CHAPTER II
PRISONS AND HUMAN RIGHTS:
HISTORICAL PERSPECTIVE

Michel Foucault describes in his book 'Discipline and Punish' how modern civilization turned towards imprisonment as a form of punishment from the age old tradition of public torture and execution. His work begins with a horrendous scene of Damiens brutal torture in Paris in 1757 on allegations of regicide. Foucault describes the scene as 'boiling oil, molten lead and sulphur are poured into the body of the regicide Damiens as royal power wreaks its brutal revenge. Steel pinchers pick at his flesh; horses pull apart his half-severed limbs. Slowly Damiens dies and his dismembered body is burnt to ashes'.¹ For Foucault this grisly spectacle serves as prologue to that moment in the history of repression 'when it became understood that it was more efficient and profitable in terms of the economy of power to place people under surveillance than to subject them to some exemplary penalty'.² By the 1830s, eighty years after Damiens' execution, such spectacles of physical punishment had disappeared: 'the tortured body was avoided; the theatrical representation of pain was excluded from punishment. The age of sobriety in punishment had begun'.³ In the new penology the body ceased to be the main target of repression. In the closed and ordered world of the prison the aim was not to torment the flesh but to reach beyond the body, 'to correct, reclaim, [and] "cure" the 'soul' of the prisoner. Punishment, Foucault quotes a contemporary as saying, 'should strike the soul rather than the body'. The violent expiation that once rained down upon the captive body was replaced by 'a punishment that acts in depth on the heart, the thoughts, the will, the inclinations'.⁴
The creation of the prison, with a philosophy of penitence was a grand reform in the direction of improvement over brutality of punishment. Brutality and barbarity was main feature of ancient law and practice. While exploring the history of prisons three phases may be categorized. During first phase prisons were in the form of dungeons in secure parts of castles or city. These were used to keep prisoners during their trial or until their sentences were executed. Second phase was experimentation phase, using imprisonment as a form of punishment for certain type of offenders, specifically juveniles. Third phase was related with universal adaptation of imprisonment in place of capital punishments. A detailed description about these three phases is discussed below.

2.1 History of Prisons in the World

2.1.1 In Ancient Times

Prisons were in existence thousands of years ago as places of confinement for lawbreakers. But modern concept of prisons, i.e. using these places as penal institutions emerged during eighteenth century. Before then prisons were used to detain offenders before sentencing convicts to death or life of slavery. But with the development of our civilization prisons transmuted as the correctional institutions to rehabilitate and reform prisoners.

Prisons in the shape of dungeons had existed from time immemorial in all of the old countries of the world.

Human beings, throughout recorded history, have devised ingenious ways to “punish” their kind for real or perceived transgressions. Among tribal groups and even in more developed civilizations, such punishment might include, among other tortures, whipping, branding, mutilation, drowning, suffocation, executions, and banishment (which in remote areas was tantamount to a death sentence). The extent of the punishment often depended on the
wealth and status of the offended party and the offender. Those accused or found guilty and who were richer were often allowed to make amends by recompensing the victim or his or her family, while those who were poorer and of lesser status were likely to suffer some sort of bodily punishment. But whatever the approach, and for whatever the reason, some sort of punishment was often called for as a means of balancing the scales of justice, whether to appease a god or gods or later Lady Justice.

As David Garland (1990) recounts, “ancient societies and ‘primitive’ social groups often invested the penal process with a wholly religious meaning, so that punishment was understood as a necessary sacrifice to an aggrieved deity”. As urbanization took hold, however, and transgressions were less tolerated among an increasingly diverse people, the ancients and their governing bodies were more likely to designate a structure as appropriate for holding people. For the most part, such buildings or other means of confining people were often used to ensure that the accused was held over for “trial” or sometimes just for punishment. Fines, mutilation, drawing and quartering, and capital punishment were popular ways to handle those accused or convicted of crimes.\(^7\)

Thus correctional practices were created to tackle criminal elements of society as well as to avert the use of violent and coercive punishment to these people. Usage of prisons can be traced with the origin of state as a formal organization. From the birth of modern civilization in 3\(^{rd}\) millennia BC, almost every major civilization used concept of prisons as a mean to detain and crop personal freedoms of incarcerated people.\(^8\) In the history of prisons this phase could be accredited as a temporary stopgap before sentencing criminals to death or life of slavery. But as our civilization developed prisons started transmuting into correctional institutions.
Records of prisons begins from 1st millennia BC, are located on the areas of mighty ancient civilizations of Mesopotamia and Egypt. During this period prisons were situated in underground catacombs. Where guilty or suspected criminals were kept for awaiting their death sentence or command to become slaves. There are accounts of Middle Kingdom Era in Egypt (2000 BCE), that the pharaohs imprisoned non Egyptian criminals at hard labour in granaries and other available areas.

There were also prisons in ancient Greece. But criminals had to face incarceration less frequently than fines, exile, stoning, crucifixion and precipitation. In Greece prisoners were held in poorly isolated buildings where they could often be visited by their friends and family. Ancient Roman Empire however continued to use harsher methods. Their prisons were built mostly underground with tight and claustrophobic passageways and cells. Prisoners were incarcerated either in simple cells or chained to the walls for life time or for limited period of time. As slavery was accepted norm in those days, most of the prisoners that were excepted from death sentence were sold as slaves or roman government use them as workforce. One of the most famous use of slaves in roman empire was as ‘gladiators.’

2.1.1.1 Mamertime Prison

One of the most notable roman prisons was the Mamertime Prison, established around 640 BC by Ancus Marcius. The Mamertine Prison was located within a sewer system beneath ancient Rome, and contained a large network of dungeons where prisoners were held in squalid conditions, contaminated human waste. Forced labor on public works projects was also a common form of punishment. In many cases, citizens were sentenced to slavery, often in ergastulal (a primitive form of prison where unruly slaves were chained to workbenches and performed hard labor).
2.1.1.1.2 Early Punishments in Westernized Countries

Although mutilation ultimately disappeared from English law, the brutality of Anglo-Saxon criminal punishment continued unabated into the eighteenth century. In the thirteenth century, offenders were commonly broken on the wheel for treason. A 1530 act authorized prisoners to be boiled alive. Burning was the penalty for high treason and heresy, as well as for murder of a husband by a wife or of a master by a servant. Unlike the punishment of boiling, that of burning remained lawful in England until 1790. In practice, and as a kindness, women were strangled before they were burned. The right hand was taken off for aggravated murder. Ordinary hangings were frequent, and drawing and quartering, where the hanged offender was publicly disemboweled and his still-beating heart held up to a cheering multitude, was not uncommon.

In addition, until the mid-nineteenth century, English law permitted a variety of “summary” punishments. Both men and women (the latter until 1817) were flagellated in public for minor offenses. For more serious misdemeanors there was the pillory, which was not abolished in England until 1837. With his face protruding though its beams and his hands through the holes, the offender was helpless. Sometimes he was nailed through the ears to the framework of the pillory with the hair of his head and beard shaved; occasionally he was branded. Thereafter, some offenders were carried back to prison to endure additional tortures.

2.1.1.1.3 The First Jails

Jails were the first type of correctional facility to develop, and in some form they have existed for several thousand years. Whether pits or dungeons or caves were used, or the detained were tied to a tree, ancient people all had ways of holding people until a judgment was made or implemented. Ancient Roman society was a slave system.
To punish wrongdoers, *capitis deminutio maxima*—the forfeiture of citizenship—was used. Criminals became penal slaves. Doomed men were sent to hard labor in the Carrara marble quarries, metal mines, and sulphur pits. The most common punishment was whipping—and in the case of free men, it was accompanied by the shaving of the head, for the shorn head was the mark of the slave.

Early versions of *gaols* (or jails) and prisons existed in English castle keeps and dungeons and Catholic monasteries. These prisons and jails (not always distinguishable in form or function) held political adversaries and common folk, either as a way to punish them or incapacitate them or to hold them over for judgment by a secular or religious authority. Sometimes people might be held as a means of extorting a fine. The use of these early forms of jails was reportedly widespread in England, even a thousand years ago. By the 9th century, Alfred the Great had legally mandated that imprisonment might be used to punish (Irwin, 1985). King Henry II in 1166 required that where no gaol existed in English counties, one should be built “in walled towns and royal castles,” but only for the purpose of holding the accused for trial. In Elizabethan England, innkeepers made a profit by using their facility as a gaol.

Such imprisonment in these or other gaols was paid for by the prisoners or through their work. Those who were wealthy could pay for more comfortable accommodations while incarcerated. “When the Marquis de Sade was confined in the Bastille, he brought his own furnishings and paintings, his library, a live-in valet, and two dogs. His wife brought him gourmet food”. The Catholic Church maintained its own jails and prisonlike facilities across the European continent, administered by bishops or other church officials.

