

ITEM NO.305

COURT NO.9

SECTION PIL

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

Writ Petition(Civil) No(s).406/2013

RE-INHUMAN CONDITIONS IN 1382 PRISONS

Date : 13/03/2015 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MADAN B. LOKUR
HON'BLE MR. JUSTICE UDAY UMESH LALIT

For Petitioner(s)

By Post

For Respondent(s)

Mr. Neeraj Kishan Kaul, ASG
Mr. Raghavendra M. Bajaj, Adv.
Ms. Binu Tamta, Adv.
Ms. Sushma Suri, Adv.

Mr. Ranjan Mukherjee, Adv.
Mr. S.C. Ghosh, Adv.

Mr. Ashok Kumar Singh, AOR

Mr. Ashok Panigrahi, AOR

Mr. D. Mahesh Babu, AOR

Mr. Gopal Singh, AOR

Mr. Kamal Mohan Gupta, AOR

Mr. Samir Ali Khan, AOR

For States of
Assam

Ms. Vartika Sahay, Adv.
for M/s Corporate Law Group

Signature Not Verified

Haryana

Digitally signed by

Mr. B.K. Satija, AAG

Sanjay Kumar

Date: 2015.03.14

12:46:18 IST

H.P.

Reason:

Mr. Suryanaryana Singh, AAG
Ms. Pragati Neekhara, AOR

2

Jharkhand

Mr. Tapesb Kumar Singh, AOR
Mr. Kumar Anurag Singh, Adv.
Mohd. Waquas, Adv.

Meghalaya

Mr. Ranjan Mukherjee, Adv.
Mr. Subhro Sanyal, Adv.

Madhya Pradesh

Mr. Sunny Choudhary, Adv.

Mr. Mishra Saurabh, Adv.

Manipur Mr. Sapam Biswajit Meitei, Adv.
Mr. Ashok Kumar Singh, AOR
Mr. Z.H. Isaac Haiding, Adv.

Mizoram Mr. K.N. Madhusoodhanan, Adv.
Mr. T. G. Narayanan Nair, AOR

Nagaland Mrs. K. Enatoli Sema, Adv.
Mr. Amit Kumar Singh, Adv.
Mr. Balaji Srinivasan, Adv.

Rajasthan Mr. S.S. Shamsbery, Adv.
Mr. Amit Sharma, Adv.
Mr. Sandeep Singh, Adv.
Ms. Ruchi Kohli, Adv.

Tripura Mr. Gopal Singh, AOR
Mr. Rituraj Biswas, Adv.
Ms. Rashmi Srivastava, Adv.

Tamil Nadu Mr. B. Balaji, Adv.
Mr. R. Rakeshsharma, Adv.
Ms. R. Shase, Adv.

Telangana Mr. P. Venkat Reddy, Adv.
Mr. Sumanth Nookala, Adv.
for M/s. Palwai Venkat Law Associates

Uttar Pradesh Ms. Pragati Neekhara, AOR
Mr. Utkarsh Sharma, Adv.

Uttarakhand Ms. Rachana Srivastava, AOR
Mr. Ashutosh Sharma, Adv.

West Bengal Mr. Anip Sachthey, AOR
Mr. Saakaar Sardana, Adv.

A&N Islands Mr. K.V. Jagdishvaran, Adv.
Mrs. G. Indira, AOR

3

Puducherry Mr.V.G. Pragasam, AOR
Mr. S.J. Aristotle, Adv.
Mr. Prabu Ramasubramanian, Adv.

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

We have heard learned Additional Solicitor General
and would like information on the following issues:

- (i) The utilization of the grant of Rs.609 crores
under the 13th Finance Commission for the
improvement of conditions in prisons.
- (ii) The grant to the States in respect of the
prisons under the 14th Finance Commission.
- (iii) Steps taken and being taken by the Central

Government as well as by the State Governments for effective implementation of Section 436A of the Code of Criminal Procedure, 1973.

(iv) Steps taken and being taken by the Central Government and the State Governments for effective implementation of the Explanation to Section 436 of the Code of Criminal Procedure, 1973 and the number of persons in custody due to their inability to provide adequate security/surety for their release on bail.

(v) The number of persons in custody who have committed compoundable offences and are languishing in custody.

4

(vi) Steps taken for the effective implementation of the Repatriation of Prisoners Act, 2003.

We expect all the State Governments to fully cooperate with the Central Government in this regard since the matter involves Article 21 of the Constitution and to furnish necessary information within three weeks.

List the matter on 24th April, 2015.

(SANJAY KUMAR-I)
COURT MASTER

(JASWINDER KAUR)
COURT MASTER