

PRISON ADMINISTRATION IN INDIA

Dr. B V TRIVEDI



PRISON
ADMINISTRATION
IN INDIA
MODEL-PRISON PROGRAMMES IN U.P.

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FOREWORD

Prison administration is an essential part of the totality of the criminal justice in any country. It is at the receiving end in a manner of speaking of the police, the prosecution and the judiciary. The processes of prevention, punishment and correction or rehabilitation constitute a continuum. For obvious reasons, and especially since the police and the judiciary represent and command ostensible authority and are always functionally before the public eye, the prison or jail administration unfortunately suffers because of unintended indifference and even neglect. It has taken long for prison administration to acquire a distinctive identity of its own. The significance of prison administration as a necessary and healthy adjunct of crime prevention is being gradually recognised in our social thinking but the requisite back-up it calls for in financial and operational terms lags behind. Prison administration therefore, requires periodical review and reorientation in consonance with emerging social ideals and developing institutional requirements.

The concept of prison administration as institutional device for correction and rehabilitation of the inmates has by and large received only ritualistic homage in the country. In administrative and plan priorities correctional aspects of jail administration have rarely figured prominently. Some how the notion that the jails mainly exist to prevent the culprits and the convicts from doing further mischief has a strong hold on public mind as on governmental working. Occasionally when there is something spectacular like the daredevil escape or jail-break by some notorious smugglers and criminals or dismal episodes of gross ill-treatment of prisoners, abuse of child and women convicts or undertrials, deaths due to callous neglect or maltreatment, riots by convicts etc. that the society wakes up

to the nefarious activities in the jails, administrative callousness, nexus of crime and influence, deplorable living conditions, managerial inefficiency, cussedness, etc. It is a pity that the authorities concerned in many parts of the country are hardly able to utilise the paltry funds allocated for repairs and construction of jail buildings, training of staff, initiation of sound reformatory measures and the like purposes. I have seen this personally while working as a member of a State Jail Reforms Commission in the sixties or later as Secretary to the Ministry of Home Affairs and Department of Justice, Government of India, in the early eighties. The overcrowding in the jails and the internal working have drawn often exceedingly adverse comments from social workers, the press and the judiciary. But response from the administration for rectificatory action is not always either adequate or appropriate. I do hope that the vigilant public opinion will continually assert so that the recommendations of the Justice Mullah Committee about Prison Administration and Jail Reforms as well as the Financial Allocations by the Eighth Finance Commission to the States in this regard are purposefully utilised. Probably a stage has arrived when the prison administration requires a separate Bureau of its own at the Centre to attend adequately to the problems of research and development of prison administration, modernisation, reform particularly institutionalisation of correctional and rehabilitational approaches throughout the country. It is high time that genuine effort is made to ensure that the status of the prison administration not only meets the present requirements but comes to reflect our social conscience and tomorrow's social vision.

The present work by Dr. B.V. Trivedi is a systematic study of the many issues concerned with prison administration and its modernisation. It provides necessary understanding of the problems and guidance as to how attempt to solve them. The author deserves commendation and congratulations for his useful research in the vital area of jail administration. Modernisation involves development of the capability of the infrastructure and the apparatus and the humanisation and sensitisation of the entire administrative machinery and its approach and attitudes.

Besides providing the historical background and outlining advances in penological thought, it also deals with personnel problems and development, the need for professionalisation, institutional programmes, prison labour, infrastructural facilities within the jails, individualised and reformatory approach to inmates, working out of scientific priorities integral to effective prison administration in relation to ideals of correction, reformation and rehabilitation etc. Though the study is focussed on a particular prison, the author has taken pains to explore the problems of jail administration in all its ramifications and in a wider perspective. Dr. Trivedi has made ample use of the published and unpublished literature on the subject besides extensive surveys and intensive field work. The work under consideration should be helpful in reviewing and streamlining institutional correction endeavour in the country. I do hope this scholarly contribution, informed as it is with practical insights, will be of use and interest to students of criminology, social scientists, administrators and policymakers concerned with prison administration and reforms in a developing country like ours.

New Delhi,
22nd January, 1987.

T.N. CHATURVEDI
Comptroller & Auditor General
of India
New Delhi

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Introduction

In ancient times, convicts used to work the Roman galleys. Till recently working a tread-wheel or crank-box was regarded as exemplary punishment. Early in the nineteenth century, the inmates of the Bavaria camps in the United States of America were deployed on public road construction. So was the case with their counterparts in India. However, work by convicts in both the countries came under criticism for two specific reasons: At the operational level the convicts were required to work under conditions far from satisfactory. Secondly, and most importantly, several administrators, jurists and intellectuals viewed the work by the inmates as causing dissipation of punitive objectives. Nevertheless, in the second half of the last century, work by convicts started gaining acceptance. In contemporary times, in most of the correctional institutions work by the convicts has become almost routine. What, however, differentiates the work by the inmates of modern correctional institutions from that of ancient and medieval times is the approach and the basic philosophy behind the work.

In the ancient and medieval times, when the concept of vengeance dominated penal thinking, corporal punishment, including poetic punishments, used to be the norm. If, however, incarceration had to be awarded, the work and working