarks

There is one Central Jail and one District Jail in Sikkim as per the PSI 2015. Information was received for both the prisons in the state. The rules governing the BOVs and NOVs in Sikkim prisons are provided in the Sikkim Jail Manual 2010. Rule 15.20 of the jail manual states that the NOVs shall visit the prisons as advised by the chairman of the BOV therefore the mandate for visits of the NOVs in the state cannot be ascertained.

As per the response no training is provided to the NOVs at the time of the appointment. There was no response on whether the jails have received the advisory from the MHA on appointment of NOVs or have received any format for the visitors to record the visit remarks.

TAMIL NADU



63.6%

Occupancy Rate

State's Overall Performance Indicator
[8.33% + 28.51% = 18.42%]

18.42%

Indicators	BOV	
	Performance	Mandate
<i>Jails</i>	1/4 [25%]	Rule no. 505 Tenure: once in 3 years
<i>Composition</i>	0/1 [0%]	Rule no. 505 OVs and NOVs (Number not specified)
<i>Meetings</i>	0/12 [0%]	Rule no. 508 Frequency: Quarterly
Compliance	25% + 0% + 0% = 8.33%	

Indicators	NOV	
	Performance	Mandate
<i>Jails</i>	3/4 [75%]	Rule no. 507 Tenure: 3 Years
<i>Composition</i>	0/3 [0%]	Rule no. 507; Central Jail - 6, S.P.W - 3.
<i>Visits</i>	25/237 [10.54%]	Rule 29.10, MPM 2016: Once a month
Compliance	75% + 0% + 10.54% = 28.51%	

TAMIL NADU

Information was received from 4 out of 137 jails

BOV

Meetings: Quarterly; Rule no. 508

Composition: OVs and NOVs (number not specified); Rule no. 505

S.No.	Jail	Date of Constitution	Meetings		Composition
			M	P	
1.	Central Prison Palayamcotti	17.04.2018	12	0	

BOV constituted in jails - 1/4. Meeting Performance - 0/12

Composition followed in jails - 0/1

NOV

Visits: Once a month; Rule no. 29.10, MPM, 2016

Composition: Central Jail - 6 & Sub Jail - 3; Rule no. 507

S. No.	Jail & No. of NOVs	Date of Appointment	Visits		Composition
			M	P	
1.	Central Prison Cudalore (3)	13.07.2015	102	13	
2.	Special Prison for Women Coimbatore (1)	04.08.2015	33	0	
3.	Special Prison for Women Trichy (3)	13.07.2015	102	12	

NOV appointed in 3/4 jails. Visit Performance - 25/237

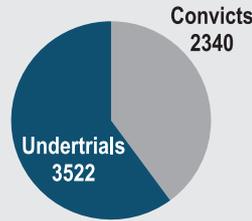
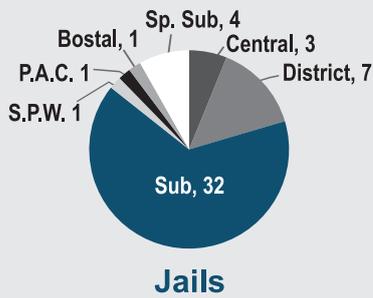
Composition followed in jails - 0/3. Gender Ratio - 4/7

State Remarks

There are 9 Central Jails, 9 District Jails, 96 Sub Jails, 3 Women Jails, 5 Special Jails, 12 Borstal Schools and 3 Open Jails in Tamil Nadu as per the PSI 2015. Information was received from only 4 out of 137 jails in the state. The rules governing the BOVs and NOVs in the state are given in chapter XXVI of the Tamil Nadu Jail Manual. Rule 505 of the jails manual provides for BOV which shall be comprised of official and non-official members without mentioning the number of such members. MPM 2016 is referred to for the NOV visit mandate as the jail manual does not mention the any mandate on number of visits to be made by NOVs.

As per the responses, none of the jails in the state had received either the advisory from the Ministry of Home Affairs on appointment of NOVs or any format for recording the visit remarks by the visitors. No training is provided to the NOVs at the time of the appointment as per the responses from the 4 jails.

TELANGANA



87.6%

Occupancy Rate

State's Overall Performance Indicator
[1.62% + 41.08% = 21.35%]

21.35%

Indicators	BOV	
	Performance	Mandate
<i>Jails</i>	2/41 [4.87%]	Rule 28 (1) Tenure: Not specified
<i>Composition</i>	0/2 [0%]	Rule 28 (1) OVs + NOVs + Ex-officio NOVs
<i>Meetings</i>	0/16 [0%]	Rule no. 28 (1) Frequency: Quarterly
Compliance	4.87% + 0% + 0% = 1.62%	

Indicators	NOV	
	Performance	Mandate
<i>Jails</i>	4/41 [9.75%]	Rule no. 27 (1) Tenure: 2 years
<i>Composition</i>	Followed - 4/4 [100%]	Rule no. 27 (1) 6 for CJ and 3 for DJ
<i>Visits</i>	5/37 [13.51%]	Rule 29.10, MPM 2016: Once a month
Compliance	9.75% + 100% + 13.51% = 41.08%	

