



**PRISONS  
IN  
INDIA**

27427

# Prisons in India

## MODERN CONCEPT

Prisons have massive forbidding walls and heavy iron gates. What goes on inside? There is something sinister about them for a layman.

Prisoners are law-violators, those who offend the norms and conscience of the society, who are tried and convicted by the law courts, some sentenced for short periods, some sentenced for long terms; all to be released on the stipulated dates, with the clenching of keys and through a barricades of guards.

Law and punishment are necessary for any civilised existence. They serve as deterrants. Prisons are also necessary institutions for any organised society.

Normally, a man is upset at the sight of a criminal. He is dangerous. He should be dealt with properly. He should be kept behind bars for a long time. He should be punished;

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Designed and produced by the Directorate of Advertising and Visual  
Publicity, Ministry of Information Broadcasting and Communication,  
New Delhi for the Department of Social Welfare and printed at  
The Statesman Press, New Delhi.

brandished, flogged, whipped. He should be made to realise his guilt, he should repent and pay for his crime so that others will not follow his path. A rightful reaction. But does it help?

Society must be protected from criminals. Decent law-abiding citizens must be provided security of life and property from law-violators.

The twin objectives of preventing crime and protecting society have to be achieved. How best can this be done? By more rigorous laws? By more massive walls of jails? By keeping them out of circulation permanently?

But rigorous laws, stringent punishment, larger jail terms, do they really protect the society? Every man who goes to a prison comes back sooner or later as soon as his legal sentence is over. He comes back as what? A confirmed criminal? A man who is de-humanised by brutal force? Or a man who is reformed?

Therefore, the more important thing is what happens to him when he is inside the prison. Has he changed for the better? Has he been reformed? No protection to society is guaranteed unless this happens.

Persons who work with prisoners know that it is not physical punishment, it is not brute force, it is not solitary confinement, nor hard labour which corrects a man. We have somehow to go deeper and touch the core of the offenders' mind, heart and spirit. Unless this is done, a man does not change his ways.

Then, how to achieve it? He is an individual, so different from the others, with a different set of background, mental

make-up, with different reaction to various situations. We have to understand him as a 'person', as a human being, find out what has gone wrong with him, his family, his environment, which have led him to prison. He is a victim of his circumstances, of his passion or rage or madness. Only by individualising his case, can we suggest a proper diagnosis and treatment.

The Father of the Nation, Mahatma Gandhi, knew the problem. He said "criminals should be treated as patients in hospitals and the jails should be hospitals admitting such patients for treatment and care." He was saying exactly what modern penologists and criminologists say today.

It is the only sensible way to treat the offenders.

## HISTORICAL PERSPECTIVE

Prisons in India were set up by the British regime and most of our prisons are almost one hundred years old. During the British days medical officers presided over the prisons and they took good care of the health of prisoners. The Indian Jails Committee of 1919 had made very progressive recommendations which unfortunately were never carried out.

During the struggle for independence, most of our national leaders went through repeated periods of incarceration. Prison became a part of our saga of struggle for national independence. Balgangadhar Tilak, Mahatma Gandhi and Jawaharlal Nehru spent years of their precious lives behind

the bars and some excellent literature was produced by them during those years of undisturbed solitude.

A beginning of jail reforms was made in the States with the installation of popular governments in 1937 when political leaders with first-hand experience of prison applied their minds to removing some of the rigours of the prison.

The first scientific effort at modernising our prisons began in 1952 when the United Nations sent to India an expert, Dr. W. C. Reckless, under the U.N. Technical Assistance Programme. He studied the conditions and produced an excellent report on the 'Prison Administration in India'. A conference of the Inspectors General of Prisons was held in 1952 which made far reaching recommendations. In 1957, the Government of India appointed an All India Jail Manual Committee which worked for three years and made various important recommendations, one of which was revision of States Prison Manuals on the basis of a Model Manual prepared by the Committee.

The Government of India passed a Central Probation of Offenders Act in 1958 which aimed at non-institutional treatment for selected categories of offenders.

The Central Bureau of Correctional Services was set up under the Ministry of Home Affairs in 1961 to follow up the recommendations of the All India Jail Manual Committee, to collect information and statistics on a national basis, to exchange ideas with the various State Governments and with the U.N., and to undertake training, research, evaluation and encourage sound social defence policies and programmes within the country.

At Central level, prisons are a part of the responsibility of the Ministry of Home Affairs while probation and Juvenile delinquency are looked after by the Department of Social Welfare. At the State level, there is no uniform pattern. Generally, an Inspector-General of Prisons looks after the prison administration.

### STATISTICAL DATA ON PRISONS

Number of Prisons — There are 911 prisons in the country which can be grouped as follows:—

1. Central Jails	..	..	..	58
2. District Jails	..	..	..	181
3. Subsidiary Jails	..	..	..	625
4. Model Jails	..	..	..	3
5. Juvenile Jails	..	..	..	2
6. Open Jails	..	..	..	17
7. Special Jails	..	..	..	16
8. Borstal Schools	..	..	..	9
				911

### NUMBER OF PRISONERS

The total number of convicts admitted to prisons in India during 1965 was over 2,88,000 males and 12,000 females. The proportion of female convicts to the total is about 4%.

