

ITEM NO.1

COURT NO.11

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

WRIT PETITION (CIVIL) NO. 406/2013

RE-INHUMAN CONDITIONS IN 1382 PRISONS VS

PETITIONER(S)

VERSUS

DIRECTOR GENERAL OF PRISONS AND CORRECTIONAL
SERVICES & ORS.

RESPONDENT(S)

([MR. GAURAV AGRAWAL, ADVOCATE IS AMICUS CURIAE.])

WITH

SLP(C) No. 13738/2020 (XIV)

(IA No. 112726/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT, IA No. 112862/2020 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES)

SLP(C) No. 13737/2020 (XIV)

(IA No. 45970/2021 - APPROPRIATE ORDERS/DIRECTIONS, IA No.
45972/2021 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

DIARY NO(S). 25757/2020 (XIV)

(FOR ADMISSION and I.R. and IA No.125416/2020-EXEMPTION FROM FILING
C/C OF THE IMPUGNED JUDGMENT and IA No.125415/2020-PERMISSION TO
FILE PETITION (SLP/TP/WP/..))

SLP(C) No. 13021/2020 (XIV)

(IA No. 121297/2020 - CLARIFICATION/DIRECTION, IA No. 110563/2020 -
EXEMPTION FROM FILING AFFIDAVIT, IA No. 123667/2020 - EXEMPTION
FROM FILING AFFIDAVIT, IA No. 110561/2020 - EXEMPTION FROM FILING
C/C OF THE IMPUGNED JUDGMENT, IA No. 38286/2021 - INTERVENTION
APPLICATION, IA No. 124734/2020 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES, IA No. 110562/2020 - PERMISSION TO FILE
LENGTHY LIST OF DATES)

Date : 29-08-2023 These petitions were called on for hearing today.

CORAM : HON'BLE MS. JUSTICE HIMA KOHLI
HON'BLE MR. JUSTICE RAJESH BINDAL

For Parties(s)

Ms. Shilpa Singh, AOR
Mr. Balwant Singh Billowria, Adv.
Mr. Vivekanad Singh, Adv.
Mr. N Suresha, Adv.
Mr. Hira Singh Rawat, Adv.
Dr. Nisha Kant Ojha, Adv.
Mr. Suresh Kumar Sharma, Adv.

Mr. Kanhaiya Singhal, AOR
Mr. Udit Bakshi, Adv.
Mr. Ujwal Ghai, Adv.
Mr. Prasanna, Adv.
Mr. Ajay Kumar, Adv.
Mr. Anmol Chopra, Adv.
Ms. Deepali Pawar, Adv.
Mr. Teeksh Singhal, Adv.
Mr. G S Puri, Adv.

Mr. Colin Gonsalves, Sr. Adv.
Mr. Satya Mitra, AOR
Ms. Mugdha, Adv.
Ms. Ritu Kumar, Adv.

Mr. Arjun Singh Bhati, AOR

Mr. Mahfooz Ahsan Nazki, AOR
Mr. Polanki Gowtham, Adv.
Ms. Rajeswari Mukherjee, Adv.
Ms. Niti Richhariya, Adv.
Mr. Kv Girish Chowdary, Adv.

Mr. Shuvodeep Roy, AOR
Mr. Deepayan Dutta, Adv.

Mr. Chirag M. Shroff, AOR

Mr. Gautam Narayan, AOR
Ms. Asmita Singh, Adv.
Ms. Akriti Arya, Adv.
Mr. Siddhant Singh, Adv.

Ms. Nidhi, AOR
Mr. Mohit Girdhar, Adv.
Mr. Sarthak Arora, Adv.

Mr. Devashish Bharuka, AOR
Ms. Sarvshree, Adv.
Mr. Shobhit Dvivedi, Adv.

Ms. Swati Mishra, Adv.

Mr. Apoorv Kurup, AOR

Ms. Deepanwita Priyanka, AOR
Ms. Swati Ghildiyal, Adv.