TELANGANA

Information was received from 41 out of 49 jails

BOV

Meetings: Quarterly; Rule no. 28(1)

Composition: OVs, NOVs and ex-officio NOVs; Rule no. 28(1)

S.No.	Jail	Date of Constitution	Meetings		Composition
			M	P	
1.	Central Prison Cherlapalli	01.03.2016	9	0	
2.	PAC Cherlapalli	25.06.2016	7	0	

BOV constituted in jails - 2/41. Meeting Performance - 0/16

Composition followed in jails - 0/2

NOV

Visits: Once a month; Rule no. 29.10, MPM 2016

Composition: 6 for CJ and 3 for DJ; Rule no. 27(1)

S. No.	Jail & No. of NOVs	Date of Appointment	Visits		Composition
			M	P	
1.	Central Prison Hyderabad (6)	-	-	0	✓
2.	District Jail Kammam (4)	17.10.2017	7	0	✓
3.	District Jail Nizamabad (3)	06.10.2017	7	5	✓
4.	PAC Cherlapalli (6)	25.06.2016	23	0	✓

NOV appointed in 4/41 jails. Visit Performance - 5/37

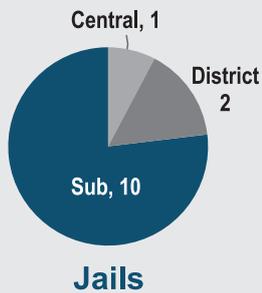
Composition followed in jails - 4/4. Gender Ratio - 4/19

State Remarks

There are 3 Central Prisons, 7 District Jails, 4 Special Sub Jails, 32 Sub Jails, 1 Special Prison for Women, 1 Prisoners' Agriculture Colony and 1 Borstal School as per the Telangana Prisons Department website. Consolidated information for 41 out of 49 prisons on all the questions in the RTI application was provided by the I.G. Prisons cum PIO. No separate responses were received from the Telangana prisons. The rules governing BOVs and NOVs as provided in chapter IV of the Andhra Pradesh Prison Rules 1979 are applicable to the Telangana Prisons as the state's prison department follows Andhra Pradesh Jail Manual.

As per the response, one jail in Telangana - Central Prison Cherlapalli have NOVs who were provided training as "Yes, they were given familiarization for one session of 03 hours." However, no further information regarding who undertook the session and what was the content of the training was provided. None of the jails had received any advisory from the Ministry of Home Affairs on appointment of NOVs or have received any format for recording the remarks by the visitors according to the response.

TRIPURA



47.8%
Occupancy Rate

State's Overall Performance Indicator
[66.66% + 66.66% = 66.66%]

66.66%

Indicators	BOV	
	Performance	Mandate
<i>Jails</i>	13/13 [100%]	Rule no. 29(1), MPM, 2016 Tenure: Not specified
<i>Composition</i>	13/13 [100%]	Rule no. 29(3) & 29(4), MPM, 2016 10 OV's + 6 NOV's
<i>Meetings</i>	0/11 [0%]	Guideline no. 1 Frequency: Quarterly
Compliance	100% + 100% + 0% = 66.66%	

Indicators	NOV	
	Performance	Mandate
<i>Jails</i>	13/13 [100%]	Rule no. 29(4), MPM, 2016 Tenure: 2 years
<i>Composition</i>	Followed - 13/13 [100%]	Rule no. 29(4), MPM, 2016 6 NOV's
<i>Visits</i>	0/264 [0%]	Guideline no. 5 Once a month
Compliance	100% + 100% + 0% = 66.66%	

TRIPURA

Information was received from 13 out of 13 jails

BOV

Meetings: Quaterly; Guideline no. 1, Gov. Notification dt. 03.01.2018

Composition: 10 OVs and 6 NOVs; Rule no. 29(3) & 29(4), MPM, 2016

S.No.	Jail	Date of Constitution	Meetings		Composition
			M	P	
1.	District Jail Kailashahar, Unokoti	03.01.2018	1	0	✓
2.	District Jail Udaipur Gomati District	03.01.2018	1	0	✓
3.	Kendriya Sanshodhanagar, Bishalgarh	03.01.2018	-	-	✓
4.	Sub Jail Amarpur	03.01.2018	1	0	✓
5.	Sub Jail Belonia	03.01.2018	1	0	✓
6.	Sub Jail Dharmanagar	03.01.2018	1	0	✓
7.	Sub Jail Gandachara	03.01.2018	-	-	✓
8.	Sub Jail Kamalpur	03.01.2018	1	-	✓
9.	Sub Jail Kanchanpur	03.01.2018	1	0	✓
10.	Sub Jail Khowai	03.01.2018	1	0	✓
11.	Sub Jail Longtharai Valley	03.01.2018	1	0	✓
12.	Sub Jail Sabroom	03.01.2018	1	0	✓
13.	Sub Jail Sonamura	03.01.2018	1	0	✓

