

**Freedom Fighters Pension**

1551. SHRI N. THALAVAI SUNDARAM: Will the Minister of HOME AFFAIRS be pleased to state:

(a) the position of pending applications received for grant of freedom fighters' pension from Tamil Nadu, district-wise;

(b) the details of the applications on which action has been taken during 1996-97 and upto May, 1998; and

(c) whether Government propose to deal with the remaining applications within three months?

THE MINISTER OF HOME AFFAIRS (SHRI L.K. ADVANI): (a) No application received for the grant of freedom fighters' pension from Tamil Nadu is pending.

(b) During 1996, 1997 and 1998 (upto May) pension was sanctioned in 62, 118, and 90 cases, respectively. All other cases stand rejected. Applicants whose cases have been rejected, keep on sending representations/review petitions which are duly considered and reply sent wherever necessary.

(c) In view of reply to part (a), Question does not arise.

**Agricultural Land Acquired for Border Fencing**

1552. SHRI N.R. DASARI:  
SHRI GAYA SINGH:  
SHRI GURUGAS DAS  
GUPTA:  
SHRI ONKAR SINGH  
LAKHWAT:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that while fencing the border along parts of Rajasthan and Punjab acres of land belonging to agriculturists has been acquired by Government without giving any compensation;

(b) if so, how many acres of land has been acquired for the purpose; and

(c) whether there is any proposal to give compensation to the kisans whose land has been acquired; if so, the details thereof?

THE MINISTER OF HOME AFFAIRS (SHRI L.K. ADVANI): (a) to (c) No, Sir, For erection of fencing and flood lighting on Indo-Pak border in Rajasthan and Punjab, Government has utilised 44 feet wide strip of land for which, as per policy, the State Governments pay compensation to the private owners wherever private land is involved and then claim reimbursement from the Government of India. Rs. 7 crores were released to the Government of Punjab for this purpose. The Government of Rajasthan has not claimed any reimbursement on this accounts so far.

**Santosh Dubey Committee on Jail Reforms**

1553. SHRI N.R. DASARI:  
SHRI GAYA SINGH:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the Santosh Dubey Committee had made some recommendations on jail reforms; and

(b) if so, the details thereof and what action has been taken thereon?

THE MINISTER OF HOME AFFAIRS (SHRI L.K. ADVANI): (a) and (b) The Government of National Capital Territory of Delhi had set up a Committee headed by Justice (Mrs.) Santosh Duggal to inter-alia consider rationalisation of the classification of prisoners in Tihar Jail. The recommendations made by the Committee and action taken thereon are given in the attached statement.

**Statement**

(a) and (b) The Santosh Duggal Committee, in its Report on 'Rationalisation of Classification of Prisoners in Tihar

Jails', has made the following recommendations:

(1) The prevailing system of classification, sanctified by Rules 34 and 38 of the Delhi Jail Manual by means of Notification No. F. 9(75)87-HG(IV) dated 18.04.88—the Delhi Prison (Admission, Classification, Separation, Remission, Reward and Release of Prisoners) Rules, 1988—cannot be justified on Constitutional and human rights grounds, and ought to be abolished.

(2) The broad categories for segregation of prisoners should be as given below:

- (I) Convicts
- (II) Undertrials
- (III) Gender
- (IV) Age
- (V) nature of crime
- (VI) Previous history—whether habitual or casual
- (VII) Prison term
- (VIII) Kind of sentences
- (IX) Nationality
- (X) Civil Prisoners
- (XI) Detenues
- (XII) Security requirements
- (XIII) Disciplinary or administrative requirements
- (XIV) Correctional, educational or medical needs

(3) The segregation of prisoners should be taken to its logical end the remedial measures should include, among others, provisions of adequate number of jail vans with necessary supporting staff, steps for segregation of prisoners in judicial lockups, a careful screening and selective use of convict officers.

(4) Amenities of facilities to be provided to prisoners should be uniformly available and guided by their specific needs and consistent with the objective of imprisonment, namely, deterrence-cum-punishment as also correctional for the purposes of rehabilitation and preventing recidivism.

