

OFFICE OF THE DIRECTOR GENERAL (PRISONS)
PRISON HEADQUARTER : TIHAR : NEW DELHI

103/2009
P. No. 10()/CJ/LEGAL/ 2009/ 1238

Dated: 23/04/2009

CIRCULAR

It has been directed by the Hon'ble Delhi High Court in Crl. Misc. application No. 728/09 in the matter of Gulam Mustafa Qureshi Vs. State that whenever a request is made by a prisoner for permission to make a telephone call to the country origin of the petitioner, the Superintendent Jail should be first approached. He can in his discretion devise a criteria for entertaining such request and passing an order giving reasons in the event that such request is not entertained. Further, such refusal should be founded on good reasons including any apprehended threat that the investigations or the trial will be hampered. Otherwise, it should normally be possible to regulate the number of occasions on which an undertrial prisoner can make a telephone call without unduly compromising the security of the jail and other such relevant considerations.

It is further directed by the Hon'ble Court that whenever request is made to Jail Superintendent for permission to make a telephone call to the country origin of the applicant the Jail Superintendent will enter the details of called number, the duration etc. A speaker phone with a caller I.D. can be installed to ensure that the person called is the one in respect of whom the request is made by the prisoner.

The Superintendent Jails are, therefore, directed to do needful in the matter and a register should be maintained containing the following columns :-

1. S.N. & DATE
2. NAME OF THE PRISONER WITH PARENTAGE
3. OFFENCE INVOLVED
4. PLACE OF CALLING ALONGWITH NO.
5. REASONS OF CALLING
6. CALL DURATION
7. OBSERVATION OF JAIL SUPERINTENDENT WHETHER REQUEST GRANTED OR NOT
8. REASONS THEREOF.

The above instructions should be scrupulously followed as per the order of the Hon'ble Court (copy enclosed) and a compliance be sent to the undersigned by 28.04.09.


(B.K. GUPTA)

DIRECTOR GENERAL (PRISONS)

All Superintendent Jails.