



HIGH COURT OF CHHATTISGARH AT BILASPUR

WPIL No. 14 of 2024

IN THE MATTER OF SUO MOTO PUBLIC INTEREST LITIGATION
versus THE STATE OF CHHATTISGARH

Order Sheet

<u>15/04/2026</u>	This is an office reference. Heard Mr. Praveen Das, Additional Advocate General for the respondents/State as well as Mr. Akash Kumar Kundu, learned counsel for the intervenor. In compliance of the Court's order dated 27.02.2026, the Director General, Jail and Correctional Services, Jail Headquarters, Nava Raipur, Atal Nagar has filed his personal affidavit on 09.04.2026, the relevant paragraphs of which are reproduced hereinbelow: "1. That at the very outset, the deponent most respectfully submits that he has the highest regard and respect for this Hon'ble Court and

that it has always been his sincere endeavour to duly and faithfully comply with all directions and orders passed by this Hon'ble Court from time to time.

2. That, earlier an affidavit was filed before the Hon'ble Court in compliance of Hon'ble Court's order dated 17/12/2025, which has been placed on record. When the matter was listed for hearing on 27/02/2026, the Hon'ble Court was pleased to take the affidavit on record, which was filed in compliance of Hon'ble Court's earlier direction. The Hon'ble Court was further pleased to direct filing of fresh affidavit by the deponent in respect to the progress of the matter.

3. It is most respectfully submitted that, the present affidavit is being filed in compliance of Hon'ble Court's order dated 27/02/2026 placing on record the progress with respect to the various departmental enquiries being conducted against erring Warders/Officer of Central Jail Durg.

4. It is most respectfully submitted that, the deponent has sought the progress of the enquiry being conducted against the delinquent Warders/Officer of Central Jail, Durg and has issued relevant instructions

regarding completion of the departmental enquiry. The copy of instructions dated 27/03/2026 is placed before the Hon'ble Court as **ANNEXURE A-1**.

5. It is respectfully submitted that, in compliance with the directions contained in Annexure A-1, the Enquiry Officers entrusted with conducting departmental enquiries against the concerned Warders/Officers have duly submitted their respective enquiry reports to the Disciplinary Authority. The Disciplinary Authority, in turn, has forwarded a report along with the orders passed to the office of the deponent. On the basis of the reports so received, an updated tabulation chart has been prepared, clearly reflecting the punishments imposed upon the delinquent Warders, as well as indicating the cases where the enquiries are pending. The said tabulation chart is being filed for the kind perusal of this Hon'ble Court as **ANNEXURE A-2**.

6. It is respectfully submitted that a perusal of the above chart reveals that, out of 20 Warders, punishment has been imposed upon 18 Warders, ranging from withholding of one annual increment with cumulative effect for a

	period of one year to compulsory retirement. Insofar as departmental enquiry against Shri Kamlesh Kumar Bhardwaj, Warder, District Jail Rajnandgaon, is concerned, the same is pending as the said Warder has asked for additional time for submitting the representation. In respect of Shri Diwakar Singh Painkra, Warder, Central Jail Durg, he has preferred a writ petition bearing W.P.(S) No. 1373/2026, wherein, by order dated 05.02.2026, the Hon'ble Court has been pleased to direct that the departmental proceedings may continue; however, the respondent authorities shall not examine witnesses namely Ajay Diwan and Pratik Vasnik, who are also witnesses in the criminal case, until they are examined in the said criminal proceedings. Consequently, the departmental enquiry against the said Warder is presently pending. As far as the departmental enquiry against Shri Manish Sambhakar, In-charge Jail Superintendent, Central Jail Durg, is concerned, the preliminary statement of the delinquent officer and the statement of the prosecution witness no. 1 has been recorded and is presently under process.
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7. It is most respectfully submitted that, the deponent herein assures the Hon'ble Court that, the remaining pending departmental enquiries, which are being conducted against the remaining delinquent Warders/Officers would be completed at the earliest possible and the progress report thereof would be placed before the Hon'ble Court, if so desired.

8. That, the deponent reiterates his highest regard and respect for this Hon'ble Court and humbly assures that all directions, orders and observations issued by this Hon'ble Court shall be complied with promptly, faithfully and in their true letter and spirit.”