BOV constituted in jails - 13/13. Meeting Performance - 0/11

Composition followed in jails - 13/13

NOV

Visits: Once a month; Guideline no. 5, Gov. Notification dt. 03.01.2018

Composition: 6 NOVs ; Rule no. 29(4), MPM, 2016

S. No.	Jail & No. of NOVs	Date of Appointment	Visits		Composition
			M	P	
1.	District Jail Kailashahar, Unokoti (6)	03.01.2018	24	0	✓
2.	District Jail Udaipur Gomati District (6)	03.01.2018	24	0	✓
3.	Kendriya Sanshodhanagar, Bishalgarh (6)	03.01.2018	-	-	✓
4.	Sub Jail Amarpur (6)	03.01.2018	24	0	✓
5.	Sub Jail Belonia (6)	03.01.2018	24	0	✓
6.	Sub Jail Dharmanagar (6)	03.01.2018	24	0	✓
7.	Sub Jail Gandachara (6)	03.01.2018	-	-	✓
8.	Sub Jail Kamalpur (6)	03.01.2018	24	0	✓
9.	Sub Jail Kanchanpur (6)	03.01.2018	24	0	✓
10.	Sub Jail Khowai (6)	03.01.2018	24	0	✓
11.	Sub Jail Longtharai Valley (6)	03.01.2018	24	0	✓
12.	Sub Jail Sabroom	03.01.2018	24	0	✓
13.	Sub Jail Sonamura (6)	03.01.2018	24	0	✓

NOV appointed in 13/13 jails. Visit Performance - 0/264

Composition followed in jails - 13/13. Gender Ratio - 26/78

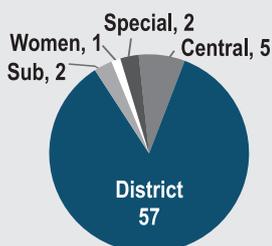
State Remarks

There are 1 Central Jail, 2 District Jails and 10 Sub Jails in the Tripura as per the PSI 2015. Consolidated information on BOVs and NOVs for all the 13 jails of the state was received from the State Public Information Officer, Prisons Directorate, Agartala. Information on BOV meetings and NOV visits was provided in separate responses by the jails, however, such separate responses were received from only 11 jails.

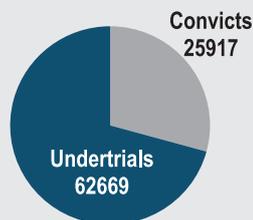
The State Government notification dated 03.01.2018 states that BOVs are constituted in terms of Chapter XXIX of the Model Prison Manual, 2016. The notification also contains guidelines with regards to the functioning of BOVs and NOVs.

As per the separate responses received, no training is given to the NOVs at the time of their appointment and no format for recording the remarks by the visitors has been received by any of the jails. The response from the Prison Directorate attached the advisory from the Ministry of Home Affairs on appointment of NOVs.

UTTAR PRADESH



Jails



Prison Population

168.8%

Occupancy Rate

State's Overall Performance Indicator

[14.04% + 50.87% = 32.45%]

32.45%

Indicators	BOV	
	Performance	Mandate
<i>Jails</i>	6/43 [13.95%]	Rule no. 668 Tenure: Not specified
<i>Composition</i>	Followed - 1/6 [16.66%]	Rule 674 All NOVs with Ss. Jdg. presiding
<i>Meetings</i>	3/26 [11.53%]	Rule no. 29.06, MPM 2016 Frequency: Quarterly
Compliance	13.95% + 16.66% + 11.53% = 14.04%	

Indicators	NOV	
	Performance	Mandate
<i>Jails</i>	22/43 [51.16%]	Rule no. 669 Tenure: 2 years
<i>Composition</i>	Followed - 22/22 [100%]	Composition not specified
<i>Visits</i>	13/879 [1.47%]	Rule no. 672: Once a month
Compliance	51.16% + 100% + 1.47% = 50.87%	

UTTAR PRADESH

Information was received from 43 out of 67 jails

BOV

Meetings: Quarterly; Rule no. 29.06, MPM 2016

Composition: All NOV's with Sessions Judge as President; Rule 674

S.No.	Jail	Date of Constitution	Meetings		Composition
			M	P	
1.	Central Jail Varanasi	2016	5	0	
2.	District Jail Basti	16.02.2016	9	0	
3.	District Jail Deoria	30.12.2016	5	1	
4.	District Jail Gorakhpur	Not provided	-	0	✓
5.	District Jail Mirzapur	02.08.2016	7	0	
6.	District Jail Pilibheet	Not provided	-	2	