Mr. Apoorva Bhumes, AOR

Mr. B.K. Satija, A.A.G.
Mr. Samar Vijay Singh, AOR
Mr. Keshav Mittal, Adv.
Ms. Sabarni Som, Adv.

Mr. Sunil Fernandes, AOR

Ms. Inderdeep Kaur Raina, Adv.
Mr. Himanshu Tyagi, AOR

Mr. Tapes, Kumar Singh, A.A.G./AOR
Mr. Aditya Pratap Singh, Adv.
Mr. Prashant Bhardwaj, Adv.

Mr. V. N. Raghupathy, AOR
Mr. Manendra Pal Gupta, Adv.
Mr. Md. Apzal Ansari, Adv.

Mr. C. K. Sasi, AOR
Ms. Meena K Poulse, Adv.

Mr. V.V.V.M.B.N.S. Pattabhiram, DAG
Ms. Mrinal Gopal Elker, AOR
Mr. Abhimanyu Singh G.A., Adv.
Mr. Rajan Chaurasia, Adv.
Ms. Indira Bhakar, Adv.

Mr. Siddharth Dharmadhikari, Adv.
Mr. Aaditya Aniruddha Pande, AOR
Mr. Bharat Bagla, Adv.
Mr. Sourav Singh, Adv.
Mr. Aditya Krishna, Adv.
Ms. Yamini Singh, Adv.
Mr. Anoop Raj, Adv.

Mr. Ashok Kumar Singh, AOR

Mr. Ranjan Mukherjee, AOR

Mr. T. G. Narayanan Nair, AOR

Mr. Balaji Srinivasan, AOR

Ms. Anindita Pujari, AOR
Mr. Maitreya Saha, Adv.
Mr. Shaileshwar Yadav, Adv.
Ms. Radhika Mohapatra, Adv.

Mr. Ajay Pal, AOR
Mr. Mayank Dahiya, Adv.
Ms. Sugandh Rathor, Adv.

Dr. Manish Singhvi, Sr. Adv.
Mr. Sandeep Kumar Jha, AOR
Ms. Shubhangi Agarwal, Adv.

Mr. Raghvendra Kumar, AOR
Mr. Anand Kumar Dubey, Adv.
Mr. Maneesh Pathak, Adv.

Mr. Sabarish Subramanian, AOR
Mr. Vishnu Unnikrishnan, Adv.
Mr. C Kranthi Kumar, Adv.
Mr. Naman Dwivedi, Adv.
Mr. Danish Saifi, Adv.

Mr. Siddharth Sangal, AOR
Ms. Nilanjani Tandon, Adv.
Mr. Chirag Sharma, Adv.
Mr. Lalit Allawadhi, Adv.
Ms. Richa Mishra, Adv.

Ms. Garima Prashad, Sr. A.A.G.
Mr. Sarvesh Singh Baghel, AOR
Mr. Ashish Ranjan, Adv.
Mr. Arun Pratap Singh Rajawat, Adv.

Mr. Shreyas Awasthi, Adv.
Ms. Ripul Swati Kumari, Adv.
Ms. Muskan Surana, Adv.
Ms. Astha Sharma, AOR

Ms. G. Indira, AOR

Ms. Suhasini Sen, Adv.
Mr. Ishaan Sharma, Adv.
Mr. Kamendra Mishra, Adv.
Mr. Gurmeet Singh Makker, AOR

Mr. Shashank Singh, AOR

Mr. Chandra Prakash, AOR

Mr. Salvador Santosh Rebello, AOR

Mr. R Venkataramani, Attorney General for India(NP)

Mrs. Aishwarya Bhati, A.S.G.(NP)

Mr. R Bala, Sr. Adv.(NP)

Mr. B K Satija, Adv.

Ms. Suhashini Sen, Adv.

Mr. Ashok Panigrahi, Adv.

Mr. Anandh Venkataramani, Adv.

Mrs. Vijayalakshmi Venkataramani, Adv.

Mr. Vinayak Mehrotra, Adv.

Ms. Mansi Sood, Adv.

Mr. Chitvan Singhal, Adv.

Ms. Sonali Jain, Adv.