Similarly, on 01.04.2026 also, this Court had directed the Director General (Prison), Govt. of Chhattisgarh to file his his personal affidavit with respect to the news clipping dated 31.03.2026 and in compliance of the said order, the Director General, Jail and Correctional Services, Jail Headquarters, Nava Raipur, Atal Nagar has filed his personal affidavit on 13.04.2026, the relevant paragraphs of which are reproduced hereinbelow:

“1. That at the very outset, the deponent most respectfully submits that he has the highest

regard and respect for this Hon'ble Court and that it has always been his sincere endeavour to duly and faithfully comply with all directions and orders passed by this Hon'ble Court from time to time.

2. That the present affidavit is being filed in compliance of the order dated 01.04.2026 passed by this Hon'ble Court in the present WPPIL, whereby this Hon'ble Court was pleased to direct filing of a personal affidavit with respect to the news item dated 31.03.2026.

3. That at the outset, it is respectfully submitted that the contents of the news report dated 31.03.2026 are misleading, based on incomplete facts, and do not reflect the true and complete factual position relating to prison deaths in the State of Chhattisgarh.

4. That the correct year-wise data of deaths in prisons in the State is as follows:

Year	Number of Deaths
2021	71
2022	90
2023	57

2024	67
2025	55
2026 (till 31.03.2026)	14

It is respectfully submitted that, details of deaths of prisoners from 01.04.2025 to 31.03.2026 and details of death of inmate Barati Ram, is annexed as **ANNEXURE-A-1 (colly.)**.

A perusal of the chart annexed as Annexure A-1, indicates that the majority of inmate deaths occurred in hospitals during the course of medical treatment, which itself reflects that such inmates were provided requisite medical attention and institutional care. It is further submitted that, as compared to the year 2024, there has been an approximate reduction of 18% in inmate deaths during the year 2025, demonstrating an overall improvement in medical supervision and healthcare measures.

5. That, it is respectfully submitted that medical facilities are available in all prisons across the State of Chhattisgarh. Regular medical examinations of inmates are