The total number annually being admitted to prisons is estimated to be 10,00,000.

The above figures represent 13 States only for the year 1965.

### LENGTH OF SENTENCE

The available information goes to show that almost 85% of convicts are sentenced for less than 6 months prison term. The following percentages for 1960 and 1965 will give some comparison:—

YEAR*	Below 6 months	6 months to 2 years	Above 2 years	Life sentence	Death	Total
1960	84.3	11.2	3.5	0.8	0.2	100.00

YEAR	Below 6 months	6 months to 2 years	2 - 5 years	5 - 10 years	Exceed- ing 10 years	Life sen- tence	Death	Total
1965	82.2	12.4	2.4	1.1	0.5	1.2	0.2	100.00

### CRIMINAL RECORD

On an average 7% of convicts are habituals. The figures for 1965 show that out of 11,700 convicts, 8,700 were classified as habituals by the convicting courts, 2,500 by district magistrates and 500 by the jail superintendents.

### EDUCATIONAL BACKGROUND OF CONVICTS

Generally 33% of convicts admitted to prisons are literate. In 1965, out of a total of 3,00,000 about 1,00,000 convicts were literate.

## OCCUPATIONAL BACKGROUND OF CONVICTS

Almost 50% of the prisoners have rural background with agriculture as the main occupation. Figures for 1960 and 1965 are as follows:

YEAR	Employed under Govt. Municipal or other local authorities	Professional persons	In service or performing personal offices	Engaged in agriculture or animal husbandry	Engaged in commerce or trade	Employed in mechanical, manufacturing or engineering operations	Miscellaneous	Total
1960	1.0	5.0	3.7	49.2	6.6	4.7	29.3	100.00
1965	1.5	6.5	5.2	47.7	6.1	2.9	30.1	100.00

*Data represents only 12 States*

## RELEASE ON REMISSION

The total number of convicts released during 1965 on remission for a period not exceeding one year was 37,073 as compared to 42,616 during the previous year. Those who got remission for one to two years in 1965 were 5,943 as compared to 9,692 in 1964; similarly those who got remission for 2 to 5 years were 3,757 in 1965 as compared to 3,877 in 1964. Others who got remission for over 5 years were 2,356 in 1965 as compared to 2,169 in 1964. This indicates a slight increase in the number of prisoners who earned remission for over 5 years in 1965.

## TOTAL EXPENDITURE ON PRISONS — 1965

How much does a man behind the bars cost the tax-payer? The following figures are revealing:—

	State Expenditure in lakhs of Rupees	Annual cost per head	State Expenditure in lakhs of Rupees	Annual cost per head	
Gujarat	21.63	581	Punjab	58.22	711
Madhya Pradesh	61.91	626	Uttar Pradesh	169.75	417
Madras	112.39	741	Andaman	.94	1679
Maharashtra	95.72	562	Nicobar Islands		
Mysore	31.84	616	Delhi	10.43	663
Orissa	42.12	747	Tripura	4.57	933
			609.52	8276	

Total value of production in industries, crafts and agriculture in prisons in 1965.

S. N.	State			(In lakhs rupees) value of production
1.	Maharashtra	..	..	39.06
2.	Punjab	..	..	40.01
3.	Kerala	..	..	15.20
4.	Gujarat	..	..	13.86
5.	Madhya Pradesh	..	..	11.70
6.	Madras	..	..	56.48
7.	Kerala	..	..	15.20
8.	Orissa	..	..	3.52

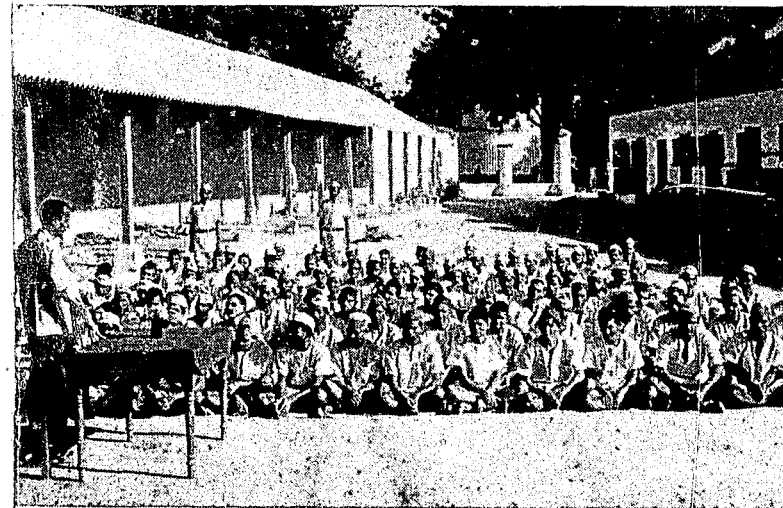
### PRISON PROGRAMMES

There are three aspects of prison programme—custody, treatment and rehabilitation.