In fact, the Catholic Church's influence on the development of westernized corrections was intense in the Middle Ages (medieval
Europe from the 5th to the 15th centuries) and might be felt even today. As a means of shoring up its power base vis-à-vis feudal and medieval lords and kings, the Catholic Church maintained not only its own forms of prisons and jails, but also its own ecclesiastical courts. Though proscribed from drawing blood, except during the Inquisition, the Church often turned its charges over to secular authorities for physical punishment. But while in their care and in their monasteries for punishment, the Catholic Churches required “solitude, reduced diet, and reflection, sometimes for extended periods of time”. Centuries later, the first prisons in the United States and Europe, then heavily influenced by Quakers and Protestant religions in the states, copied the Catholics’ monastic emphasis on silence, placing prisoners in small austere rooms where one’s penitence might be reflected upon—practices and architecture that, to some extent, still resonate today.

2.1.1.1.4 Galley Slavery

Another form of “corrections,” galley slavery, was used sparingly by the ancient Greeks and Romans, but more regularly in the late Middle Ages in Europe and England, and stayed in use until roughly the 1700s. Under Elizabeth I, in 1602, a sentence to galley servitude was decreed as an alternative to the death sentence. Pope Pius VI (who was pope from 1775–1799) also reportedly employed it. Galley slavery was used as a sentence for crimes or as a means of removing the poor from the streets. It also served the twin purpose of providing the requisite labor—rowing—needed to propel ships for seafaring nations interested in engagement in trade and warfare. For instance, these galley slaves were reportedly used by Columbus. The “slaves” were required to row the boat until they collapsed from exhaustion, hunger, or disease; often they sat in their own excrement. Under Pope Pius, galley slaves were entitled to bread each day, and their
sentences ranged from 3 years to life. Though we do not have detailed records of how such a sentence was carried out, and we can be sure that its implementation varied to some degree from vessel to vessel, the reports that do exist indicate that galley slavery was essentially a sentence to death. Galley slavery ended when the labor was no longer needed on ships because of the technological development of sails.  

2.1.2 Middle Ages

The concept of modern prison was unknown until the early 19th century. Punishment during 16th and 17th centuries consisted of physical forms of punishment including capital punishment, mutilation and whipping, branding and non-physical punishments such as public shaming rituals like the stocks.  

Prison was used as a place where people were held before their trial or while awaiting trial or while awaiting punishment. It was rarely used as a form of punishment. During this period prisons were badly maintained in Britain. During eighteenth century some reformers started condemning poor prison conditions in Britain. John Howard and Jeremy Bentham called for wide range reforms, they emphasized that prisoner should suffer a severe regime, but that should not be pernicious to their health. An important innovation of this period was the bridewell house of corrections, located at bridewell palace in London, which resulted in building of other houses of corrections. By the end of the 17th century, houses of corrections were absorbed into local prison systems under the control of the local justice of the peace.  

The end of middle ages can be enmarked with the termination of feudalism, due to which large number of landless peasants were compelled to stream across the European countryside and into cities in search of their livelihoods either honest or dishonest. This unstable population was at the verge of criminality. To control such tendency
one strategy followed was imprisonment. The end of middle ages can be enmarked by the rise of mercantilism and the era of exploration. At that time European countries were sending expeditions to the western and southern hemisphere in search of colonies. With colonization new type of criminal sentence was originated- confining prisoners to European colonies in Africa, Australia and America.

Another confinement option used mainly in England was to unprison convicts on derelict warships and merchant vessels called hulks. Because during mid 1700s criminal population was expanding which could not be contained in rivers and bays and these were filthy, crowded, unventilated and disease ridden. England generally abandoned its use of hulks by the mid nineteenth century, but it continued to operate as late as 1875.16

Imprisonment- Modern Concept

During the seventeenth century philosophers and reformers started condemning cruelty and barbarity in prisons. Imprisoning criminals as their punishment was a reform that emerged in the eighteenth century. In modern age as we became more civilized more sophisticated so were human rights emphasized, and prisons got converted into correctional facilities that started implementing the concept of rehabilitation and reform of prisoners. The age of modern prisons that we know today started with the several prison reforms in the 19th century in England. During that time prisoners started receiving more care, concept of rehabilitation was introduced and governments around the world started reconsidering their views on solitary confinement.17

European philosophers, reformers and leaders, such as Voltaire, Montesquieu and Denis Diderot in France; Italy’s Cesare Beccaria, Frederick 2 of Prussia and England’s Jeremy Bentham and John Howard coined the idea of replacement of capital and corporal
punishments with fixed terms at humane, rehabilitation oriented 
prisons as part of systematic, impartial and reasoned criminal justice 
systems aligned with the spirit of rationalism that characterized the 
enlightenment. Beccaria in 1764, wrote, “the purpose of punishment is 
not to torment a sensible being, nor undo a crime already committed, 
but rather to prevent the criminals from doing further injury to society 
and to prevent others from committing the like offense.”

Eighteenth century witnessed some landmark reforms in 
penitentiary systems. In nineteenth century prisons had become places 
to incarcerate offenders as punishment for their crimes but these 
were far away from the concept of rehabilitation. But now prison 
reformers and social critics in Europe were calling for prisons to offer 
more and better correctional treatments and to provide incentives 
that would encourage inmates to reform themselves. Frederick Hill, 
an English prison reformer, emphasized that each prison should be a 
moral hospital. Where prisoners would be “cured of their bad 
habits”. Out of these criticisms and reform proposals, a new type of 
prison emerged in the end of nineteenth century was the reformatory.

2.2 History of Prisons in India

2.2.1 Prisons in Ancient India

In ancient Indian society provisions for punishment were based 
on principles enunciated by Manu and explained by Yajnavalkya, 
Kautilya and others. In ancient Indian penology among various types 
of punishments - branding, hanging, mutilation and death, 
imprisonment was the most mild kind of penalty. Manu quotes four 
types of punishments in his compendium - ‘The Manva Dharamshastra’ - 
vak danda (admonition), dikd anda (censure), dhandanda (fine), and 
badhadanda (physical punishment). Here badhadanda or physical 
punishment refers towards imprisonment. The main function of
imprisonment for ancient Indians was deterrence – to keep away the wrong doers. As per illustrations of Mahabharta it is fear of punishment which deters people from committing crime was through the example of offenders suffering. Manu recommended that the prisons should be situated near main roads, where the ‘suffering and disfigured’ offenders can be easily seen, fulfilling both purposes – deterrent and punitive.\(^\text{22}\) The Dharamshastras do not lay out specific crimes for which imprisonment is required, moreover the Dharamshastras do not state how long a prisoner should be kept. It was left to the king who would be imprisoned and for how long.\(^\text{23}\)

Scholars who have immensely pondered over hindu ‘Dharamshastras’, ‘Arthashastras’ and other legal treatises. Which concluded that it was ‘Dharma’, which was regulating the duties of kings, judges, subjects and judicial as well as legal procedures.\(^\text{24}\) Which means ‘Dharma’ was working as central force to maintain social order and system. ‘Dharma’ was originating source of punishment provisions.

In ancient times the ‘Rule of Dharma’ was fundamenyal of jurisprudence. Indian concept of ‘Dharma’ was wider than the concept of ‘Rule of Law’ of England and even wider than American ‘Due Process’ provision. Because it not only emphasizes on justice and legality but it also requires what is moral and natural according to ‘Neetishastras’.\(^\text{25}\) which means provisions for punishment in India were more just and fair than other ancient societies. In ancient India arrests were of different kinds. There are records of local arrest, temporary arrest and arrest amounting to inhibition from travelling and arrest relating to arrestee’s work. It seems that in this context humanistic approach was followed because some specific categories were exempted from imprisonment. Brihaspati mentioned some as: 1) engaged in study, 2) about to marry, 3) sick, 4) one afflicted by
sorrows, 5 insane, 6) infant, 7) intoxicated, 8) very old man, 9) woman etc.

Even Narda has mentioned that the following persons should not be arrested: (1) About to marry, 2) tormented by illness, 3) about to offer sacrifice, 4) one afflicted by calamities and 5) minor. But on some occasions policemen were very cruel in their dealings with suspected persons. But humanistic approach towards offenders was also prevalent as there are records of police officers being punished for violating their duties. Offences and misconduct committed by police officers were taken very seriously and harsh punishments were given to them.