Mr. Abhishek Kumar Pandey, Adv.

Mr. Raman Yadav, Adv.

Mr. Kartikey Aggarwal, Adv.

Mr. Arvind Kumar Sharma, AOR

Mr. Avijit Mani Tripathi, AOR

Mr. T.K. Nayak, Adv.

Ms. Sandhya T. Reddy, Adv.

Mr. Hitesh Kumar Sharma, Adv.

Mr. Akhileshwar Jha, Adv.

Mr. Amit Kumar C., Adv.

Mr. S. Ashok Reddy, Adv.

Mr. T.V. Reddy, Adv.

Mr. G. N. Reddy, AOR

Mr. Kamendra Mishra, Adv.

Mr. Ishaan Sharma, Adv.

Ms. Suhasini Sen, Adv.

Mr. S.N. Terdal, Adv.

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

WRIT PETITION (CIVIL) NO. 406/2013

1. The Sixth, Seventh and Eight Preliminary Report and the Final Synopsis of the Reports, all dated 27th December, 2022, have been submitted by the

Supreme Court appointed Committee on Prison Reforms. The matter needs to be taken further.

2. Mr. Gaurav Agrawal, learned *Amicus Curiae* is requested to share copies of the reports in pdf format with learned counsel for the Union of India and learned counsel for the State Governments.

3. Some time is sought and granted to learned counsel for the parties to go through the reports and assist the Court on the next date of hearing.

4. Having perused the Terms of References forwarded by this Court to the Committee for giving its recommendations in terms of the order dated 25th September, 2018, we are of the opinion that some other issues are also required to be addressed, which include the following:

- (i) Availability of medical facilities to the inmates in jail.
- (ii) Imparting vocational training to the inmates in the jail, make them useful on going back to the society.
- (iii) Availability of adequate IT infrastructure in the jail premises for the purposes of conducting virtual Court proceedings and for visitation rights of family members.

5. To start with, the aforesaid aspects may be responded to by the Union of India and the State Governments by filing appropriate affidavits through the Director General of Prisons of the respective States within three weeks from today, with advance copies to the learned *Amicus Curiae*, who is requested to collate the entire information furnished, for the perusal of the

Court on the next date of hearing.

6. Learned counsel for the parties shall assist the Court on Chapter 2 (Women and children in detention), Chapter 3 (Transgender prisoners) and Chapter 6 (Death row convicts) of the Final Synopsis of the Reports for purposes of implementation.

7. List on 26th September, 2023 at 2.30 p.m.

SLP(C) Nos. 13738/2020 & 13737/2020

1. Learned counsel for the petitioners, in their respective petitions, state that the present petitions have been rendered infructuous and no further orders are required to be passed on them.

2. In view of the said statements, the petitions for Special Leave to Appeal are disposed of along with the pending applications.

DIARY NO. 25757/2020

1. Having regard to the scope of the present petition, which was filed during the Covid-19 breakout, when several orders were passed by the High Court granting interim relief to the parties and aggrieved by the order dated 20th October, 2020, passed by the Full Bench of the Delhi High Court in a “Court on its own Motion” matter, the present petition was filed by the petitioner.

2. Much water had flowed under the bridge by now. In our opinion, nothing further survives for adjudication now in the present petition, which is accordingly disposed of along with the pending applications.

SLP(C) No. 13021/2020

1. Mr. Colin Gonsalves, learned Senior counsel, appearing for the petitioner submits that the scope of the present petition is also confined to the reforms required to be undertaken in prisons, and now that the entire gamut of issues are being taken up and addressed in Writ Petition (Civil) No. 406 of 2013, he shall assist this Court in the said case.

2. In view of the aforesaid submission, the present petition for Special Leave to Appeal is closed along with pending applications, with permission granted to the learned Senior counsel to assist the Court in Writ Petition (Civil) No. 406 of 2013 for implementation of the Final Report.

**(POOJA SHARMA)
COURT MASTER (SH)**

**(RENU BALA GAMBHIR)
COURT MASTER (NSH)**