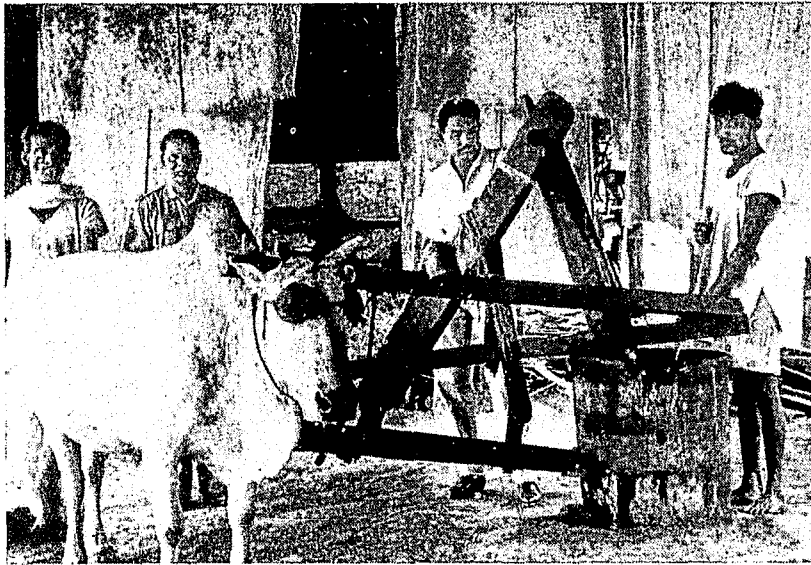
Through the method of classification, prisoners are divided into various groups and categories in accordance with their individual correctional needs. The classification method helps in the study of the offender, understanding of his problems and formulating plans and programmes for his treatment, training and rehabilitation in society. For this purpose, the educational, vocational, therapeutic and other welfare programmes are organised in prisons. The salient features of the prison programme are as follows:—