BOV constituted in 6/43 jails. Meeting Performance - 3/26

Composition followed in jail - 1/6

NOV

Visits: Once a month; Rule no. 672

Composition: Not mentioned

S. No.	Jail & No. of NOV's	Date of Appointment	Visits		Composition
			M	P	
1.	District Jail Mirzapur (7)	Not provided	-	0	✓
2.	District Jail Jaunpur (3)	16.06.2016	69	0	✓
3.	District Jail Sitapur (1)	23.09.2016	20	1	✓
4.	District Jail Pilibheet (3)	22.12.2016	51	5	✓
5.	District Jail Lucknow (6)	28.12.2016	102	0	✓
6.	District Jail Muradabad (3)	21.12.2016	51	0	✓
7.	District Jail Mathura (3)	27.12.2016	51	0	✓
8.	District Jail Banda (3)	13.06.2016	69	2	✓
9.	District Jail Mujjafarnagar (4)	17.08.2016	84	0	✓
10.	District Jail Bareilly (4)	27.12.2016	68	3	✓
11.	District Jail Aligarh (1)	22.12.2016	17	0	✓
12.	District Jail Meerut (1)	05.10.2016	19	0	✓
13.	District Jail Balrampur (2)	03.01.2017	32	0	✓
14.	District Jail Rampur (2)	16.06.2016	23	0	✓
15.	District Jail Pratapgarh (2)	03.01.2017	-	-	✓
16.	District Jail Hardoi (3)	28.12.2016	51	0	✓
17.	Central Jail Varanasi (1)	12.09.2016	20	0	✓
18.	District Jail Deoria (4)	30.12.2016	68	0	✓
19.	District Jail Agra (3)	02.12.2016	51	0	✓
20.	District Jail Gonda (3)	03.01.2017	16	0	✓
21.	Central Jail Naini (1)	02.12.2016	17	0	✓
22.	District Jail Banda (3)	Not provided	-	2	✓

NOV appointed in 22/43 jails. Visit Performance - 13/879

Composition followed in 22/22 Jails. Gender Ratio - 8/63

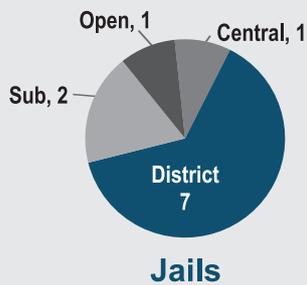
State Remarks

There are 5 Central Jails, 57 District Jails, 2 Sub Jails, 1 Women Jail and 2 Special Jails in Uttar Pradesh as per the PSI 2015. Only 43 out of 67 Jails provided information in the RTI responses. The PHQ also provided names and appointment dates of 'namit visitors' for 69 jails in the state. As per the PHQ response there are 118 'namit visitors' in 69 jails in the state as on 31.05.2018. There are inconsistencies in the list of 'namit visitors' and list of NOV's provided by separate jails such as dissimilarities in names of visitors and different appointment dates against same visitor in a jail (District Jail Banda). Therefore, for assessing the NOV performance, only separate responses from the jails which include NOV's names, appointment date and visit details have been considered instead of the consolidated list of names of 'namit visitors' received from the PHQ. The response received from District Jail Barabanki shows SLSA panel lawyers as BOV member and their visit schedule as meetings, which has not been considered as a BOV and hence marked as having no BOV or NOV's in the jail.

Part 25 of the UP Jail Manual which deals with visitors does not provide for composition of NOV's, mandated frequency of meetings by BOV. Rule 670 of the manual provides for ex-officio nonofficial visitors while rule 667 provides for official visitors apart from the BOV's.

As per the responses, none of the jails had any performa for the visitors to record their inspections or have received any rules or guidelines issued by MHA based on its advisory.

UTTARAKHAND



136.4%
Occupancy Rate

State's Overall Performance Indicator
[0% + 54.5% = 27.25%]

27.25%

Indicators	BOV	
	Performance	Mandate
<i>Jails</i>	0/11 [0%]	Rule no. 668 Tenure: Not specified
<i>Composition</i>	N/A	Rule 674 All NOVs with Ss. Jdg. presiding
<i>Meetings</i>	N/A	Rule no. 29.06, MPM 2016 Frequency: Quarterly
Compliance	0% + N/A + N/A = 0%	

Indicators	NOV	
	Performance	Mandate
<i>Jails</i>	1/11 [9.09%]	Rule no. 669 Tenure: 2 years
<i>Composition</i>	1/1 [100%]	Composition not specified
<i>Visits</i>	-	Rule no. 672: Once a month
Compliance	9.09% + 100% = 54.5%	

UTTARAKHAND

Information was received from 11 out of 11 jails

BOV

Meetings: Quarterly; Rule no. 29.06, MPM 2016

Composition: All NOV's with Sessions Judge as President; Rule 674

S.No.	Jail	Date of Constitution	Meetings		Composition
			M	P	

BOV constituted in jails - 0/11. Meeting Performance - N/A

Composition followed in jails - N/A

NOV

Visits: Once a month; Rule no. 672

Composition: Not specified

S. No.	Jail & No. of NOV's	Date of Appointment	Visits		Composition
			M	P	
1.	District Jail Dehradun (1)	27.10.2017	-	-	✓