Kautilya who was having contagious knowledge about imprisonment and punishment, has mentioned that officers of prisons who misbehaved with prisoners in any form were liable to various kinds of punishments. Restricting prisoners in their daily tasks such as sleeping, sitting, eating or excreting was punishable with fines ranging from three panas and upwards. Even harassing prisoners in lock ups by removing him frequently from one room to other without informing the proper authority was fined twenty four panas and for torturing unjustly forty-eight panas. Depriving him of food and water with ninety six panas and for death causing by torture, one thousands panas. Kautilya prescribed fines for misbehaving with ladies in prison houses also. The punishment was prescribed according to the status of lady molested. 26

Kautilya writes that prison should be constructed in capital and provide separate accommodation for men and women. He advocates amnesty to some prisoners on festivals and special occasions like birth of a prince or coronation of a royal heir or birthday of king. He also elaborates upon duties of a jailor. Other accounts of ancient times throw light on harsh treatment of prisoners. The officers were
known as ‘Bandhanagardhyaksa’ and ‘karaka’. During medieval times too criminals were detained in fortresses pending trial and judgment. The prisons of the ancient world have disappeared. Those of it antiquity and medieval Europe have fallen into ruin, have been recycled into other uses or have been preserved as Museums, their varied history usually explained only in terms of modern concept of penology. The first phase of ancient civilization in India when Dharma was Supreme, the offender was shown maximum tolerance, but that was gradually ousted by political party of the King in the middle ages. The ancient period speaks of four methods of punishment (Danda) namely, by gentle admonition, by severe reproof, by fine, and by corporal punishments and declared that these punishments may be inflicted separately or together according to the nature of the offence.

The chief police officer during the time of Kalidasa was the Nagaraka. Generally a Nagaraka was assisted by constables (Raksinah). The duties of the Nagarakas, who later came to be known as Kotwal, have been defined in detail by Kautilya. As per contemporary municipal laws, masters of houses were to report the arrival or departure of strangers and wayfarers and catch persons of doubtful character and those possessing destructive weapons. Suspicious persons were to be arrested and punished. Even persons throwing waste on the street were to be punished. The Nagarakas were expected to maintain law and order and look after the administration of jails and check up daily the defence of the city. He had to take into custody of the lost property. Elaborate arrangements were made for protection from fire.

In the early years of Ashoka, there was an unreformed prison in which most of the traditional punishment method tortures were
inflicted and from which no prisoner came out alive. But from his moral edicts which belong to his later period of rule- when he was influenced by Buddhism- it appears that many reformatory measures were taken. Prof. Ram Chandra Dikhitar (1970) in his book entitled 'Mauryan Polity', has suggested that Ashoka was familiar with the Arthashastra, for Ashoka speaks of as much as twenty-five jail deliveries effected by him in the course of twenty-six years since his appointment to the throne.

In the post-Ashokan age the Jakakas give a picture of the society and supply information regarding crime and imprisonment. Seyya Jataka (No. 283) relates that, King having fettered and officer put his in jail. But when the King was informed of his guiltless action, the king released the officer from prison. The other Jataka (No. 201) narrates about the prisoner while another jataka (No. 427) describes the release of the political prisoners at the time of war and commissioned them in the army. The release of prisoners was a common feature in ancient India.

From Harshacharita it appears the condition of the prisoners was far from satisfactory. The life of Hiuen-Tsang records that prisoners generally received harsh treatment. They were not allowed to shave. They had hairy faces and matted beards. There were, however, occasions when prisoners were released. Kalidasa records when the constellation on which a King was born in evil aspect, astrologers advised release of all the prisoners. At the time of Royal Coronation all prisoners were released. The Brhat-Samhita adds that release of prisoners could even be ordered when the king took the pusyasnana (as auspicious bath). The ancient historical narration is corroborated by archaeological source.

In a pamphlet called Rajgir, published by the Department of Archeology, India, description of Bimbisara's Jail has been given as:
Proceeding southwards along the main road and traveling about three-quarters of a mile from Maniya Math, the visitor will find an area, about 200 square feet enclosed by a stone wall, about 6 feet thick with circular bastions at the corners. The structure has been identified with the prison in which Bimbisara was confined by his son Ajatasatru. It is said that from this prison Bimbisara was able to see Budha on the Gridhrakuta. Partial clearance of the site brought to light stone cells, in one of which was found iron rings with a loop at one of extremity, which might possibly have served the purpose of manacling prisoners. The officers of the jail were known as Bandhanagar adhyaksa and Karaka. The former was the Superintendent of Jail and the latter was one of his assistants. The jail department was under the charge of sannidhata, who was to select sites for their location and build necessary buildings.

### 2.2.2 Prisons in Medieval India

The Muslim Law which was prevalent in the medieval period in India, it is revealed that imprisonment was not recognized as a form of punishment. During Akbar regime, Badayunm records that on birth of Prince Salim, the Emperor set out with all expedition on Agra and in the excess of his joy ordered all prisoners to be released. During the late medieval period, the Christian Church had granted asylum or sanctuary to fugitives and criminals. These canon Courts were traditionally forbidden to shed blood.

During medieval times too criminals were detained in fortresses pending trial and judgment. According to Muslim law, the 'quazis' were supposed to visit the prisons and inquire into the conditions there and release those who showed signs of repentance. Prisoners were also released on special occasions.

During the Mughal period sources of law and its character essentially remained Quranic. Crimes were divided into three groups,
namely, a) Offences against God, b) offences against State, c) offences against private persons. Punishment for these offences were of four classes, they were, 1) Hadd 2) tazir 3) Quisas 4) Tasir. Imprisonment was not resorted as a form of punishment in the case of ordinary criminals. It was used mostly as a means of detention only. There were fortress situated in different part of the country, in which the criminals were detained pending trial and judgement.33 There used to be three ‘Noble prisons or Castles’ in Mughal India. One was at Gwalior, second one at Ranathambore and the last one at Rohtas. The only redeeming feature of the prisoners was that orders for their release were issued on special occasions. On the occasion of the celebrations of recovery from illness of the favorite Princes Begum Sahib, Shahajahan ordered the release of prisoners in 1638 AD.34 Some rooms in forts popularly known as the Bhandhikahanas or Adab – Khanas were reserved for prisoners, and culprits who had committed serious crimes were sent to such from different places. During the Maratha period also, imprisonment as a form of punishment was not very common. Death, Mutilation, fine were common forms of punishments. The form of punishment, as during the ancient and Mughal period, continued in Maratha period also.35 The main features of the prison system prevailed in pre- British period may be summarized as below:

a) There were no prisons in Modern sense.

b) There was no description of internal administration of prisons.

c) No separate prison service existed and courts were not feeding centers for prisons.

d) There were no rules for maintenance of prisons.

Under the judicial system of Mughals, Quranic law was the only law recognized in the country which provided brutal punishments for
The punishment for crimes were of four classes- i-Hadd ii-Tazir iii-Quisas iv-Tashir During the Mughal rule in India punishment by imprisonment was not as uncommon as in ancient India. However, it was not as widely used as in British India. It was Abul Fazal, one of the learned ministers of Akbar who gave an interpretation that Muslim rulers could award imprisonment to offenders. There were two kinds of prisons, one for prisoners of high rank and the other for ordinary criminals. Besides regular prisoners, under trials were also kept confined in jail. Thus, in Muslim India since prisons were used both for detention and punishment of offenders the purpose of prison administration was not merely to keep the accused persons under safe custody but also to administer prisons as a means for punishing convicted criminals. 36

2.2.3 Prisons in Modern India

The prison system as it operates today in India is a legacy of the British rule. It facilitated the abolition of our antediluvian system of barbarous punishments and substitution of imprisonment as a chief form of punishment for the commission of crimes. It was an ingenious creation of the colonial rulers Over our indigenous penal system with the prime motive of making imprisonment “a terror to wrong doers”. 37 Nevertheless it was a great leap in the history of our penal reforms as it facilitated the abolition of our old fashion system of barbarous punishments and substitution of imprisonment as the chief form of punishment for crimes. In 1784 the British Parliament empowered the East India Company to rule India and since then some attempts were made to introduce reforms in the administration of Law and Justice. At that time there were 143 civil jails, 75 criminal jails and 68 mixed jails. 38 In fact these jails were an extension Mughal rule which were managed by the personnel of the East India Company in their efforts to maintain peace and establish their trade. As Dr. BK
Bhattacharya has very aptly observed,“the British believed only in keeping in custody the prisoners as economically as possible and with the maximum profit to the Government.” It was quite natural that the early British Administration had formulated its Prison Policy with a view to serving it colonial interests alone.

2.3 Prison Reforms in India – A Brief Background and Overview

As we have discussed earlier prisons have been an integral part of our society since time immemorial. These were used as places to detain anti-social elements identified by the rulers to protect the society against crime. We have overviewed through which kind of changes these institutions have gone worldwide and even in India. A detailed description is given below about prison reforms in India from nineteenth century to till today-

• The contemporary prison administration in India is a legacy of the British Rule. Lord Macaulay, while presenting a note to the Legislative Council in India on December 21, 1835, for the first time, pointed out the terrible inhumane conditions prevalent in Indian prisons and he termed it as a shocking to humanity. He recommended that a committee be appointed to suggest measures to improve discipline in prisons.