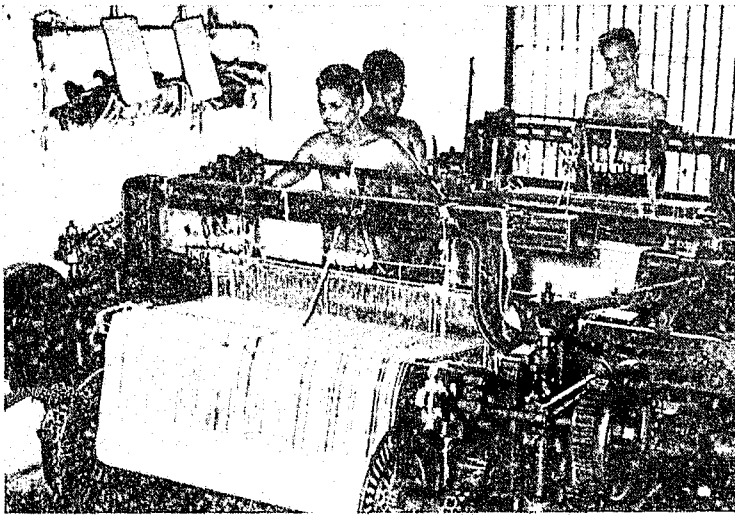
*Harvesting sugarcane*



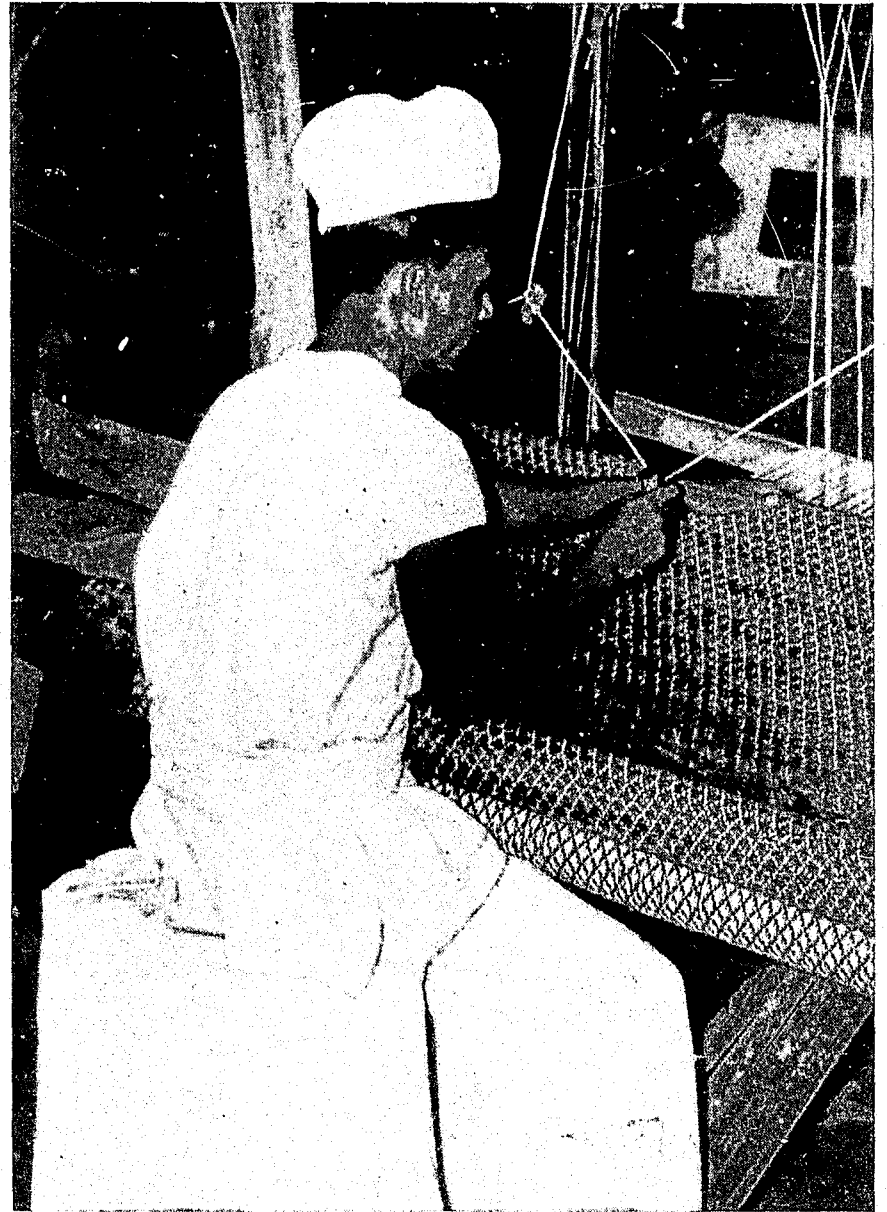
*A literacy class*



*Oil expelling work*

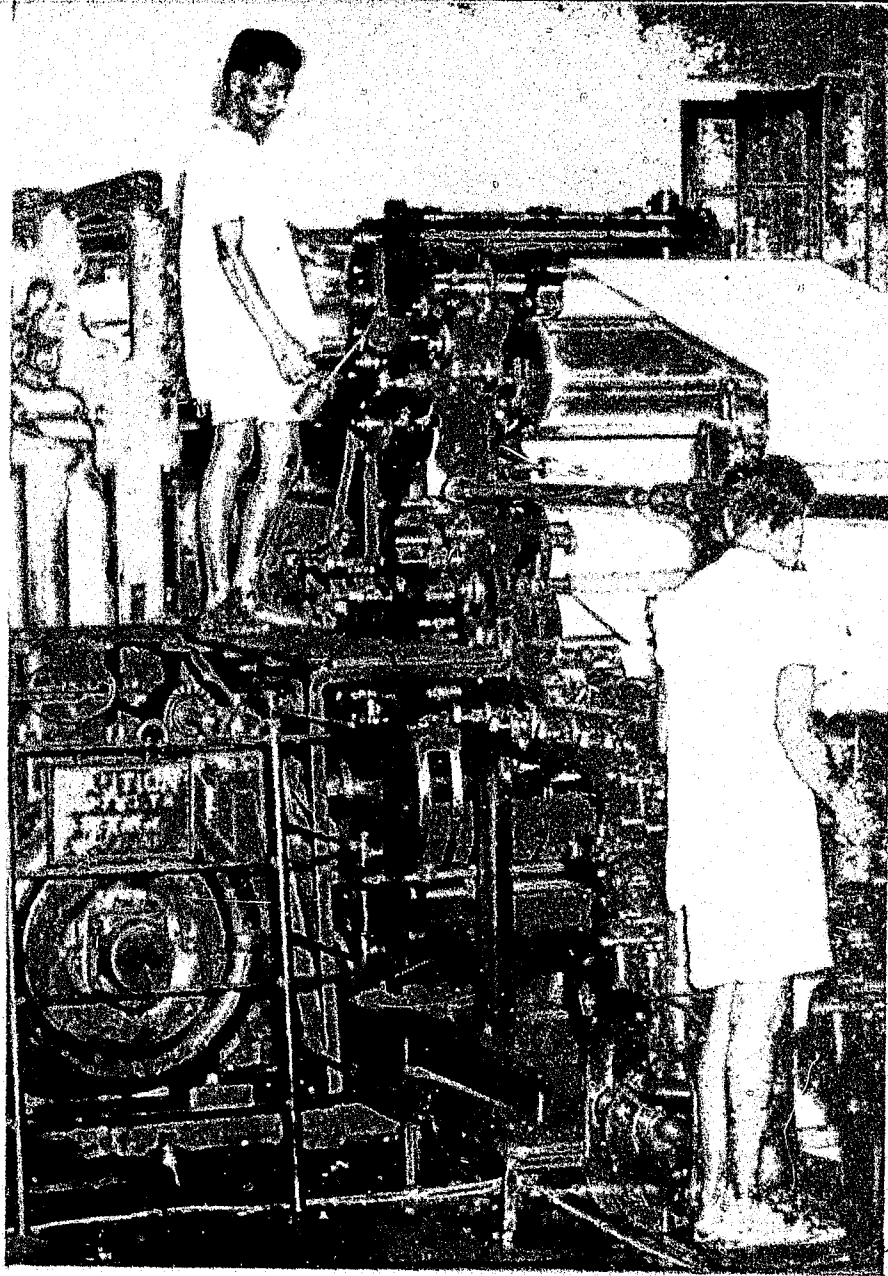


*Weaving section*



*Learning the handloom operation*





*Busy in the printing press*



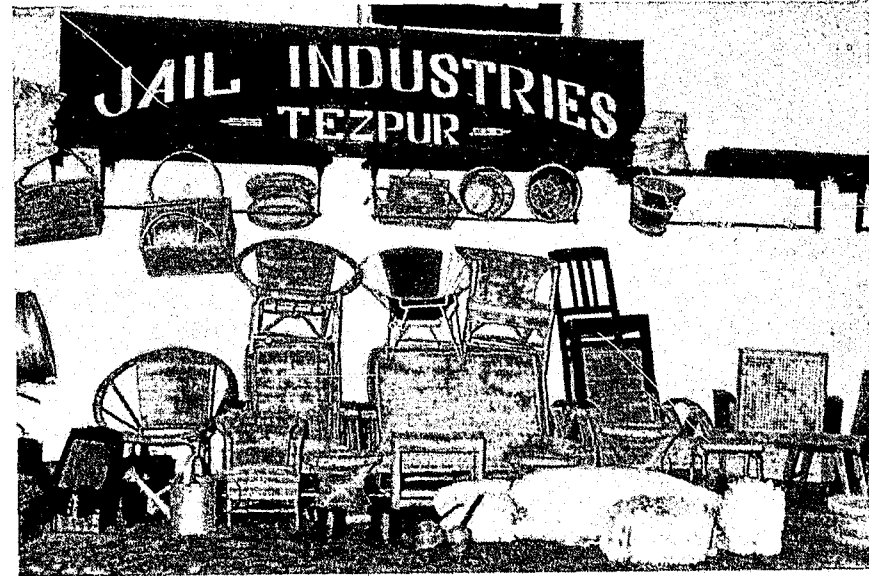
*Listening to religious discourse*



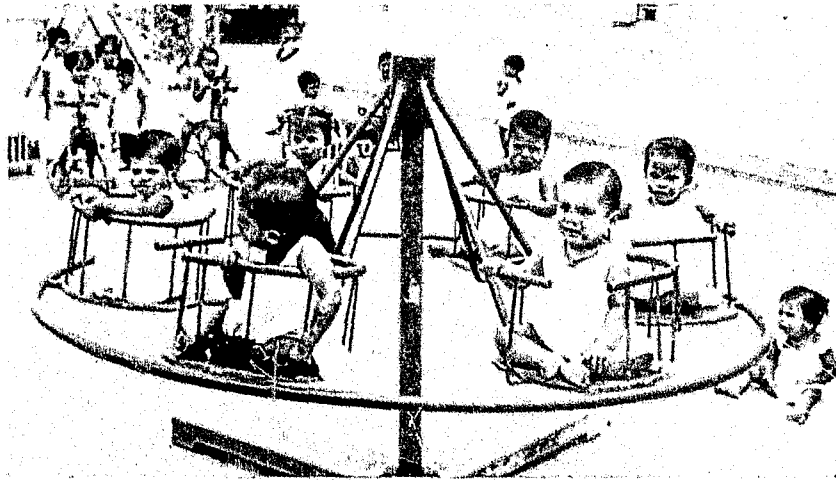
*Physical exercises*



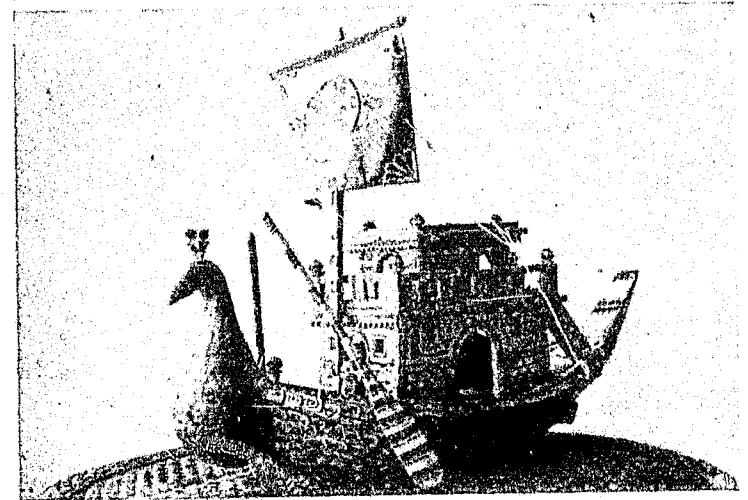
*Visit of a Social worker*



*Prison handicrafts*



*Joyride for children of women prisoners*



*An exquisite handcraft*

### Education

Education helps in the harmonious growth and development of human faculties, mental and physical. It is a process by which the knowledge, character and behaviour of the inmates can be moulded. It helps in the acquisition of such knowledge and skills as would be helpful to an inmate in his rehabilitation in society. Besides primary education, facilities for higher education are also provided to the eligible prisoners in a good number of prisons.

### Vocational Training

Vocational training has been recognised as one of the important components of correctional treatment. The ultimate aim of all institutional training is the inmates' final resettlement in society.

### Prison Industries

The prison industries in the country are making good progress. Main industries include agriculture, blanket, shoes, carpets, durries, carpetry, utensils, toys, etc.

The products of our jail industries are exhibited for sale in various industrial exhibitions and compete favourably with the open market.

### Recreational Activities

Recreational activities are essential ingredients of the correctional approach. These activities aim at breaking the boredom of institutional regimentation and bringing in

an atmosphere of relaxation and joy in the institution. Recreational facilities are made available to the prisoners in almost all jails.