NOV appointed in 1/11 jails. Visit Performance - Immeasurable

Composition followed in jails - 1/1. Gender Ratio - 1 Male

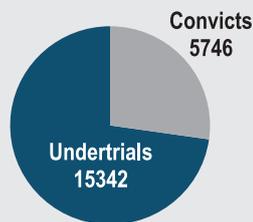
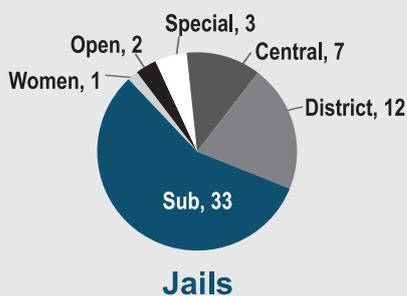
State Remarks

There are 1 central Jail, 7 District Jails, 2 Sub Jails and 1 Open Jail in Uttarakhand as per the PSI 2015. A consolidated response received from the PIO cum IG Prisons, Uttarakhand states that there are no BOVs or NOV's except a single NOV in the District Jail Dehradun appointed on the said date for a term of 2 years. No information with regards to visits by the NOV was provided. However, the response provides information on 'Nimit Visitors' of 10 jails. The total number of 'Nimit Visitors' are 19 whose dates of appointment range between 01.05.2013 to 16.12.2016. No information on visits by these visitors was not provided in the responses.

The rules governing BOVs and NOV's in Uttarakhand are contained in Chapter 25 of the Uttar Pradesh Jail Manual as the state does not have its own prison rules. Part 25 of the UP Jail Manual does not provide any specific composition of NOV's and mandated frequency of BOV meetings. Since there is no mandated NOV composition, the jail having a single NOV has a complied composition. Rule 670 of the manual provides for ex-officio non-official visitors while rule 667 provides for official visitors apart from the BOVs.

As per the response, no training is given to the NOV's at the time of the appointment. The response stated to not have any information regarding the advisory by the MHA on appointment of NOV's in the state. The response contains a scanned copy of a detailed format used by NHRC for prison inspection.

WEST BENGAL



102.9%

Occupancy Rate

State's Overall Performance Indicator

[43.92% + 66.17% = 55.05%]

55.05%

Indicators	BOV	
	Performance	Mandate
<i>Jails</i>	15/39 [38.46%]	Para no. 1 Tenure: Not specified
<i>Composition</i>	Followed - 1/15 [6.66%]	Para no. 1 & 2: 10 Official + 6 Non Official members
<i>Meetings</i>	13/15 [86.66%]	Para no. 6 Frequency: Quarterly
Compliance	38.46% + 6.66% + 86.66% = 43.92%	

Indicators	NOV	
	Performance	Mandate
<i>Jails</i>	14/39 [35.89%]	Para no. 2 Tenure: 2 years
<i>Composition</i>	Followed - 2/14 [14.28%]	Para no. 2 6 members
<i>Visits</i>	12/75 [16%]	Para no. 10: Once a month
Compliance	35.89% + 14.28% + 16% = 66.17%	

WEST BENGAL

Information was received from 39 out of 58 jails

BOV

Meetings: Quaterly; Para. 6, Gov. Notification dt. 07.02.2018

Composition: 10 OV + 6 NOV; Para. 1 & 2, Gov. Notifi. dt. 07.02.2018

S.No.	Jail	Date of Constitution	Meetings		Composition
			M	P	
1.	Alipore Central Correctional Home	07.02.2018	1	0	
2.	Alipurduar District Correctional Home	07.02.2018	1	1	
3.	Berhampore Central Correctional Home	07.02.2018	1	0	
4.	Bishnupur Subsidiary Correctional Home	07.02.2018	1	0	
5.	Bongaon Subsidiary Correctional Home	07.02.2018	1	2	
6.	Bongaon Subsidiary Correctional Home	07.02.2018	1	2	
7.	Dum Dum Central Correctional Home	07.02.2018	1	2	
8.	Dum Dum Central Correctional Home	07.02.2018	1	0	
9.	Jalpaiguri Central Correctional Home	05.04.2018	1	1	
10.	Kalna Subsidiary Correctional Home	03.02.2018	1	1	
11.	Krishnagar District Correctional Home	27.02.2018	1	1	✓
12.	Malda District Correctional Home	14.02.2018	1	1	
13.	Purulia District Correctional Home	28.02.2018	1	1	
14.	Raghunathpur Subsidiary Correctional Home	07.02.2018	1	0	
15.	Serampore Subsidiary Correctional Home	27.02.2018	1	1	