• Consequently, on 2nd January, 1836, a Prison Discipline Committee was constituted by Lord William Bantick for this purpose. The committee submitted their report in 1838 to Lord Auckland, the then Governor General which revealed prevalence of rampant corruption in the subordinate establishments, the laxity in discipline and the system of employing prisoners on extramural labour on public roads. The committee recommended more rigorous treatment of prisoners and rejected all notions of reforming criminals lodged in the prison through moral and religious teaching, education or any system of rewards for good conduct.
• **Sir John Lawrence**, a renowned jurist, again examined the conditions of Indian prisons in 1864. Consequently **Second Commission of Enquiry** to look into prison management and discipline was appointed by **Lord Dalhousie**. The commission in their report did not dwell upon, the concept of reformation and welfare of prisoners. It, instead, laid down a system of prison regimentation occasioned with physical torture in the name of prison discipline. However, the commission made some specific recommendations in respect of accommodation, diet, clothing, bedding, medical care of prisoners only to the extent that these were incidental to discipline and management of prisons and prisoners.

• A **Conference of Experts** was held in 1877 to inquire into the prison administration in detail. The conference resolved that a Prison Law should be enacted which could secure uniformity of system and to address such basic issues which were to be reckoned for deciding term of sentence. In pursuance to the resolution passed in this conference, a draft Prison Bill was actually prepared but finally postponed due to unfavourable circumstances.

• The **Fourth Jail Commission** was appointed by **Lord Dufferin** in 1888 to inquire into the prison administration. This commission reiterated that the uniformity could not be achieved without the enactment of a single Prisons Act.

• Again, a consolidated Prisons Bill was prepared providing some rigorous prison punishments such as gunny clothings, imposition of irons on hands and feet, penal diet solitary confinement and whipping. This Bill was circulated to all local Governments by the Home Secretary to the Government of India on 25th March, 1893 with a view to obtaining their views. It
was later presented to the Governor General in Council and ultimately Prisons Act of 1894 came into existence which is the current law governing management and administration of prisons. It has remained into force for over 122 years including 68 years after our independence. It has hardly undergone any substantial change during all these years despite lot of new thinking having emerged respecting objectives, management and administration of prisons.

- The process of review of prison problems in the country, continued even after the enactment of Prisons Act, 1894. The first ever comprehensive study was launched on this subject with the appointment of All India Jail Committee (1919-1920). It is indeed a major landmark in the history of prison reforms in India and is appropriately called the cornerstone of modern prison reforms in the country. For the first time, in the history of prison administration, reformation and rehabilitation of offenders were identified as one of the objectives of prison administration.  

- **The Indian Jail Reforms Committee 1919-20** which was appointed to suggest measures for prison reforms was headed by Sir Alexander Cardio. It visited many prisons and came to the conclusion that prisons should have not only deterring influence but they should have a reforming effect on inmates. As a measure of prison reform, the Jail Committee further recommended that the maximum intake capacity of each jail should be fixed, depending on its shape and size.

- **The Government of India Act 1935**, resulted in the transfer of the subject of jails from the centre list to the control of provincial governments and hence further reduced the possibility of uniform implementation of a prison policy at the national level.
State governments thus have their own rules for the day to day administration of prisons, upkeep and maintenance of prisoners, and prescribing procedures.\footnote{42}

- The period from 1937 to 1947 was important in the history of Indian prisons because it aroused public consciousness and general awareness for prison reforms at least in some progressive States like, West Bengal, Tamil Nadu, Maharashtra etc. Efforts of some of the eminent freedom fighters who had known firsthand the conditions in prisons succeeded in persuading the governments of these progressive States to appoint committees to further enquire into prison conditions and suggest improvements in consonance with their local conditions. Some of the Committees appointed during the period were

  a) **The Mysore Committee on Prison Reforms, 1940-41**;
  
  b) **The U.P. Jail Reforms Committee, 1946**; and
  
  c) **The Bombay Jail Reforms Committee, 1946-48**.

It was around this period that such progressive legislations as-

  a) **The Bombay Probation of Offenders Act, 1936**;
  
  b) **The C.P. and Berar Conditional Release of Prisoners Act, 1936**; and
  
  c) **The U.P. First Offenders Probation Act, 1938**, were passed.\footnote{43}

Meanwhile under Gandhi’s leadership large number of freedom fighters courted arrest and thousands of educated and public spirited men and women were thrown into prisons. When they came out they were embittered by their personal experiences and sufferings as well as what they saw. They eloquently and feelingly described what they had seen. Even Mahatma Gandhi criticized the bad conditions of prisons.\footnote{44}
• When India gained independence in 1947, the memories of horrible conditions in prisons were still fresh in the minds of political leaders and they, on assumption of power, embarked upon effecting prison reforms. However, the Constitution of India which came into force in 1950 retained the position of the Government of India Act, 1935 in the matter of prisons and kept 'Prisons' as a State subject by including it in List II—State List, of the Seventh Schedule (Entry 4). The first decade after independence was marked by strenuous efforts for improvements in living conditions in prisons. A number of Jail Reforms Committees were appointed by the State Governments, to achieve a certain measure of humanization of prison conditions and to put the treatment of offenders on a scientific footing. Some of the committees which made notable recommendations on these lines were

(i) The East Punjab Jail Reforms Committee, 1948-49;
(ii) The Madras Jail Reforms Committee, 1950-51;
(iii) The Jail Reforms Committee of Orissa, 1952-55;
(iv) The Jail Reforms Committee of Travancore and Cochin, 1953-55;
(v) The U.P. Jail Industries Inquiry Committee, 1955-56; and

• While local Committees were being appointed by State Governments to suggest prison reforms, the Government of India invited technical assistance in this field from the United Nations. Dr. W. C. Reckless, a U.N. Expert on Correctional Work, visited India during the years 1951-52 to study prison
administration in the country and to suggest ways and means of improving it. His report *Jail Administration in India* is another landmark document in the history of prison reforms. He made a plea for transforming prisons into reformation centres and advocated establishment of new prisons.

- The year 1952 witnessed a significant break-through in national coordination on correctional work as in that year the *Eighth Conference of the Inspectors General of Prisons* was held after a lapse of 17 years.

- In pursuance to the recommendations made by the Eighth Conference of the Inspectors General of Prisons and also by Dr. W. C. Reckless, the Government of India appointed the *All India Jail Manual Committee* in 1957 to prepare a *Model Prison Manual*. The *All India Jail Manual Committee* was also asked to examine the problems of prison administration and to make suitable suggestions for improvements to be adopted uniformly throughout the country.

- In pursuance to the recommendations made by Dr. W. C. Reckless and also by the All India Jail Manual Committee, the *Central Bureau of Correctional Services* was set up under the Ministry of Home Affairs in 1961 to formulate a uniform policy and to advise the State Governments on the latest methods relating to jail administration, probation, after-care, juvenile and remand homes, certified and reformatory schools, Borstals and protective homes, suppression of immoral traffic, etc. The *Central Correctional Bureau* observed the year 1971 as *“Probation Year”* all over the country. The purpose was to create a general awareness amongst the principal branches of the criminal justice system, viz., the judiciary, the police, the prosecution and the correctional administration about the use
of probation as an effective non-institutional mode of treatment for the convicts.\textsuperscript{45}

- The Government of India constituted a working group on prisons in 1972. It recommended setting up of a research unit and training institute in every state and availability of hundred crore rupees for prison reform in fifth five year plan.

- In 1979 a conference of Chief Secretaries made a number of recommendations to reduce the overcrowding in jails.\textsuperscript{46}

- The Government of India has constituted an \textit{All India Committee on Jail Reforms} under the chairmanship of \textit{Mr Justice A. N. Mulla} in 1980 the committee submitted their report in 1983. This committee examined all aspects of prison administration and made suitable recommendation respecting various issues involved. A total of 658 recommendations made by this committee on various issues on prison management were circulated to all States and UTs for its implementation, because the responsibility of managing the prisons is that of the State Governments as ‘Prisons’ is a ‘State’ subject under the List II—\textit{State List of the Seventh Schedule (Entry 4)} of the Constitution of India. The Committee has also suggested that there is an immediate need to have a national policy on prisons and proposed a draft \textit{National Policy on Prisons} as per the brief details given as under

  a) Incorporation of the principles of management of prisons and treatment of offenders in the \textit{Directive Principles} of the State Policy embodied in Part IV of the Constitution of India;

  b) Inclusion of the subject of prisons and allied institutions in the \textit{Concurrent List} of the Seventh Schedule to the Constitution of India; and
c) Enactment of uniform and comprehensive legislation embodying modern principles and procedures regarding reformation and rehabilitation of offenders.

d) There shall be in each State and Union Territory a Department of Prisons and Correctional Services dealing with adult and young offenders – their institutional care, treatment, aftercare, probation and other non-institutional services.

e) The State shall endeavour to evolve proper mechanism to ensure that no undertrial prisoner is unnecessarily detained. This shall be achieved by speeding up trials, simplification of bail procedures and periodic review of cases of undertrial prisoners. Undertrial prisoners shall, as far as possible, be confined in separate institutions.

f) Since it is recognized that imprisonment is not always the best way to meet the objectives of punishments the government shall endeavour to provide in law new alternatives to imprisonment such as community service, forfeiture of property, payment of compensation to victims, public censure, etc., in addition to the ones already existing and shall specially ensure that the Probation of Offenders Act, 1958, is effectively implemented throughout the country.