### Welfare programme in prisons

The Welfare Officer is the key-worker in the prison who plays an important role in the treatment and correction of the offender. As soon as the offender is admitted, the worker studies him, interprets to him the institutional programme, helps him find a positive adjustment with his new situations and encourages him to make a constructive use of the correctional measures. The worker handles his individual problems and helps him to relate meaningfully with his co-inmates in an institutional environment. He assists the prison authorities to formulate the treatment plan for the prisoner in terms of his individual needs. He encourages the prisoner to maintain, develop and strengthen family ties and also provides necessary help to his family to face the consequences of his imprisonment. He helps the prisoner to change himself into a law-abiding, socially acceptable and dignified individual and prepares him to re-adjust and get rehabilitated as a normal citizen after his release. Thus the Welfare Officer becomes an important link between the administration and the prisoner and between the prisoner and the community. He is instrumental in the individualised treatment of the offender and in the process of his re-adjustment.

At present there are 31 Welfare Officers in different prisons (Andhra Pradesh-6, Kerala-3, Orissa-7, Punjab-12 and Haryana-3).

## TREATMENT OF OFFENDERS OUTSIDE PRISONS

When an offender undergoes imprisonment, social stigma gets attached to him. People in the community do not like to freely mix with him. He is treated as an out-cast. In order to avoid such stigma, it is better to organise treatment of offenders outside the prison, preferably in the community itself. Schemes like probation services, half-way houses, open prisons, and the like should, therefore, be implemented extensively. Such treatment method is also economical as it helps in lessening the burden on the public exchequer.

### OPEN PRISONS

The open prison is characterised by the absence of material or physical precautions against escape such as walls, locks, bars, armed or other special security guards and by the system of self-discipline amongst the inmates and their sense of responsibility towards the group in which they live. This system encourages the inmate to use the freedom accorded to him without abusing it. These characteristics distinguish the open prison from other types of penal institutions.