BOV constituted in 15/39 jails. Meeting Performance - 13/15

Composition followed in 1/15 jail

NOV

Visits: Once a month; Para 10, Gov. Notification dt. 07.02.2018

Composition: 6; Para.2, Gov. Notification dt. 07.02.2018

S. No.	Jail & No. of NOVs	Date of Appointment	Visits		Composition
			M	P	
1.	Presidency Correctional Home Alipore Kol. (1)	08.02.2018	3	0	
2.	Krishnagar District Correctional Home (5)	27.02.2018	15	0	✓
3.	Alipore Central Correctional Home (1)	08.02.2018	3	0	
4.	Bishnupur Subsidiary Correctional Home (1)	--.02.2018	3	0	
5.	Kalna Subsidiary Correctional Home (6)	03.05.2018	0	6	✓
6.	Suri District Correctional Home (1)	31.01.2018	4	0	
7.	Malda District Correctional Home (4)	14.02.2018	12	4	
8.	Serampore Subsidiary Correctional Home (5)	27.02.2018	15	0	
9.	Howrah District Correctional Home (1)	08.02.2018	3	0	
10.	Jalpaiguri Central Correctional Home (1)	05.04.2018	1	0	
11.	Purulia District Correctional Home (2)	28.02.2018	6	2	
12.	Bankura District Correctional Home (1)	31.01.2018	4	0	
13.	Raghunathpur Subsidiary Correctional Home (1)	--.02.2018	3	0	
14.	Uluberia Subsidiary Correctional Home (1)	08.02.2018	3	0	

NOV appointed in 14/39 jails. Visit Performance - 12/75

Composition followed in 2/14 Jails. Gender Ratio - 18/31

State Remarks

There are 7 Central Correctional Homes, 12 District Correctional Homes, 33 Sub Correctional Homes, 1 Women Correctional Home, 2 Open Correctional Homes and 3 Special Correctional Homes as per the Prison Statistics of India, 2015. Separate RTI responses were received from 39 out of 58 Correctional Homes in the state. 9 Correctional Homes out of 15 which have stated to have constituted BOV have mentioned the date of Department of Correctional Administration's notification (dt. 07.02.2018) as the date of constitution. Moreover, 5 out of these 9 Correctional Homes have only mentioned designations as mentioned in the said notification against the question that asked 'name and designations of the members of BOV' and have not conducted any meeting since their constitution. As per the 39 responses, no training has been given to the NOV's in the state and none of the correctional homes have received any performa for the visitors to record their remarks.

As per rule no. 30 of the West Bengal Correctional Services Act, 1992 the state government shall by notification prepare a panel of visitors for each correctional home. This report has analysed the state's performance on the basis of the Department of Correctional Administration's notification dated 07.02.2018.

Ms. Maria Fernandes, member of West Bengal Commission for Women, is the same NOV in 10 out of 14 Correctional Homes which stated to have appointed NOV's within the last two years.

ANNEXURES

ANNEXURE - I

Application filed under Section 6 (1) of the Right to Information Act to all states and UTs

To,
Public Information Officer
Department of Prisons
Dear Sir/Madam,

Sub: Application for information under section 6(1) of the Right to Information Act, 2005.

I would like to obtain the following information under the Right to Information Act regarding the Prison Visiting System in the state -

- 1) Please provide prison-wise information on whether Board of Visitors are currently constituted in all the jails in the State under Rule 12 of the Delhi Jail Manual? Kindly provide the details, preferably as per the table below:

A) Name of Jail	B) Date of Constitution of BOVs	C) Name of Members and their Designation	D) Number of Meetings since constitution

- 2) If the Board of Visitors are not constituted currently, kindly provide the details of the last constituted Board of Visitors, preferably as per the aforementioned table.
- 3) Where are the meetings of the Board of Visitors held?
- 4) Where are the minutes of the meetings of the Board of Visitors recorded? Please specify.
- 5) Please provide a certified copy of the minutes of the meetings held since their constitution for the past one year.
- 6) Please provide prison-wise information on whether Non-Official Visitors are currently appointed in all the jails in the State under Rule 5 of the Delhi Jail Manual, preferably as per the table below.

A) Name of Jail	B) Name of NOVs and their designation	C) Date of appointment	D) Number of visits made since their appointment	E) Number of inspection reports submitted since their appointment

- 7) If no Non-Official Visitors are appointed at present, kindly provide the details of the last appointed Non-Official Visitors, preferably as per the aforementioned table.
- 8) Please provide information on whether the Non-Official Visitors were given training after their appointment? If yes, who conducted the training and what was the duration and content of the training.

- 9) Please provide the certified copy of all the inspection reports and remarks recorded in the Visitors Book by the currently appointed/ last appointed non-official visitors since their appointment, for the last one year.
- 10) Is there a format that has been issued and communicated to you by the Ministry of Home Affairs, State Home Department, National Human Rights Commission or State Human Rights Commission for visitors to record their remarks? If yes, please provide a certified copy of the format.
- 11) Whether any order/ circular/ notification/ guideline have been issued by the State Home Department based on the Ministry of Home Affairs' 'Advisory for appointment and working of Non-Official Visitors for Prisons', dated 18 th February, 2011. If yes, please provide the certified copy of the same.

I have also attached an IPO for Rs. 10/- towards payment of the prescribed application fee as under the section 6(1) of the Right to Information Act.

I request you to kindly provide me with the information requested above at my postal address as mentioned above.

Sincerely,

ANNEXURE - II

Advisory issued by the Ministry of Home Affairs for 'Appointment and working of Non-Official Visitors for Prisons' on 18 February, 2011

New Delhi, the 18th February, 2011

To

The Principal Secretary (Prison/ Home in charge of prison)

All States/ UTs

Subject: Advisory for appointment and working of Non-Official Visitors for Prisons.

