

Sanjay Suri and Another

v.

Delhi Administration and Another

(Supreme Court Of India)

HON'BLE JUSTICE R. S. PATHAK (CJI) HON'BLE JUSTICE  
RANGANATH MISRA

Writ Petition (Criminal) No. 2546-47 Of 1983 (Under Article 32 Of The  
Constitution Of India) Orders | 01-04-1987

1. We have been taken through the additional affidavit filed by Mr. P. V. Sinari, Inspector General of Prisons, Delhi Jail, New Delhi. We think it appropriate that the learned District Judge, Delhi, should visit Tihar Jail and after visiting the three parts of the jail, he should determine for himself whether the juvenile prisoners are being housed in that part of the jail which is said to have been reserved for them or whether they are to be found in the other two parts of the jail also which house adult prisoners. The learned District Judge will also ascertain whether the conditions in which the juvenile prisoners are kept correspond to the details mentioned in paragraph 4 of the aforesaid additional affidavit. While making the enquiry the learned District Judge will peruse the registers of the Tihar Jail and determine whether any incidents of unnatural assault, including the assault alleged against one Narendra Kumar Upadhyaya in the article by one Ram Narain Kumar published in the Sunday Mail of February 22-28, 1987 took place as mentioned in the article. The learned District Judge will submit his report to this Court within one month from today. A copy of this order along with a copy of the additional affidavit and a copy of the article aforesaid shall be sent to the learned District Judge forthwith by the Registry

2. The learned Additional Solicitor General will also ascertain from the Delhi Administration whether it is possible to construct a separate jail for juvenile prisoners in some part of the metropolis, far removed from the Tihar Jail, where the juvenile prisoners will be detained under the management of a separate group of officers and warders and where appropriate conditions can be maintained for the education and welfare of the juvenile prisoners. The learned Additional Solicitor General will also ascertain from the Delhi Administration whether pending the construction of such jail, it is possible to house the juvenile

prisoners in some other existing building for the time being which is far removed from the Tihar Jail

3. The case will be listed on May 6, 1987 along with the report of the learned District Judge

Court Master

ORDER, DATED SEPTEMBER 22, 1987

4. We have seen the affidavit filed by the Inspector General of Prisons, Delhi in regard to steps taken about Tihar Jail with reference to the report made by the Sessions Judge, Delhi. In view of the facts stated in the affidavit, for the time being no action seems to be warranted on the basis of the report except as stated in paragraph 8 of the affidavit. Some aspects of the allegations made by Head Warden, Chander Dutt, are to be looked into and the Superintendent of the Central Jail is said to have been authorised to do so. Counsel for the petitioner suggests that it will be appropriate that the Deputy Inspector General is asked to enquire. We direct that the said enquiry be handled by the Deputy Inspector General

5. Quite some time back directions had been given to the Delhi Administration as also to the parties to indicate at length their suggestions for improvements of the jail. Some suggestions are already on record. In view of the fact that there has been a time lag and in the meantime certain developments have taken place and affidavits have come, we have suggested to counsel to give up-to-date submission on the adjourned date on the basis of which that aspect of the matter may now be considered. The matter shall now be called on October 13, 1987

Court Master.