g) Living conditions in every prison and allied institution meant for the custody, care, treatment and rehabilitation of offenders shall be compatible with human dignity in all aspects such as accommodation, hygiene, sanitation, food, clothing, medical facilities, etc. All factors responsible for vitiating the atmosphere of these institutions shall be identified and dealt with effectively.
h) In consonance with the goals and objectives of prisons, the State shall provide appropriate facilities and professional personnel for the classification of prisoners on a scientific basis. Diversified institutions shall be provided for the segregation of different categories of inmates for proper treatment.

i) The State shall endeavour to develop the field of criminology and penology and promote research on the typology of crime in the context of emerging patterns of crime in the country. This will help in proper classification of offenders and in devising appropriate treatment for them.

j) A system of graded custody ranging from special security institutions to open institutions shall be provided to offer proper opportunities for the reformation of offenders according to the progress made by them.

k) Programmes for the treatment of offenders shall be individualized and shall aim at providing them with opportunities for diversified education, development of work habits and skills, change in attitude, modification of behaviour and implantation of social and moral values.

l) The State shall endeavour to develop vocational training and work programmes in prisons for all inmates eligible to work. The aim of such training and work programmes shall be to equip inmates with better skills and work habits for their rehabilitation.

m) Payment of fair wages and other incentives shall be associated with work programmes to encourage inmate participation in such programmes. The incentives of leave, remission and premature release to convicts shall also be
utilized for improvement of their behaviour, strengthening, of family ties and their early return to society.

n) Custody being the basic function of prisons, appropriate security arrangements shall be made in accordance with the need for graded custody in different types of institutions. The management of prisons shall be characterized by firm and positive discipline, with due regard, however, to the maintenance of human rights of prisoners. The State recognizes that a prisoner loses his right to liberty but maintains his residuary rights. It shall be the endeavor of the State to protect these residuary rights of the prisoners. The State shall provide free legal aid to all needy prisoners.\textsuperscript{47}

- The central government further established a Committee on Women Inmates in May 1986 with the retired justice of the Supreme Court V. K. Krishna Iyer as the chair. The Krishna Iyer committee submitted its final report to the central government in 1987. Like the Mulla committee, this committee also advised the central government to amend the age-old Indian Prisons Act of 1894. The major recommendations of the committee were establishment of a nationwide uniform policy providing justice to female inmates, provision of vocational/educational training, counseling, therapeutic treatment, and legal aid.\textsuperscript{48}

- The Ministry of Home Affairs, Government of India has constituted a All India Group on Prison Administration-Security and discipline on 28th July, 1986 under the chairmanship of Shri R.K. Kapoor who submitted their report on 29th July, 1987. In pursuance to the recommendations made by the All India Committee on Jails Reforms, the Government of India identified Bureau of Police Research & Development
(BPR&D) as a nodal agency at the national level in the field of Correctional Administration on November 16, 1995 with specific charter of duties as given under


b. Assimilation and dissemination of relevant information to the States in the field of Correctional Administration.

c. Coordination of Research Studies conducted by Regional Institutes of Correctional Administration (RICAs) and other Academic/Research Institutes in Correctional Administration and to frame guidelines for conducting research studies/surveys in consultation with State Governments.

d. To review Training programmes keeping in view the changing social conditions, introduction of new scientific techniques and other related aspects in the field of correction administration.

e. To prepare uniform Training Modules, including courses, syllabi, curriculum etc. for providing training at various levels to the Prison Staff in the field of Correctional Administration.

f. Publication of reports, newsletters, bulletins and preparation of Audio Visual aids etc. in the field of Correctional Administration.

g. To set up an Advisory Committee to guide the work relating to Correctional Administration.


- In pursuance to the directions given by the Hon’ble Supreme Court in a case of Ramamurthy Vs. State of Karnataka, 1996,
the Government of India has constituted *All India Model Prison Manual Committee* in November, 2000 under the chairmanship of Director General of BPR&D to prepare a *Model Prison Manual* for the Superintendence and Management of Prisons in India in order to maintain uniformity in the working of prisons throughout the country. This manual has been circulated to all States/UTs for adoption after the acceptance by Government of India in January, 2004. It would not be out of place to mention here that the draft national policy on prisons as proposed by the All India Committee on Jail Reforms which is enumerated in the preceding account was given due consideration by this committee while preparing the Model Prison Manual under reference. Government of India has constituted a high powered committee under the chairmanship of Director General, BPR&D for drafting *A National Policy Paper on Prison Reforms and Correctional Administration* on 1st December, 2005 with following terms of reference

A. To review the present status of the legal position and suggest amendments if required on the prison related laws enacted by the Centre and States.

B. To review the recommendations made by various Committees & cull out tangible recommendations which are required to be implemented by the Centre and the States.

C. To review the status of implementation of these recommendations with reference to the following: -

   (a) Physical conditions of prisons

      (i) Overcrowding and Congestion

      (ii) Hygienic conditions

      (iii) Other Basic amenities
(b) Condition of prisoners
   (i) Undertrials
   (ii) Convicts
   (iii) Detenues

(c) Correctional Administration
   (i) Programme for welfare of convicts/undertrials
   (ii) Rehabilitation after release
   (iii) Involvement of Community

(d) Prison Personnel
   (i) Overall development of Prison Personnel
   (ii) Training

(e) Any other issues related to modernization of prisons and correctional administration.

D. Suggestions regarding alternatives to imprisonment.\textsuperscript{51}

- In addition to the recommendations of jail reform committees, other factors have influenced the central government to amend the century-old Indian Prisons Act. One such factor has been court orders to reform jail management focusing on inmates' well-being and rehabilitative provisions. For instance, in October 1998, "the Panaji bench of the Mumbai High Court had directed the Goa Central jail, Agnada, to implement several measures to improve the lives of inmates as well as management" (Kumar, 1998). The court also ordered the jail authority to improve provisions of rehabilitative services for the inmates.

- Also, the National Human Rights Commission (NHRC) has been urging the central and state governments for the last several
years to improve rehabilitative services offered to jail inmates across the country. In their Annual Report of 1999, the NHRC encouraged the central government to amend the Indian Prisons Act of 1894 to improve the quality of jail management as well as provide better rehabilitative services to inmates for reintegration into society upon their release.\textsuperscript{52}

2.4 Prisons System in Haryana

There are 19 jails in Haryana which includes 3 central jails (Ambala, Hisar-1, Hisar-2) and 16 district jails (Rohtak, Gurgaon, Bhiwani, Narnaul, Sirsa, Sonepat, Jind, Kurukshetra, Rewari, Yamunanagar, Faridabad, Palwal, Panipat, Kaithal & Jhajjar).

Administrative Set-up

Headquarter of Haryana prison department is at Panchkula. Prison department of Haryana is headed by Director Generals of Prisons Haryana who is assisted by ADGP prisons, IG prisons, Chief Probation Officer and Superintendent of each jail. In each jail there are other officials also i.e. deputy superintendent, medical officer, dental surgeon, assistant superintendent, sub assistant superintendent, accountant, clerk, pharmacist, JBT teacher, head warder, warder etc. For the present study we have selected two central jails i.e. Ambala and Hisar & two district jails Rohtak and Kurukshetra randomly. Detailed description of jails selected for investigation in this study is as follows:

2.4.1 Central Jail - Ambala

Central Prison, Ambala was erected by the Government in 1872 as Sub Jail. Further this prison was extended into District Jail in 1930 and Central Jail in 1947. This prison is situated near Civil Lines area in Ambala City having total area of 52 Acre Land and 14 Acre Agriculture Land with an authorized capacity of 1228 prisoners.
There are well developed government accommodation provided to the Jail Officers/Officials posted here.

**Staff Position as on 30-03-2017**

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<tr>
<th>Name of the Post</th>
<th>Central Jail, Ambala</th>
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<tbody>
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<tr>
<td>Superintendent of Jail</td>
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</tr>
<tr>
<td>Medical Officers of Jail</td>
<td>3</td>
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<tr>
<td>Deputy Superintendent of Jail</td>
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</table>

S* - Sanctioned post  
F* - Filled post  
V* - Vacant post

**Best Prison practices adopted at District Jail Ambala**

The ongoing activities of this prison are as under

i. **Modern Interview System**

Central jail, Ambala has innovative and unique interview system in which the inmates converse with their family members and friends through Intercom System. The interview system is carried out
in alphabetic orders of the inmates. The undertrial prisoners are allowed to have interview with their family members twice in a week while the convicts have once in a week. The inmates are allowed to write letters to their near and dears.

ii. Phoenix Software

(a) Phoenix Software has been established at Central Prison, Ambala. Personal profiles, case related information, Parole, Custody and conviction related to convicts and relevant information of undertrial prisoners have been updated in this software. Further jail hospital, Mulakat and Control Room (Chakkar) have also been connected through the Phoenix Software.