Sir/ Madam,

1. As you are aware that a transparent, open and accessible prison system is likely to be accountable and successful in maintaining human rights standards. Prison visiting system is a system to bring more transparency and accountability. It has two types of visitors namely Official Visitors (OVs) and Non-official Visitors (NOVs). The prison visiting system relating to Non-official Visitors needs to be streamlined. Since prison administration is under increasing public scrutiny and the role of civil society is important, it is essential that only enlightened & concerned citizens be appointed as Non-official Visitors.
2. Non-Official Visitors may be appointed for all prisons without delay. The system of appointment should be transparent and democratic with prescribed criteria. The members who are selected as NOVs should have knowledge and/ or expertise in areas such as prison reforms, legal rights, counseling, social work, criminology, adult education, vocational training courses for adult populations, diet and nutrition, child care, music, yoga etc. Minimum number of NOVs to each category of prisons must be clearly mandated. NOV system must become operational on a regular and stable basis. Women visitors may also be appointed as Non-official Visitors to look into the issues of women prisoners. The State Human Rights Commission suggestions on appointment of Non-Official Visitors should be taken into consideration by the State Government.
3. The terms of reference for the panel of NOVs should include monitoring of prison conditions, implementation of prison reforms, legal, mental and rehabilitative assistance, prisoners' grievance and staff problems.
4. The number of visits made and the quality of service rendered must be the criteria for re-appointment or termination of the services of NOVs. The NOVs appointed to each jail may also be paid reasonable honorarium to cover their incidental expenses on transport, stationery, etc.
5. To coordinate between the Official Visitors and Non-official Visitors, there is provision in the Jail Manuals for establishment of a Board of Visitors to be constituted by the Deputy Commissioner / District Magistrates for each jail. The meeting of the Board of Visitors should be held once in a quarter. The Deputy Commissioners/ District Magistrates should be impressed on the need for paying special attention in constituting the Board of Visitors and to ensure that the meeting of the Board is held regularly. At the first meeting, roster of visits should be prepared for the next 12 months which permits a monthly visit to each jail

by a visitor either official or non official. In addition every NOV may also visit the prison once in a month at a time outside the prescribed roster. 6. The non-official visitors appointed by the Government have to discharge their duties within the parameters of the functions of the Board of Visitors, which are (a) to visit the prisons regularly, (b) to help the administration in correctional matters, and (c) to attend to the requests and complaints of the prisoners pertaining to their care and welfare. After completion of the visit, the visitor should enter his remarks in the Visitor's Book, as required by Rules and advise the Superintendent to take such remedial measures as are required with utmost expedition.

7. Guidelines for Interviewers and Non-Official Visitors as have been prepared by the Bureau of Police Research and Development/ MHA, should be supplied to the Superintendent of each Jail. He/she should give a copy of these guidelines and also a copy of the Chapter in the Prison Manual covering visitors' duties to the Non- Official Visitors at the time of their appointment.
8. On the appointment of Non-Official Visitors, they must be sensitized and trained about their duties, role and responsibilities. Sensitization and training programmes must be organized for Non-Official Visitors by the prison headquarters in association with the Training Institutes like ICA, Chandigarh, TISS Mumbai, APCA Vellore, RICA West Bengal and RICAs in other States. A workshop of NOVs from across the State should be organized once a year by the State prison training institute for sharing their experiences/ learning and documentation of good practices models.
9. The DG /IG (Prisons) should obtain for six-monthly reports from the prison superintendents about the regularity of visits and the nature of work done by NOVs. The Board of Visitors should submit quarterly reports to the State Government under intimation to the State Human Rights Commission. Prison authorities must provide action taken reports to the Board of Visitors and the concerned State Human Rights Commission. This mechanism will ensure accountability of not only the visitors but also the prison administration and help in bringing improvements in the prison administration.

The receipt of the same may kindly be acknowledged.

Yours faithfully

Sd/-

(K.K. Pathak)

Joint Secretary to the Government of India

Tel: 23092630

Fax: 23092675

ANNEXURE - III

Unit 14 of the Training Manual of Basic Course for Prison Officers prepared by Bureau of Police Research and Development

Overview:

This Unit would introduce the concept of community intervention in prisons and the need to make prisons, being public institutions, more open, transparent and accountable. This Unit would inform about various provisions on prison oversight given under the Prison Act of 1894 and the state prison rules. This Unit would impart knowledge of two main oversight mechanisms, Board of Visitors & Under Trial Review Committees. It would detail the role and functions of prison visitors - official and non-official in prison oversight as well as duties of prison officer in facilitating such visits. It also gives information about Undertrial Review Committee, its formation, mandate and functioning. The basis and importance of judicial oversight over prisons and prisoners would also be explained under this unit.