(5) The conditions in jails should be such that these are commensurate with basic human dignity and normal requirements from the viewpoint of living space, nutrition, health, hygiene and sanitation.

(6) Concerted steps should be taken to reduce overcrowding and congestion of prisoners, as it gives rise to a number of problems and operates as a restricting factor in any effort or strategy for improvement of jail administration or the lot of prisoners.

(7) As the treatment of prisoners has to be of a uniform pattern on a need based approach, more Social Welfare Officers should be deployed to maintain touch with inmates and apprise the authorities of the problems being faced by a prisoner or a group of prisoners. A minimum of three Social Welfare Officers be appointed for each jail and one senior officer, to be designated as Chief Welfare Officer, ought to be posted in the Headquarters.

(8) In order to provide legal assistance to the prisoners and advice to the jail authorities, a Law Officer of the rank of a Prosecutor in the Prosecution Branch should be posted in each jail, to be attached with the Superintendent of that jail, and officer of the rank of Senior Prosecutor, to be designated as Chief Law Officer, should be posted in the Headquarters.

(9) The lower cadres of jail staff should be given openings, besides career furtherance, so as to make them more responsive and positive in attitude. Arrangement for refresher courses and interaction with other agencies connected with the criminal justice system should also be made so as to expose them to new ideas and changing trends.

(10) Additional prison buildings preferably in proximity to the present and future court complexes as also the judicial lockups, should be planned and constructed with utmost priority

and sense of urgency. This would help in relieving congestion in Tihar Jails, achieving diversification objective and providing better administration of Jails and Justice.

(11) The scheme for the rehabilitation of discharged prisoners being implemented through the Directorate of Social Welfare should be further strengthened and finance should not act a constraint for achieving the desired results.

(12) Concerted steps should be taken both as short term objective such as better management of the existing facilities and infrastructure as well as long term objective by amending the rules to provide minimum standard of food, living space, bedding, clothing etc. also taking into account the suggestions made by Justice Mulla Committee.

(13) Action should be initiated to formulate a comprehensive Delhi Jail Manual so that the system of improving the jail administration becomes stabilised rather than depending upon the initiatives of individual officers.

(14) The provision of giving permission to bring cooked food or other eatables for prisoners from outside should be discontinued. However, in order to alleviate the hardship such a step might entail, an undertrial should be allowed at his own expense from the jail canteen to supplement the facilities not only of food but also of clothing and other articles of daily use, because an undertrial is in jail not as a punitive measure but to be available for trial or for reasons of security, his or that of the society.

(15) The parity with undertrials in so far as enjoyment of canteen facilities is concerned should be maintained for convicts on humanistic considerations and may also be allowed to supplement food and other articles of personal daily use from the canteen on payment.

(16) Subject to administrative feasibility and expediency as also security requirement, the activities such as cultural programmes, panchayats, sam-parksabhas, sports, meditation, prayer meetings, recreation (indoor and outdoor), etc., being organised in jails, should be strengthened both in terms of coverage and contents.

(17) In case any further interaction or group activity, is to be considered that should be for facilities which have the potential of generating self improvement in the prisoner, with an eye on his reformation or rehabilitation, such as with (1) counsellors, (2) vocational guides and physical instructor, (3) behavioural scientists, (4) teachers of moral and ethical values, and similar other groups.

(18) The rules pertaining to the treatment of prisoners as formulated in accordance with the recommendations of this Committee should be duly displayed in the jail buildings, besides in Hindi and English, in the languages with which majority of prisoners may be familiar.

The Government of National Capital Territory of Delhi has informed that abolition of existing system of classification of prisoners and introduction of new categories for their segregation, as per the C Committee's recommendations have already been notified. A Committee has been constituted to draft a new Prison Bill and a comprehensive Jail Manual. Six new jails are under construction to reduce overcrowding and congestion in Tihar Jail. The prisoners are being encouraged to take part in sports and cultural activities and towards this end inter-jail and inter-jail competitions are also organised. However, the recommendation of the Committee to discontinue the practice of allowing prisoners to have cooked food from outside has not been accepted.