(b) Prison Canteen is running on cashless basis through finger print identification of the inmates. The articles are being sold to the inmates at minimum rate of 10% profit. Not only this rate list of articles sold at Prison Canteen is also affixed on each prisoners barrack.

(c) CCTV Cameras have been installed in Mulakat Room, Outside mulakat area of this jail to watch and ward all activities of inmates and their interviews except open area of jail and prisoner barracks. Further efforts are being made for the installation of CCTV cameras in each barrack inside the prison.

iii. Biometric Attendance System

Biometric Attendance System has been installed and the prompt attendance are being entered through BAS System regularly by the Jail Officers/Officials of Civil Staff as well as Executive Staff of this prison.
iv. **Prison Inmate Calling System (PICS)**

Every prisoner lodged in prison is allowed to confabulate with their family members/friends/relatives five minutes every day through Prison Inmate Calling System. At present all prisoners are availing Prison Inmate Calling System (PICS) facility.

v. **Video Conferencing System**

This prison has the facility of Video Conferencing System. The prisoners are produced before the Ld. Courts with the help of Video Conferencing System from time to time. There are approximately 270-300 prisoners are being produced before the Ld. Courts through the Video Conferencing System monthly.

vi. **Jail Kitchen**

There are two kitchens available in Central Prison, Ambala. One kitchen is used for making the Vegetables/Tea/Dal etc. and other kitchen is used for making the Chapatis. All seasonal vegetables and hot chapatis are provided to the prisoners. Not only are this there are two Chapati Warmers (with a capacity of 2500 Chapatis each) available in the Prison Kitchen to keep the Chapati hot & fresh in order to provide hot chapatti to the inmates.

vii. **Jail Hospital**

The Prison Hospital of Central Prison, Ambala having the capacity of 16 beds. There are four Medical Officers and One Pharmacist are posted in prison hospital to provide the medical facilities to the inmates. The average daily OPD of this prison ranges between 140-150 per day. Further in emergency cases local purchase of medicines is made as per rules. All medicines prescribed by jail doctors/specialist from General Hospital, Ambala are being provided to jail inmates from time to time. Additionally all OPD and Medicines issued alongwith prescriptions are being recorded in the software on
a daily basis. Prisoner patients are also referred to PGIMS, Rohtak and PGIMER, Chandigarh as and when their treatment demands.

viii. Jail School

To educate the prisoners there are a school available in this prison where the interested prisoners are taught in different trades i.e. Secondary, Sr. Secondary and Vocational courses Carpentry, Stitching, Beauty Culture, Electrician, Plumbing, Welding, Vocational etc. by the teachers from Govt. ITI/Govt. Polytechnic, NIOS and IGNOU. There are a computer lab is also available for computer classes of the prisoners. Presently 06 computers are available in this lab. At present 327 prisoners is availing education from Jail School of Central Prison, Ambala.

ix. Jail Factory

There is a factory also available in this prison in which prisoners are working in different trades i.e. Weaving, Textile, Soap & Phynile making, Carpentry, Printing, Tailoring, Chair repair and canning, Wooden Furniture, Prisoner Clothing, Niwar making, Port making etc. Further a private firm also installed their factory in the prison under Public Private Partnership Scheme (PPP) by the orders of the Director General of Prisons, Haryana, Panchkula in which Furniture & Steel items have been prepared by them.

x. Sports Activities

Keeping in view the health of the prisoners sports articles are also provided to them i.e. Volleyball, Badminton, Carrom Board, Chess, Basket Ball, Cricket etc. For playing Volleyball, Badminton, Basket Ball port are already constructed in the prison. Besides this cricket matches also organized by the Jail Administration between the Ambala Jail-XI team versus Prison Head Office and Bar Association Ambala teams occasionally.
xi. Cultural Programme

Cultural programmes are organized from time to time in this prison. Not only this keeping in view the health of the prisoners Yoga/Art of Living camps are organized regularly with the help of local NGOs from time to time in this prison.

xii. Other camps organized for the prisoners

To keep fresh the prisoners Medical Camp, Yoga, Meditation, Om Shanti (Braham Kumaris), Shri-Shri Art of Living camps are organized in the prison premises from time to time with the help of local NGOs.

2.4.2 Central Jail- Hisar - I

Central Jail- Hisar -I came into existence on 1953 and is situated at Hisar, Old Delhi Road Near Dabra Chowk, Hisar, total area of this jail is 62 Acre 01 Kanal and 14 Marla with a capacity of 1499 inmates, having total 13 barracks i.e. High Security ward, Kitchen, Hospital, Library, study room, Canteen, Store and Barber shop with the facilities like CCTV Camera, VC, HHMD, Networking of computer, DEMD walkie-talkie system, Fax/photo copier/scanner machine, Ambulance, Motorcycle, Tempo Excel Canter etc.

**STAFF POSITION AS ON 08-03-2017**

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<td>Type - IV</td>
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### STAFF POSITION IN CENTRAL JAIL HISAR ON 30-3-2017

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<tr>
<td>Superintendent of Jail</td>
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<td>Medical Officers of Jail</td>
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<tr>
<td>Total</td>
<td>317</td>
</tr>
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</table>

S* = Sanctioned post  
F* = Filled post  
V* = Vacant post

**Best Prison practices adopted at Central Jail-I, Hisar**

i. **Education**

a) Basic Education providing to 166 illiterate jail inmates by JBT teacher in session 2016-17.

b) Secondary and Senior Secondary classes through NIOS. NIOS centre was started in 2011. In which classes for 10th and 10+2 are regularly being conducted in the jail. 51 inmates appearing in 10\textsuperscript{th} and 10+2 classes upto date.
c) IGNOU (1068D) Centre was started in 2014 in which classes for BPP and BA are regularly being conducted in the jail. 152 students has already being enrolled for 2016-17.

d) Technical OR Vocational Educational Classes through Govt. Polytechnic College, Hisar Vocational education and Electrical Trade G.P. Hisar at Central Jail-I, Hisar w.e.f 01-10-2016 for Six Month Course in which 28 Prisoners enrolled under the guidance of W/DGP Haryana, in collaboration with Government Polytechnic college Hisar which provides teachers and study material. The basic facilities & infrastructure is being provided by the jail itself.

ii. The Prison Inmate Calling System In compliance of Haryana Government letter No. 31/43/2008-4JJ(II) dated 19.12.2013, Prisons Inmate Calling system introduced w.e.f 10.08.2014 in this jail. Inmate can call his family members on two post paid/Prepaid/land line Numbers provided by himself for 05 minutes daily on payment basis. It has already been implemented and made functional at this jail. The inmates feel rejuvenated & relaxed by calling to their family members. Many inmates are enjoying this facility and more are being encouraged for enrolment in this scheme.

iii. Implementation of E-Prison Management System through Phoenix Software Latest software “Phoenix “ is implemented in compliance of the order of Director General of Prisons Haryana in Central Jail-I, Hisar. Following records of Jail prisoners (under trials & Convicts) is computerized through this software

a) Computerization of Under trials and Convicts has been done in the month of August 2015, so the record get available on a Single Click. This not only save the time but also to show the transparency in jail administration including admission of inmates, parole/furlough etc.
b) **Coupon-less and Cash-less Canteen Management system** has been started at this jail in the month of April 2015 in the Jail Canteen of Central Jail-1 Hisar. It shows the transparency in jail administration and to provide better facility to the jail inmates.

c) **Renovation of Jail Canteen and starting of VAT canteen** The Jail Canteen is renovated by constructing self service counter, VAT Canteen facilities has been started since September-2013 to provide sweets like Jalebi, Laddo and Samosa to inmates. The articles are purchased from whole sale dealer and sold on less than MRP or upto printed rates. The rate list is displayed at the gate of Jail Canteen. 1-10% profit is charged for the welfare of inmates.

iv. **Modern Interview System:** Central Jail-1 Hisar has Innovative and Unique Interview System in which the inmate converse with their family members through Intercom System. The interview system is carried out in Alphabetic order. The under trial are allowed to have interview with their family members twice a week while the convicts have one’s a Week. The inmates are allowed to write letters to their near and dears.

v. **Library:** There is a library at this jail in which 817 books and 24 newspapers (daily) are available for reading for inmates. The time fixed for reading from 09.00 A.M. to 12.00 noon. The Books are also being issued to the inmates for reading in the barracks.

vi. **Talent identification and utilization programmes** of prison inmates are vigorously being perused since long at this jail and the best talent of the inmates is being enhanced and utilized as per requirement in the jail. Musical group has already been
established which organize Cultural Programmes regularly at this jail. Barrack wise programmes are organized on every Sunday or holiday. Inmates are also being imparted music training daily in which they learn singing & to play music instruments like harmonium, banjo, dholak, gharwa etc. and report in this regard is also being sent to the Head Office.

vii. **Cultural Programme:** - The following cultural activities are conducted at this jail.

a) Murli Satsang is organized daily between 8.00 A.M. to 9.00 A.M. by Parjapati Brahma Kumari Ishwaria Vishvidhalaya, Hisar centre.

