

Bihar prisons with structures that have outlived it time: Report

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PATNA: In Ara district prison, there exists a ward which lodges over 400 inmates, a figure way beyond its capacity. It is the shape of a dome more accurately the shape of a turtle shell with openings on the outer surface.

Rumour has it that the ward used to be stable for horses during the British era. But post-Independence inmates were kept in the horses stable. In other words the place which the occupying imperial regime deemed fit for animals, post-Independence the democracy decided to keep its prisoners in the structure in place of animals.

This was stated in a recent status report-2015 on 'prisons of Bihar' which is based on survey, Inspection and Analysis Made behalf of the Bihar State Legal Services Authority. Recently National Human Rights Commission (NHRC) has directed the state chief secretary and home secretary for taking necessary corrective measures.

"Having become the executive chairman, Bihar State Legal Services Authority in July, 2014 I was conscious of my responsibilities towards prisoners as they were not only entitled to legal services in terms of the provisions contained in sub-clause (g) of Section 12 of the Legal Services Authorities Act 1987 but also access to justice as envisaged under the Act required of the Authority to at-least hear their voice in person", said Justice (now Retd) V N Sinha of Patna high court.

"I was looking for a suitable person to do the job. Incidentally, human rights activist Smita Chakraburttty working with Social Legal Information Center - Human Rights Law network (SLIC-HRLN) was selected by me to conduct a detailed survey of 58-jails in Bihar", Sinha in a preface of the report.

The 84 page report is a blue print of current status of prisons in Bihar. It identifies the problem and steps have been taken to provide immediate relief by the concerned courts and respective authorities, yet to eradicate the problem identified in its totality needs to be dealt with through consistent and sustained effort on all fronts.

The report said Gaya central prison and correctional home, is a 1854 construction. It is an old, beautiful prison worthy of being a heritage site, but due to lack of maintenance the building is in a dilapidated state. It is house to migratory birds and gracefully aged majestic banyan tress, but it is in no condition to house humans.

The ceiling of most of the wards are damaged which causes water seepage. The floor of the wards are damaged, thus remain damp round the year. The walls are also cracking, in a terrible decrepit state, appeared unsteady, as if about to collapse, report said.

The tall prison buildings have beautiful old wooden stairs that tremble when stepped on to. The wards had a similar stale, damp smell, resembling that identified in Ara. The prison has lost track of time, it still appears to be lost in the past century and reminds one of colonial rule.

It is difficult to believe that in a thriving democracy, the prison is still operating and is in such shambles due to neglect. The architecture of the prison, the thick powerful iron bars, the unrealistic gigantic locks, all carry overwhelming traces of repression, a place to condemn and confine human beings, with an objective of punishment and vengeance and not correction of an individual.

Buxar Central Prison and Correctional Home, too has some wards resembling that of Gaya. The wards are dilapidated, lack of light and proper ventilation. There is water seepage in many of the wards and prisoners live in hellish conditions. Due to water seepage, some wards have less number of inmates than the capacity and others are overcrowded.

Ward number 5 of Aurangabad district prison, is in dilapidated state. It is below the surface level of the prison floor. It's situated in the centre of the prison and a drain circulates it. The drain level is above the surface level of the floor of the ward. No ventilation, sunlight or air passes through the ward. Open prison garbage bin where rotten food and vegetables from the kitchen are stashed, is next to the ward.

The stench from the garbage bin and drain makes the air in the ward difficult to breathe. Unhygienic conditions exposes inmates to serious health hazards. Inmates live in inhuman conditions, an absolute violation of Article 21 of the constitution of India.

No fire alarm mechanism was in place in any of the prisons. Fire extinguishers, fire hydrants and fire-fighting equipment's were not found in the prisons.

Neither was there any mechanism in place such as a pre-planned firefighting drill drawn up by the superintendents as a preventive measure. Such actions need to be in place at the earliest as per the rules provided in the Bihar Prison Manual, report said.