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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 10273/2024**

SH ANUJ MALHOTRA

.....Petitioner

Through: Mr. Kunal Madan, Mr. Manmay Sarawagi, Ms. Prachi Babra, Mr. Rahul Matharu, Mr. Yash Bokolia, Ms. Tanvi Wasson, Mr. Ishan Ahuja, Mr. Piyush Jain, Ms. Aastha, Mr. Navjot Singh, Mr. Mohit Gulati, Ms. Heena, Mr. Kapil Madan, Mr. Shyam Babu, Mr. Gurmakh Singh Arora and Ms. Barkha Chhabra, Advocates

versus

GOVT OF NCT OF DELHI & ORS

.....Respondents

Through: Mr. Santosh Kr Tripathi, Standing Counsel (Civil) with Mr. Tushar Sannu, Mr. Priyankar Tiwary, Mr. Manoviraj Singh, Mr. Sahaj Karan Singh, Mr. Sanjay Singh, Mr. Kartik Sharma and Mr. Rishabh Srivastava, Advocates for GNCTD

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

08.08.2024

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1. In pursuance to the previous order, Inspecting Judges of all the sixteen (16) Jail Complexes across Delhi, have filed their reports.



2. This Court notes that there is no reported activity of manual scavenging in any of the Jail Complexes and the facility of drinking water is also found to be adequate in all the Jail Complexes. However, the reports indicate that the conditions of washrooms/toilets in almost all the Jail Complexes are not satisfactory. Further, it has also been observed in the reports that the cleaning work of the washrooms/toilets in all the Jail Complexes is being carried out voluntarily by inmates, with some inmates receiving remuneration from the jail administration while other are not being properly paid. Additionally, the reports also highlight the lack of adequate gears/instruments and other toiletries and that some washrooms/toilets are not in working condition and require renovation.

3. In view of the above, the following directions are issued:-

- (a) The GNCTD is directed to appoint adequate staff/manpower for cleaning the washrooms/toilets in each of the Jail Complexes. GNCTD may even consider seeking assistance from NGOs or employing people on contractual basis for this purpose.
- (b) In all Jail Complexes, where cleaning work is being performed voluntarily by the Jail inmates, they should be suitably paid according to the minimum wages fixed by the Government for unskilled labour or as per the wages fixed/stipulated in the Jail Manual as applicable. Additionally, DG (Prison) and the concerned Jail Superintendent should ensure that suitable cleaning gears, including gloves, masks, boots and other toiletries be provided to such inmates involved in the voluntary cleaning work of washrooms/toilets. It is to be ensured that no manual scavenging is imposed upon inmates.



- (c) The Public Works Department, GNCTD is directed to carry out a thorough inspection of all Jail Complexes across Delhi regarding the conditions of washrooms/toilets within two weeks from today and if any repair/renovation work is required, suitable proposals be moved in this regard within further period of two weeks. The renovation work be carried out in phased manner so as to ensure that the washrooms/toilets remain available for the use of the inmates at all times. The entire renovation process must be completed within four months from the date of this order.
- (d) Septic Tanks, if required, shall be constructed forthwith. If keeping in view the number of inmates, the number of washrooms/toilets is to be increased, the same shall be done expeditiously.
4. With the aforesaid directions, the present writ petition stands disposed of. However, the GNCTD is directed to file an action taken report within eight weeks.
5. List for compliance on 22nd October 2024.

ACTING CHIEF JUSTICE

TUSHAR RAO GEDELA, J

AUGUST 8, 2024

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