b) Geeta Path, Aarties, Bhajans and Prayer are played daily at the time of lockout and lockup.

c) All social and national festivals are celebrated on respective dates.

d) Yoga camps are regularly being organized from time to time.

e) Religious and spiritual lectures are being organized from time to time.

f) Cultural Programme are organized from time to time. A separate room is provided to the inmates alongwith music instrument like harmonium, dholk, Benjo, Dufli and Tabla to practice the playing of music instruments and songs, plays, Ragnies to unburden stress among inmates.

viii. **Modern Barber Shop** Barber shop at Central Jail-1, Hisar was constructed and started with the all the modern gadgets to provide better saloon facilities to inmates. Besides cutting training to be also provided to the needy inmates.
ix. **Fan Winding Machine and Paper Envelope Project**: A Project of fan winding and envelope making has been started at Central Jail-1 Hisar. This helps in winding and repair of fans at Jail and also provide training for the same to the inmates. Tents are also being prepared for the supply to the Forest Deptt., Police Deptt. & Home Guards etc. Under Carpentry section, repair of Govt. furniture is being done in jail factory. Chairs from various Govt. Deptts. are being canning in this jail factory.

x. **Complaint and Grievances redressal system**: Hon’ble District and Sessions Judge visits the Jail every month to hear the grievances of inmates and sort out their legal problems. Superintendent Jail takes weekly Parade to hear the grievances of inmates and sort out their problems if any. Every inmate is free to meet Superintendent/Dy. Superintendent at any time during the day.

xi. **Installation of R.O. Plants/Water Cooler**: Four Water Cooler has been installed in Central Jail-1 Hisar to provide pure, clean & hygienic water to the Jail inmates.

xii. **Installation of Chapatti warmer**: Two Chapatti warmer with a capacity 2500 Chapattis each with a total capacity of 5000 chapattis has been installed in the Jail Cook house to keep the Chapatti hot & fresh in order to provide hot chapatti to the Jail inmates.

xiii. **De-Addiction Center**: De-Addiction Center at this jail is ready which will be opened shortly after doing necessary requirements.

xiv. **Bio Medical waste**: Sharp needle, sharp glass vials / glass syringes/ glass ampoules etc after bleach put into pit.

**2.4.3 District Jail, Rohtak**

New district jail, Rohtak at Sunaria came into existence on 15-04-2012. It is situated on out skirt road adjacent to Police Training
College, Rohtak, at village Sunaria. The total area of this Prison is 105 Acre 04 Marla, inside Jail 49 Acre with a capacity of 1300 inmates that should be increase to 2300 inmates after construction of second Phase work which is under pipeline. This prison is a modern prison being with the facilities like prison management system keeping digital records of all inmates and facilitating cashless canteen and e-meeting for inmate’s visitors, CCTV Cameras, Video Conferencing, Networking of computers, Walkie-Talkie system, Photo copier/ scanner machine, 02Ambulance, one Bulero Jeep, TATA ACE Tipper Hopper, Motorcycle etc. The District Prison Rohtak at Sunaria is a new constructed modern prison established on 15-04-2012.

**STAFF POSITION IN DISTRICT JAIL ROHTAK ON 30-3-2017**

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</table>

S* - Sanctioned post  
F* - Filled post  
V* - Vacant post
Best Prison practices adopted at Central Jail, Rohtak

Education

The sincere efforts are being made to enhance education and literacy level of the inmates of the Prison.

a) Basic Education The basic education are being provided to Illiterate Jail inmates by the educated inmates to achieve the Moto of “each one teach one”

b) Secondary & Senior Secondary (10th & 10+2th) Education Secondary and Senior Secondary education is being provided to the inmates who are willing to continue their studies. The District Prison Rohtak is a Approved Study Centre (Centre code_J05006) of National Institute of Open Schooling (NIOS) Delhi started in year 2013-2014.

c) Under Graduate level Course Under Graduate Level programs are being run at this prison in affiliation with Indira Gandhi National Open University (IGNOU) Special study Centre (1074-D). The IGNOU study centre has been started at this Prison from May 2015.

d) Technical & Vocational Education Vocational education at District Prison Rohtak started from year 2014 under the able guidance of W/DGP Haryana, in collaboration with C.R. Polytechnic College, Rohtak which provides teachers and study material alongwith the basic facilities & infrastructure. The administration is looked after under the guidance of Superintendent Jail. Detail of the respective vocational trades is as under

• Computer
• Cutting & Tailoring
• Beautician
• Plumbing
• Carpentry
• Welding technology

i. Initiatives for reform, Rehabilitation for prisoners

a) Multi Skill Development Centre A multi Skill Development Centre is being run in affiliation with Aadit Solutions under PMKVY scheme to achieve the National Moto of "Skill India" inaugurated by worthy Director General of Prisons, Haryana on 30-01-2017. Inmates are being taught various skills including LED Bulb Making & Repairing, Computer Hardware, Pickle Making, Tailoring & Embroidery, Electrical Home Appliances Repairing, R.O. Repairing, Plumbing, Carpentry, Micro Irrigation tools etc. These courses run under ‘PMKVY’ Scheme. The training of Computer Hardware is also being provided to Haryana prison Staff at this centre. After successfully completion of these courses certificates will be issued to the inmates from Aadit Solutions.

b) Food Production Skill Testing and Certification As per guidelines of Ministry of Tourism, Govt of India, Institute of Hotel Management, Tilyar Lake, Rohtak has conducted a 06 days programme from 12 May to 17 May 2016 about “Food Production Skill Testing and Certification” under scheme HSRT (hunar se rozgar tak) for the Jail Mess Worker at District Prison Rohtak. Total 46 Inmates participated in this programme. A request for 08 weeks programme under this scheme has been also sent to the Principal, Institute of Hotel Management, Tilyar Lake, Rohtak. After completion of this course certificates will be issued to the inmates by Institute of Hotel Management.
c) **Cutting & Tailoring and Beautician course** Cutting & Tailoring course and Beautician Course for female inmates was conducted by Punjab National Bank, Rural self Employment Institute. To impart training to unskilled rural unemployed female inmates at District Prison Rohtak. After completion of these courses, certificates were issued to participating female inmates, which will be greatly helpful for their rehabilitation and self employment. These certificates will enable them to avail financial assistance from any Nationalized Bank.

d) **Yoga and Prayer**

In compliance of orders of worthy Director General of Prisons Haryana the Yoga activity conducted daily in the morning and Prayer in the evening of each day in Jail for relieving stress level. All the male and female inmates participated in these activities.

ii. **The Prison Inmate Calling System**

The Government of Haryana has pleased to introduce the Prison inmate Calling System (PICS) in Jails of Haryana State vide his letter No. 31/43/2008-4JJ(II) dated 19-12-2013 and has appointed Sh. Mahipal Rathi from M/s. Indus Computers Ambala Cantt. For installation of PICS in the Jail and targeted to finalize the work up to 31-03-2014 in the System any inmate can call his family members on two post paid/prepaid/landline Numbers provided by inmate for 05 minutes daily for male and 10 minutes daily for female inmates on payment basis. Total 08 PICS Machines has been installed at this Prison in different places i.e. Control Room, Female Ward & Jail Hospital and made functional at this Prison. The inmates feel rejuvenated & relaxed by calling to their family members. About 1073 inmates of this Jail are enjoying this facility and more are being encouraged for enrolment in this scheme.
iii. **Implementation of E-Prison Management System**

Prison Management System is being successfully implemented in District Prison Rohtak through latest Phoenix software with the permission of worthy Director General of Prisons, Haryana through this software following records of Jail Inmates (Undertrials & Convicts) is computerized. Computerization of record of all the Undertrial and Convicts has been done through Phoenix software, so the record gets available on a single click. This not only save the time but also to show the transparency in Jail administration including e-meetings for inmate’s visitors, Court hearing, admission of Inmates, Parole/Furlough etc. **Cashless Canteen management system** has been started at this Prison in the month of March 2015 in the Jail canteen of District Prison Rohtak showing the transparency in Jail administration and to provide better facility to the Jail Inmates. Already several Modules have been implemented which includes the following

- New Admission
- Undertrial Management
- Convict Management
- Gate (Deodhi) Management
- Cashless Canteen
- Mulakat (Interview/visitor) Management
- Chakkar (Control Room) Management
- Hospital Management
- Prisoner cash Deposit/Withdrawal

iv. **Cashless Canteen and starting of Wet Canteen**

Cashless Canteen has been started at this Prison in the month of March 2015 through Phoenix software, in the Jail canteen of District
Prison Rohtak showing the transparency in Jail administration and to provide better facility to the Jail Inmates and Wet Canteen facilities has been started since year 2014 to provide inmates, Sweets, Bread Pakora, Gol-Gappe, Chowmeen, Dahi-Bhalle and Samosha etc. The articles are purchased from whole sale Dealer and sold on less than or printed rates. The rate list is displayed at the gate of Jail Canteen, 5-10% profit is charged for the welfare of inmates. The list of items and rates is being properly displayed on board of Canteen.