The first open prison was started in Uttar Pradesh in 1952, where prisoners were associated with nation building projects. Now several States have set up such institutions. The present position is as follows:—

State	Name of Open Prison	Year
1. Andhra Pradesh	1. Mauli Ali Colony, Hyderabad ..	1954
	2. Prisoners Agricultural Colony, Anantpur ..	1965
2. Assam	1. Open Air Agricultural-cum-Industrial Colony, Barbheta, Jorhat. ..	1964
3. Gujarat	1. Open Prison, Amreli. ..	1968
4. Kerala	1. Open Prison, Nettveltheri ..	1962
5. Maharashtra	1. Open Prison, Yervada ..	1955
	2. Open Prison, Paithan ..	1968
6. Mysore	1. Open Air Jail, Sonmatti ..	1968
7. Rajasthan	1. Prisoners Open Air Camp at Agriculture Research Farm, Durgapura. ..	1955
	2. Shri Sampurnanand Bandi Shivir, Saugaur, Jaipur. ..	1963
	3. Prisoners Open Air Camp Central mechanised farm, Suratgarh. ..	1964
8. Uttar Pradesh	1. Sampurnanand Agricultural - cum - Industrial Camp, Sitarganj, District Nainital. ..	1960
	2. Sampurnanand Camp, Ghurma, Markundi, District Mirzapur. ..	1965
	3. Open Prison attached to Model Prison, Lucknow. ..	1949
9. Himachal Pradesh	1. Open Air Jail, Bilaspur ..	1960
10. Madras	1. Open Air Prison, Singannallur ..	1956
	2. Open Air Prison attached to Central Prison, Salem. ..	1966

## OPPORTUNITIES FOR CONTACTS WITH OUTSIDE WORLD

As part of the process of humanisation of conditions of living in prisons various facilities and concessions are granted to prisoners. Interviews with families, release on furlough, parole, ticket of leave, home leave, etc., are some of the main concessions given to prisoners. Furlough is the release on leave which not only provides incentive for good conduct and behaviour to prisoners but also greatly facilitates the continuity and maintenance of their contacts with the outside world. Contacts with their families and the community are essential for saving them from social isolation and for securing appropriate readjustment in the society after their release. These facilities help the inmates to maintain and develop self confidence, constructive hope and active interest in life.

