



**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

D.B. Habeas Corpus Petition No. 12/2022

1. Adam Godwin S/o Godwin Timoth, Aged About 54 Years, Resident Of Post Box No. 45071, 261 Block, Sweng Dar Uslem, Tanzania. (Presently Lodged At Foreigner Detention Center, Security Ward, Central Jail, Alwar Premises (Outside Main Gate).
2. Umar Yusuf S/o Yusufu Musa, Aged About 38 Years, Resident Of Post Box No. 2305, House No. 0305, Tanga, Dar Uslem, Tanzania.
3. Adam Mohd. S/o Mohd. Pazi, Aged About 45 Years, Resident Of Post Box No. 208201, House No. 082, Kariso, Dar Uslem, Tanzania.

----Petitioners

Versus

1. Union Of India, Through Ministry Of Home Affairs, Govt. Of India, New Delhi.
2. The Joint Secretary (Foreigners), Ministry Of Home Affairs, Govt. Of India, Mdc National Stadium, India Gate, New Delhi.
3. The Joint Secretary, Ministry Of External Affairs, New Delhi.
4. The Ambassador, United Republic Of Tanzania, High Commissioner, The High Commission Of United Republic Of Tanzania, Ep-15C, Chankya Puri, New Delhi-110021.
5. State Of Rajasthan, The Secretary, Department Of Home, Group-Iv, Secretariat, Jaipur.
6. The Senior Deputy Secretary To The Government, Department Of Home, Group-Iv, Secretariat, Jaipur.
7. The Superintendent Of Jail, Central Jail, Alwar (Raj.).
8. Incharge Foreigner Detention Center, Security Ward, Alwar Central Jail, Alwar.
9. The Commissioner Of Police, Commissionerate, Jodhpur Metropolitan, Jodhpur.
10. The Deputy Commissioner Of Police, Jodhpur (East).

----Respondents



For Petitioner(s) : Mr. Rakesh Gehlot.
For Respondent(s) : Mr. Mukesh Rajpurohit, DSG.
Mr. M.A. Siddiqui, GA-cum-AAG.
Mr. A.K. Gaur, AAG.
Mr. Anil Joshi, AAG.
Dr. Samit Sharma, Secretary, Social
Welfare Department through VC.
Mr. V. Sarvana, Secretary,
Department of Home through VC.



HON'BLE MR. JUSTICE SANDEEP MEHTA

HON'BLE MR. JUSTICE FARJAND ALI

Order

The instant habeas corpus petition had been disposed of vide order dated 28.03.2022 but the matter was kept open for receiving the report regarding the requisite steps to be taken for upkeep and maintenance of the Retention Center, Alwar.

This Court is further informed that the foreign nationals are being sent to the home under the directions of the Ministry of External Affairs, Government of India and the building is under the control of Department of Prison, Government of Rajasthan.

Today, Dr. Samit Sharma, Secretary, Social Welfare Department and Shri V. Sarvana, Secretary, Department of Home, Government of Rajasthan have joined the hearing through video conferencing. Both these officials, assured the Court that appropriate steps shall be taken to upgrade the conditions of the Detention Centre.

We feel that it is absolutely essential to maintain and upkeep the Detention Centre in a good condition because the foreign nationals are being housed therein. Pursuant to being released and deported to their respective countries, they would carry



impression regarding the conditions of the institution where they are housed till the date of their deportation. Otherwise also, the basic requirements of human dignity mandate that the conditions of such institutions should be upto the mark.

We direct the Secretary, Department of Home, Government of Rajasthan to ensure that all required logistics and repairs, etc. of the Detention Centre are catered to immediately. Shri Mukesh Rajpurohit, Dy. Solicitor General shall also instruct the concerned officials of the Ministry of External Affairs, Government of India to make a provision for sanctioning appropriate budget required for maintenance and upkeep of this institution.

The file is closed with the above observations and directions.

(FARJAND ALI),J

(SANDEEP MEHTA),J

52-Tikam/-