	conducted at periodic intervals, and whenever required, inmates are referred to higher medical centres for proper diagnosis and treatment. All care is ensured for proper and regular procurement of medicines, medical equipment & other health facilities. 6. That it is respectfully submitted that special monitoring is ensured for elderly inmates, seriously ill patients, and other high-risk inmates. Regular health camps are organized in all prisons. Details in this regard are annexed herewith as ANNEXURE A-2. 7. That it is respectfully submitted that, for ensuring the mental well-being of inmates, various programmes such as yoga, meditation, spiritual sessions, and mental health counselling are conducted on a regular basis in prisons, with the support of organisations including Art of Living, Brahma Kumaris, Gayatri Parivar, and other local organisations. Professional mental health counselling is also provided, and special counselling programmes are organised for prevention of suicide. Details of such programmes are annexed herewith as ANNEXURE-A-3.
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	8. That it is respectfully submitted that, for diagnosis and treatment of mental illnesses, services of psychiatrists posted in District Hospitals, Government Hospitals, and Medical Colleges are utilised. Cases referred by prison doctors are sent to the State Mental Health Hospital, Sendri, District Bilaspur. 9. That it is respectfully submitted that details of doctors and paramedical staff posted and working in prisons are annexed herewith as ANNEXURE-A-4. Continuous efforts are being made to fill vacant posts, and approval has been obtained from the State Government for filling up 08 vacant posts of Pharmacist Grade-II through direct recruitment. 10. That it is respectfully submitted that nutritious food is provided to inmates strictly in accordance with the prescribed diet chart under the Jail Manual. Medical diet is also provided to sick inmates as per the advice of medical officers. All prisons are equipped with water filters/RO systems, and water quality is regularly tested to ensure safety. 11. That it is respectfully submitted that proper hygiene standards are maintained in
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	the storage, preparation, and distribution of food, and a high level of cleanliness is ensured across all prisons. An expenditure exceeding Rs. 4.5 Crores was incurred during the financial year 2025-26 towards cleanliness, sanitation, and related works. 12. That it is respectfully submitted that industrial washer-extractor machines with tumbler dryer systems have been installed in 24 prisons to ensure cleanliness of blankets and bedsheets. A provision of ₹1 crore has been made in the financial year 2026-27 for installation of such systems in 01 District Jail and 08 Sub-Jails, thereby ensuring their availability in all prisons. 13. That it is respectfully submitted that essential hygiene items such as soap and tooth powder/paste are provided to inmates as per the provisions of the Jail Manual. Regular pest control measures are undertaken, and toilets and bathrooms are cleaned daily using standard materials for odour control. In cases of infectious diseases, proper isolation and treatment arrangements are ensured in accordance with the prescribed rules. Awareness programmes
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	relating to hygiene and health are also conducted on a regular basis. 14. That it is respectfully submitted that a rehabilitation programme titled “Nischay” is being implemented for young undertrial inmates with the objective of facilitating their reintegration into the society by promoting self-reflection, awareness of the consequences of crime, and development of moral and social responsibility. Skill development training and access to institutional credit through tie-ups with bank are also being provided. 15. That it is respectfully submitted that in the year 2025, a total of 1,381 parole cases were disposed of with the objective of facilitating reintegration of inmates into society and maintaining their morale. 16. That it is respectfully submitted that postmortem examinations in all cases of death are conducted strictly in accordance with the procedure established by law. It is further submitted that in certain cases, the postmortem reports are awaited on account of procedural timelines at the level of hospitals and forensic authorities. The Jail
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	Department is continuously and diligently following up with the concerned authorities for expeditious receipt of such reports. It is, therefore, submitted that there is no deliberate delay or negligence on the part of the Jail Department in this regard. It is respectfully submitted that, in every case of death of inmate, the appropriate enquiry is conducted by the learned Judicial Magistrate and submits his report to the concerned Jail Superintendent. It is respectfully submitted that, as per the directions issued by the National Human Rights Commission, all deaths of inmates/custodial deaths are duly enquired into by the learned Judicial Magistrate in accordance with law. 17. That in view of the aforesaid facts, it is respectfully submitted that the allegations contained in the news report are not reflective of the actual situation prevailing in the prisons. It is further submitted that the State has taken adequate, continuous, and proactive measures to ensure the health, safety, and dignity of inmates in accordance with the applicable laws and prescribed guidelines.
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18. It is respectfully submitted that comprehensive arrangements are being ensured in State prisons for the safety, health, and basic facilities of inmates, and that, alongside secure custody, due emphasis is being laid on the reformation, rehabilitation, and reintegration of inmates into the mainstream of society, thereby progressively developing the prison system as a secure, humane, and reformatory institution.

19. It is, therefore, most respectfully prayed that this Hon'ble Court may kindly take this affidavit on record and be pleased to accept the factual position placed herein.

20. That, the deponent reiterates his highest regard and respect for this Hon'ble Court and humbly assures that all directions, orders and observations issued by this Hon'ble Court shall be complied with promptly, faithfully and in their true letter and spirit."

Upon a conjoint consideration of the affidavits filed by the Director General, Jail and Correctional Services, it is apparent that substantial compliance of the directions issued by this Court has been undertaken. The progress of

departmental enquiries against the delinquent Warders/ Officers has been duly placed on record, revealing that in a majority of cases appropriate punishments have already been imposed, while the remaining enquiries are at different stages of completion. Further, in relation to the concerns emanating from the news report dated 31.03.2026, a detailed factual position has been furnished, indicating the steps adopted by the State to ensure proper medical care, hygiene, mental well-being and overall welfare of the inmates, along with a noticeable reduction in inmate deaths. The affidavits, thus, reflect that continuous and proactive measures are being undertaken by the authorities, with an assurance to conclude the pending proceedings at the earliest.

It is further observed that, with respect to employee Diwakar Singh Painkra, a direction has already been issued by the learned Single Judge of this Court in WPS No. 1373 of 2026, decided on 05.02.2026, to the effect that witnesses Ajay Diwan and Pratik Vasnik shall not be examined in departmental proceedings until their examination in the criminal trial. Accordingly, the concerned authorities are

directed to take all necessary steps to expedite the trial of the said criminal case.

The Director General, Jail and Correctional Services, Jail Headquarters, Nava Raipur, Atal Nagar shall file a further personal affidavit indicating the subsequent progress in the matter.

Let this matter be listed after summer vacation.

Sd/-
(Ravindra Kumar Agrawal)
Judge

Sd/-
(Ramesh Sinha)
Chief Justice