Parole is release on emergency grounds which enables the inmates to be present in their families during emergencies like death or serious sickness of family members. These facilities are also used for specialised treatment of prisoners suffering from serious diseases like tuberculosis, cancer, etc., as well as for appearance of carefully selected prisoners at various examinations.

Though interviews to prisoners with their family members, relatives and close friends are periodically granted, the facilities for furlough and parole are extended on a very selective basis. The cases for leave and release on emergency grounds

are thoroughly screened and all possible precautions taken to avoid any possible misuse of the facilities.

## Remission system

Remission is a concession granted to prisoners as an incentive for good behaviour and work. It is granted on the basis of prisoners' behaviour, work and general response to various institutional programmes. It encourages them for self-improvement and adjustment to correctional measures. The remission can be withdrawn, forfeited or revoked. Though there is a diversity in the kind and quantum of remission granted to prisoners in different States, it is generally of three types — ordinary remission, special remission and the State Government remission. There are certain conditions which govern the grant of remission to prisoners.

## Reviews of sentences

When the long term prisoners have received the maximum benefit of the institutional programmes their hope in life during the remaining period of imprisonment has to be kept alive through scientifically regulated system of incentives. Transfer to semi-open to open institutions, conditional and premature release, etc., are some of the measures used for this purpose. These measures are adopted on a very selective basis. Advisory boards, special advisory boards, and investigating committees review the cases of adult and adolescent offenders who under rules, are eligible for the same. The conditions of eligibility for review differ from State to State.

## AFTER-CARE SERVICES

After-care services are an extension of services already rendered in the institution. While in detention an inmate receives training in crafts and discipline. After-care services are designed to help the released inmate rehabilitate himself back into society with the skill he has acquired in the institution. Institutional training, treatment and post-release assistance is a continuous process. After-care services, therefore, form an integral part of correctional work.

## THE ROLE OF THE UNITED NATIONS

The United Nations has been doing commendable work in the field of corrections. It helps in the cooperation and co-ordination on institutional services in different countries of the world, even by sending experts to guide member countries in formulating and implementing penal policies. The visit of Dr. W. C. Reckless and the U.N. Publication "Prison Administration in India" may be specifically mentioned in this connection. The U.N. Standard Minimum Rules, training of personnel at U.N. Asia and the Far East Institute, at Fuchu, Tokyo, Japan, periodical conferences, consultative group meetings, reviews of international programmes and policies in the field of corrections, establishment of Social Defence Research Institute at Rome in Italy, appointment of experts as correspondents in the member countries for furnishing progress reports to the U.N. headquarters, etc., can be cited as other important ways of help by the United Nations.

## SOME PRESSING PROBLEMS FOR FUTURE DEVELOPMENT OF PRISONS

Most of the prisons in the country are over-crowded and carry a load of almost double the number of prisoners to the sanctioned capacity. Jail buildings are generally century old and require thorough modifications to make them suitable for bringing about new innovations along progressive lines. The present buildings had one primary objective — security and custody of offenders, but modern techniques and concepts require more functional buildings.

An important step for progressive development is the separation of under-trials and convicts. For want of separate buildings and facilities, most of the central prisons now have a heavy load of under-trials to look after along with convicted prisoners. The day-to-day procedure involved with the under-trials puts a heavy strain on the prison staff who have less time to look after the needs of long-term prisoners.

The presence of a large number of short-term prisoners in central prisons is another handicap. It is accepted that short sentences of less than three months or six months have no value for correctional purposes. Some advanced countries are considering revision of the penal codes, abolishing the short sentences and creating alternative modes of treating offenders who require short term sentences.

Classification of institutions is a very useful line of development. It is universally admitted that congregating all types of prisoners in the same enclosure does not lead to correction and may rather have negative results. Classification of institutions is needed so that treatment becomes individualised.

Classification of prisoners according to sex, age, criminal record, length of sentence, special aptitude, rural or urban background, is essential to plan out treatment services in a scientific manner. Juveniles and first offenders should under no circumstances be mixed up with the hardened criminals.

For want of specialised facilities for child offenders under the Children Acts, at present a large number of children are sent to jails alongwith adult offenders. This is a very undesirable state of affairs and we should end it immediately. Children Acts should be enforced in States and areas where they have yet not been enforced.

