

**OFFICE OF THE DISTRICT & SESSIONS JUDGE : DELHI**

**C - I - R - C - U - L - A - R**

The following matters have been brought to my notice that some Judicial Officers are :

- (A) Issuing NBW against the Jail Superintendent in some matters.
- (B) Issuing frequent referral of Jail Inmates to outside Hospitals.
- (C) Writing on Custody Warrant of prisoner that "accused is on bail" without mentioning the FIR No., Signature and Stamp.
- (D) Passing orders regarding transfer of Jail Inmates from one Jail to other or from one ward to other within the same Jail without seeking report from the Superintendent Jail.
- (E) Not mentioning complete particulars i.e. Parentage, Address, FIR, P.S., etc. on Production Warrant .
- (F) Passing the orders directing the Jail Authority to submit the Medical Reports of Inmates on the very next day which create difficulty for the Jail Authority.

Accordingly, it is, impressed upon all the Judicial Officers dealing with criminal matters that :

- (A) Before taking coercive step like issuance of NBW against the Superintendent Jail, Judicial Officers should issue a Show Cause Notice.
- (B) Enclosed guidelines regarding referrals of Inmates patients for treatment in Hospitals outside Tihar Jail, issued by Sh. R.N. Sharma, Dy. Inspector General (Prisons), Prisons Headquarters: Govt. of NCT of Delhi on 10.02.2011 should be followed by the Judicial Officers subject to the condition that nothing would restrict powers of the Judicial Officers for passing necessary orders qua reference of a Prisoner patient to any Government Hospital keeping in view condition of the patient and the treatment required /desired.
- (C) To avoid any wrong release from Prison, issue separate Orders / Robkar of bail or release and if that order is being passed on custody warrant complete particulars should clearly be mentioned.
- (D) Before passing Order for transfer of Inmates, Judicial Officers should call a Report from the Jail Superintendent.
- (E) All the particulars of the case should be mentioned on the Production Warrant and the Judicial Officers be reappraised of the need to direct their respective staff to mention the said particulars on the Production Warrants before the same are signed.
- (F) Normally Medical Reports be called for, for the day after such notice is issued to the Jail officials and in case of urgency where the Courts feels it necessary to call for the Medical Report on the very next day, the matter be put up for after lunch on the next day to enable the Jail Authorities to submit the Report for consideration by the Court.

The above directions should be followed scrupulously.

*im/ku 21/2/2012*  
( SUNITA GUPTA )  
DISTRICT & SESSIONS JUDGE

NO: 10834-10882 /Genl. II/2012 Delhi, Dated the 21/2/12

Copy forwarded for information and necessary action to :-

1. All Ld. District Judge & Additional Sessions Judges / Incharge, Delhi / New Delhi.
2. All the Judicial Officers dealing with Criminal Matters (Central District) THC, Delhi.
3. Ld. Chief Metropolitan Magistrate, THC, Delhi.
4. The Director General (Prisons), Central Jail, Tihar, New Delhi.
5. The Website Committee, THC, Delhi.
6. The Guard File.

*im/ku*  
DISTRICT & SESSIONS JUDGE  
DELHI

Issued by D9(L)

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MOST URGENT

OFFICE OF THE DISTRICT & SESSIONS JUDGE: DELHI

No. 11938-980 /Genl.II/2011 Delhi Dated the 21 FEB 2011

Copy alongwith its enclosure forwarded for information & necessary action :-

1. All the District & Sessions Judges (II to IX) Delhi & New Delhi with the request to circulate it amongst the concerned courts of your respective concerned District Court.
2. All the Courts (Central District), Tis Hazari, Delhi, dealing with the criminal matters.

(B. R. KEDIA)  
OFFICER INCHARGE (GENERAL)  
ADDL. DISTRICT & SESSIONS JUDGE:  
DELHI



Neeraj Kumar I.P.S.  
GENERAL PRISONS

केन्द्रीय कारागार  
Central Jail  
राष्ट्रीय राजधानी क्षेत्र, दिल्ली सरकार  
Govt. of N.C.T. of Delhi  
नई दिल्ली-110001  
New Delhi-110001

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Website : http://www.delhi.gov.

D.O. No. PS/DG(P)/2011/115  
Dated 15-2-2011

Dear Sh Kapoor,

In order to streamline the referrals of inmate patients for treatment in hospitals outside Tihar Jail, new guidelines have been prepared and are enclosed herewith. This system, it is hoped, would ensure timely reporting of patient inmates in various hospitals in the city and their medical care in speciality hospitals.

It is requested that enclosed instructions may kindly be circulated to the Magistrates and Judges of different courts. They may kindly requested not to refer the patients to private hospitals and hospitals which are not included in our guidelines. This would be in the overall public interest keeping in mind the security aspect and issues of logistics.

Best regards,

Yours sincerely

  
15/2/11  
(Neeraj Kumar)



Sh. Rakesh Kapoor  
District and Session Judge  
Tis Hazari Courts  
DELHI

15/2/11

CIC (Gen)

**OFFICE OF THE DIRECTOR GENERAL (PRISONS)**  
**PRISON HEADQUARTERS : GOVT. OF NCT OF DELHI :**  
**NEAR LAJWANTI GARDEN CHOWK : NEW DELHI - 110064.**

No. PA/DIGP/CJ/2011/78

Date: 10-2-2011

**ORDER**

To streamline the outside OPD and referrals, the following guidelines are issued for strict compliance by all concerned:-

- A. All the inmate-patients, whether lodged in Tihar or in DJR, firstly must be treated at the dispensaries of respective jails and then at Central Jail Hospital before sending to any outside hospital.
- B. If the Senior Medical Officer of dispensary of respective jail finds it must, only in that case the first referral hospital will be Deen Dayal Upadhyaya Hospital for Central Jail Tihar and Baba Saheb Ambedkar Hospital will be first referral hospital for District Jail Rohini, invariably.
- C. Only after the written recommendations of Deen Daya Hospital or Baba Saheb Ambedkar Hospital, as the case may be, the referral will be made to G.B.Pant, Lok Nayak Jai Prakash Narayan, Maulana Azad Institute of Dental Sciences, Guru Nanak Eye Centre & Safdarjang Hospital keeping in view medical problem of prisoner/patient. These hospitals will fall in the category of IInd referral hospitals.
- D. The IIIrd referral will only be All India Institute of Medical Sciences for both Central Jail Tihar and District Jail Rohini that too, on the recommendations of IInd referral hospitals mentioned in para (C).
- E. The 2<sup>nd</sup> referral hospitals for tuberculosis & other pulmonary diseases will be Lala Ram Swaroop, Mehrauli & RBTB, Kingsway Camp.
- F. Inmate suffering from psychiatric disorder may be referred to psychiatry department of Lady Harding Medical College in emergency & for continuous treatment of psychiatric behaviour disorder, inmate can be referred to Institute of Human Behaviour & Allied Sciences only after recommendations from psychiatric posted in Jail Hospital and at Deen Dayal Upadhyaya Hospital or Baba Saheb Ambedkar Hospital.
- G. Present referrals to the hospitals other than mentioned above will be reviewed at once and all will be rescheduled for Deen Dayal Upadhyaya Hospital / Baba Saheb Ambedkar Hospital.
- H. In specific cases, wherein treatment is neither available at Deen Dayal Upadhyaya Hospital nor at IInd referral hospitals, the patients may referred to Specialty Hospitals directly, only after getting consent of Resident Medical Officer.

*[Handwritten signature and date]*  
15/2/2011