Learning objectives:

Upon successful completion of this Unit, the trainee will:

- Have a basic understanding about the need of prison oversight mechanisms and their roles in ensuring effective functioning of these mechanisms;
- Be able to know in detail different types of oversight mechanisms;
- Have an understanding of functioning of Board of visitors and Undertrial Review Committees
- Have a clear understanding of role of official and non-official visitors in conducting regular prison visits

Sl. No.	Topics	Dur.	Method of Instruction (as applicable)
1.	Prison Oversight General overview - needs - mechanisms under international & national laws - importance - their roles	1.5 hrs	<ul style="list-style-type: none">• Lecture• PPT• Videos• Discussion• Group Discussion• Role Play• Q & A
2.	Types of Prison Oversight Mechanisms Internal/external - Key provisions - Jurisprudence - Implementation status in state	1.5 hrs	
3.	Prison Visiting System - Board of Visitors History - Composition - Functions - Legal provisions of the Prisons Act, 1894 and state prison rules - Observation areas - powers & duties of visitors - Role of prison officers in facilitating visits	3 hrs	

4.	Under Trial Review Committees History - Composition - Mandate - Criteria for eligibility Processes - Action & Follow ups - Role of legal services authorities - Role of prison officers in preparation of lists, reporting and follow up etc.	3 hrs	
Practical/Assignment: a. Attend a meeting of UTRC b. Accompany Prison visitors during a prison visit		-	
Total duration		9 hrs	

CHRI PROGRAMMES

CHRI seeks to hold the Commonwealth and its member countries to high of human rights, transparent democracies and Sustainable Development Goals (SDGs). CHRI specifically works on strategic initiatives and advocacy on human rights, Access to Justice and Access to Information. Its research, publications, workshops, analysis, mobilisation, dissemination and advocacy, informs the following principal programmes:

1. Access to Justice (ATJ)

***Police Reforms:** In too many countries the police are seen as an oppressive instrument of state rather than as protectors of citizens' rights, leading to widespread rights violations and denial of justice. CHRI promotes systemic reform so that the police act as upholders of the rule of law rather than as enforcers of a regime. CHRI's programme in India and South Asia aims at mobilising public support for police reforms and works to strengthen civil society engagement on the issues. In Tanzania and Ghana, CHRI examines police accountability and its connect to citizenry.

***Prison Reforms:** CHRI's work in prisons looks at increasing transparency of a traditionally closed system and exposing malpractices. Apart from highlighting systematic failures that result in overcrowding and unacceptably long pre-trial detention and prison overstays, it engages in interventions and advocacy for legal aid. Changes in these areas can spark improvements in the administration of prisons and conditions of justice.

2. Access to Information

***Right to Information:** CHRI's expertise on the promotion of Access to Information is widely acknowledged. It encourages countries to pass and implement effective Right to Information (RTI) laws. It routinely assists in the development of legislation and has been particularly successful in promoting Right to Information laws and practices in India, Sri Lanka, Afghanistan, Bangladesh, Ghana and Kenya. In Ghana, CHRI as the Secretariat for the RTI civil society coalition, mobilised the efforts to pass the law; success came in 2019 after a long struggle. CHRI regularly critiques new legislation and intervene to bring best practices into governments and civil society knowledge both at a time when laws are being drafted and when they are first being implemented. It has experience of working in hostile environments as well as culturally varied jurisdictions, enabling CHRI bring valuable insights into countries seeking to evolve new RTI laws.

***South Asia Media Defenders Network (SAMDEN):** CHRI has developed a regional network of media professionals to address the issue of increasing attacks on media workers and pressure on freedom of speech and expression in South Asia. This network, the South Asia Media Defenders Network (SAMDEN) recognises that such freedoms are indivisible and know no political boundaries. Anchored by a core group of media professionals who have experienced discrimination and intimidation, SAMDEN has developed approaches to highlight pressures on media, issues of shrinking media space and press freedom. It is also working to mobilise media so that strength grows through collaboration and numbers. A key area of synergy lies in linking SAMDEN with RTI movements and activists.

3. International Advocacy and Programming

Through its flagship Report, *Easier Said Than Done*, CHRI monitors the compliance of Commonwealth member states with human rights obligations. It advocates around human rights challenges and strategically engages with regional and international bodies including the UNHRC, Commonwealth Secretariat, Commonwealth Ministerial Action Group and the African Commission for Human and People's Rights. Ongoing strategic initiatives include advocating for SDG 16 goals, SDG 8.7, monitoring and holding the Commonwealth members to account and the Universal Periodic Review. We advocate and mobilise for the protection of human rights defenders and civil society spaces.

4. SDG 8.7: Contemporary Forms of Slavery

Since 2016, CHRI has pressed the Commonwealth to commit itself towards achieving the United Nations Sustainable Development Goal (SDG) Target 8.7, to 'take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms.' In July 2019 CHRI launched the Commonwealth 8.7 Network, which facilitates partnerships between grassroots NGOs that share a common vision to eradicate contemporary forms of slavery in Commonwealth countries. With a membership of approximately 60 NGOs from all five regions, the network serves as a knowledge-sharing platform for country-specific and thematic issues and good practice, and to strengthen collective advocacy.



**FRIEDRICH NAUMANN
FOUNDATION** For Freedom.

South Asia

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