For a successful classification programme we need on the prison staff specialised personnel for diagnosis and treatment. These should include a well trained prison superintendent, a medical officer, a social worker, a craft instructor, a teacher, a phychologist and a psychiatrist.

The training and vocational programme in the prisons should be geared to the needs of the outside world so that after release the prisoner can find easy absorption in society. We need to diversify our training facilities in terms of agriculture, crafts, technical and industrial education.

Unemployment and under-employment, is one of the many problems facing the prisons today. A large number of

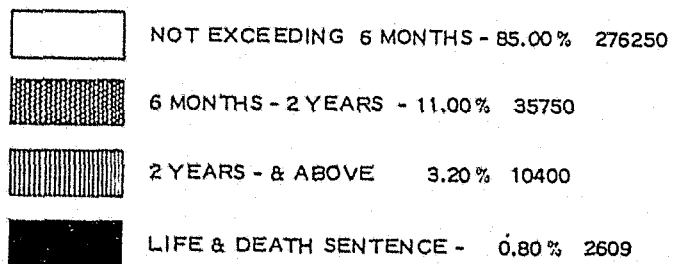
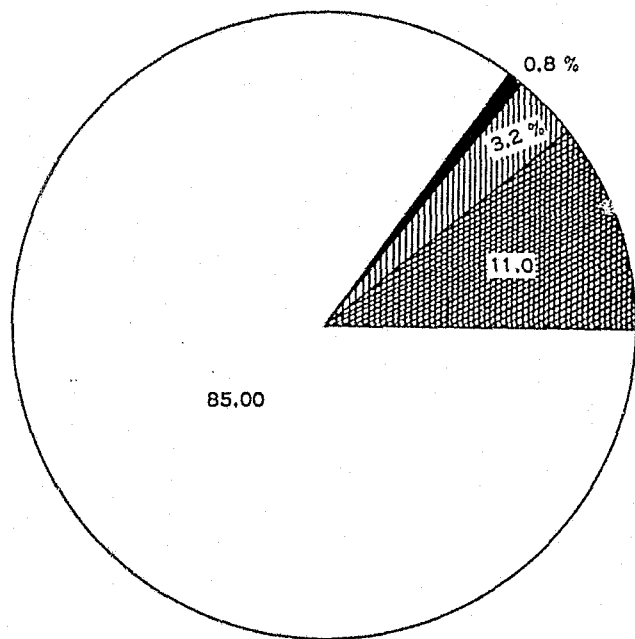
prisoners have to be engaged in house keeping chores, such as, scavanging, cleaning, cooking, sanitary facilities for want of other occupations.

It is necessary to make suitable facilities for mentally sick inmates, criminals as well as non-criminals in mental hospitals. Prisons are not congenial places for their treatment and care.

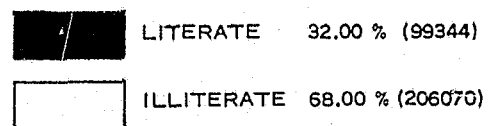
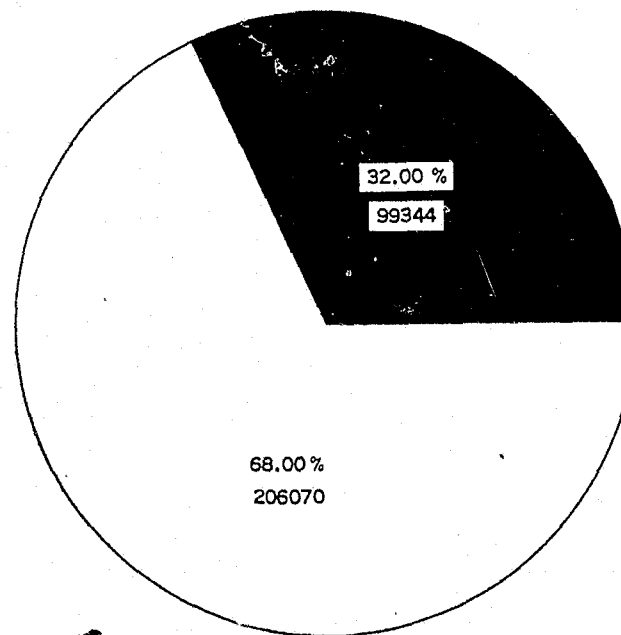
The prison administration is still governed by out of date legislation, such as, the Prisons Act 1894, the Prisoners Act, 1900, the Indian Lunacy Act 1912 and the State Prison Manuals. Immediate steps are necessary to revise the legislation governing the prison administration.

The prison personnel who look after the offenders round the clock and all the year round, have an onerous task. In this context, it is stressed that due recognition is given to the prison services and better service conditions are provided. Specialised correctional training to the prison personnel is important. It is the key to the success of implementing measures for prison reform.

ADMISSION OF CONVICTS BY  
LENGTH OF SENTENCE - 1965



EDUCATIONAL BACKGROUND  
OF CONVICTS ADMITTED - 1965





**END**