v. Modern Interview System

District Prison, Rohtak has innovative and Unique Interview system in which the inmate converse with their family members through Intercom system in sound proof environment. The interview system is carried out in Alphabetic order. The undertrial are allowed to have interview with their family members twice a week while the convicts have one’s a week as per provision of Jail Manual. The inmates are allowed to write letters to their near and dears.

vi. Library

There is a well established Library at District Prison Rohtak. The 2835 Books of different languages like English, Hindi, Punjabi & Urdu are available in Jail Library and 442 Magazines are available for reading for Inmates. Besides these Newspapers and Academic & Religious Books are also available in the Jail Library. The reading hours are from 9-00 A.M. to 1-00 P.M. and 4-00 P.M. to 5-30 P.M. for the Inmates. The Books and Magazines are also being issued to the Inmates for reading in the Barracks. The latest magazines i.e. Pratiyogita Darpan & India Today for male inmates and Grah Shobha & Meri Saheli for female inmates are also being provided to Jail inmates.
vii. **Jail Factory**

In Jail Factory we are manufacturing of cloth in Khaddi section, Tailoring, Canning work, Making Soap, Welding work, Carpentry work, Furniture & Charpayee work and also provided training to the Jail inmates in the Jail Factory for rehabilitation. A Multi Skill Development Centre also started at this Jail factory to achieve the Moto of “**Busy Convict Happy Convict**”. Jail inmates are also busy in new innovation such as Multi Skill program i.e. LED Bulb Making & Repairing, Computer Hardware, Pickle Making, Tailoring & Embroidery, Electrical Home Appliances Repairing, R.O. Repairing, Plumbing, Irrigation tools etc. Many other reformation programmes are in the pipeline will be started in the coming days.

viii. **Talent identification and utilization programmed**

Prison inmates are vigorously being perused since long at this Jail and best talent of the Inmates is being enhanced and utilized as per requirement in the Jail. A Music Hall with Stage has been renovated in Jail Factory with Modern musical Instruments. Musical group has already been established which organized Cultural Programmed regularly at this Prison. Inmates are also being imparted music training daily in which they learn & to play music instruments like Harmonium, Banjo, Dholak, Gharwa, Gitar etc. and report in this regard is also being sent to the Head Office.

ix. **Cultural Programme**

The following cultural activities are conducted at this Prison

- Shanti Sandesh is organized daily between 3:00 to 4:00 P.M by “Rajpatiya Brahma Kumari Ishwariya Vishwa Vidyalaya” Rohtak
- The spiritual programme via Projector Screen through NGO “Raj Yog Vidya Kendra” Chattarpur, Delhi will be continued in the female ward for the benefit of female prisoners since last 03 years.
• Aarties & Bhajans are played daily at the time of lock-out & lock up.

• All social as well as National Festivals are celebrated by cultural group of inmates on the respective dates

• Yoga, Art of living and Pranayam camp are regularly being organized in Prison from time to time.

• Religious, Motivational and spiritual lectures are being organized in Prison from time to time to bring about a change in mindset of the inmates and keep them stress free.

• Recreational programmes are also being held in the Prison for the inmates for relieving stress levels.

• Basket Ball, Carrum Board, Volley Ball, Chess are also being provided to Jail inmates for playing. The Jail inmates are also busy for playing games like Kabaddi for relieving stress levels.

• LED TV sets are also installed in each Barrack for entertainment of inmates for relieving stress levels

• Cultural Programmed are organized on various occasions. A separate music Hall is provided to the inmates alongwith music instruments like Harmonim, Dholak, Benjo, Dufl, Gitar and Gharwa to practice the playing of music instruments and songs, plays, Ragnies to unburden stress among inmates and to provide live, cultural programs to the inmates during Holidays

• All Social, Religious and National festivals are celebrated to establish a feeling of brotherhood.

x. Complaint and Grievances redress system

Hon’ble District and Sessions Judge visits the Prison every month to hear the grievances of inmates and sort out their legal problems. Superintendent Prison takes weekly Parade to hear the grievances of inmates and sort out their problem if any. Every inmate
is free to meet Superintendent/Dy. Superintendent at any time during the day.

xi. **Installation of R.O. Plants**

Four R.O. Plants has installed in District Prison, Rohtak to provide pure, clean & hygienic water to the Prison inmates. One R.O. Plants of Capacity 250 Littre per hours alongwith two water Cooler (1000Littre) in the centre of Jail & the other R.O. Plant bearing capacity 100 Litre per hour has been installed in Female Ward, One R.O. capacity 50 Litre per hour has been installed in Jail Factory and one R.O. capacity 50 Litre per hour has been installed in Jail Hospital to provide safe, pure and clean water for drinking and preparation of food. So that clean and hygienic food can be served to the prisoner.

xii. **Installation of Chapatti warmer**

Two chapatti warmer with a capacity of 6000 and 4000 Chapattis with a total capacity of 10000 Chapattis has been installed in the Jail Cook House to keep the chapattis hot & fresh in order to provide Hot Chapatti to the Jail inmates.

xiii. **Health Check-up camp**

All serious ill prisoners of all the Prisons of Haryana State are being sent to District Prison Rohtak for treatment in PGIMS, Rohtak. This Prison is provided better treatment to all serious ill prisoners. Health check-up camps also organized in Jail time to time through NGOs and Rotary Club Rohtak by the Specialists of PGIMS, Rohtak. Modern AC Mobile Dental Van fully equipment loaded with Specialist Dental Surgeons of Dental College PGIMS, Rohtak are also visit in Jail time to time regularly. We are providing counseling to psychiatric prisoners by the visiting psychiatrist from PGIMS, Rohtak time to time.
xiv. **Creche**

A crèche is already run in the female ward for children of female inmates. Toys are also available to play for children. One educated female prisoner is detailed for teaching of these children. Proper health care facilities and hygienic quality and special diet like Milk, Biscuits, Grains, Horlicks, Fruits also provided of these children. Health check up program/camp also organized in Prison for Children & female inmates. Swings are also installed in the Park of Female ward for playing of children. As per guideline of Hon’ble Apex Court Books & stationary are also provided for these children.

xv. **Modern Computer Lab**

The modern computer centre started at this Prison with the aid of “India Vision Foundation” an NGO of Delhi. A course on basic Computer Application and computer training is being imparted to the Jail inmates. A computer Hardware Training is also being provided to the Haryana Prison staff by the orders of Worthy Director General of Prisons, Haryana.

xvi. **Green environment**

We are providing green environment to Prison inmates like big green Park, planted trees. In the field of improvement of land plantation of Flowers, Alovera & Amla trees are planted in Jail premises. Jail Staff has also constructed a big Green Park in Jail premises by own level.

xvii. **Modern Warder Hostel**

There is new well constructed double story Warder Hostel. We are provided better facilities to Jail staff like modern Kitchen and modern Furniture/Dining Table in Dining Hall at Warder Hostel and Television/LED facility is also provided in the Dining Hall for entertainment of Prison staff. One R.O. capacity 50 Litre per hour has
been also installed in Warder Hostel to provide safe, pure and clean
water for drinking and preparation of food, so that clean and hygienic
food can be served to the Jail Staff.

xviii. Video Conferencing Facility

The Video Conferencing facility is available in the centre of this
Prison for producing inmates in the Ld. Courts. The conference
meetings are also taken for networking of all Prisons in Haryana as
well as District Head Quarter and Head Office at Panchkula. Video
Conferencing system at this Prison is working smoothly through
Optical Fibre Cable leased line connectivity.

xix. Jail Hospital

There is new well constructed Jail Hospital. The capacity of this
Jail Hospital is 30 bedded but at present 47 bedded are adjusted for ill
prisoner admitted in Jail Hospital. At present 40 ill prisoners are
admitted in Jail Hospital. All serious ill prisoners of all the Jails of
Haryana State are being transferred to District Prison Rohtak for
treatment in PGIMS, Rohtak. A Modern Dental Chair, X-Ray Machine is
also available in Jail Hospital. We are provided better treatment to all
ill prisoners confined in this Prison.

a) De - Addiction Centre

A Drug addiction centre has been constructed in Jail Hospital
and will be started in coming days towards the positive steps to help
the Drugs Addict Prisoners. Drug-de Addiction counseling program
are also being held for the benefit/welfare of the prisoners.

b) Waste Management

The waste is not dumped inside the Jail and is disposed outside
the Jail through TATA Tripper Hooper dumper to avoid any mishap of
any disease as well as an unhygienic environment.
2.4.3 District Jail, Kurukshetra

District jail Kurukshetra was established on 5 January 1995 by Smt Santosh Sarwan then Jail Minister of Haryana. Total area allotted for district jail Kurukshetra is 15 acre and 5 Kanal, out of which jail building is built on 8 acre and 3 Kanal while 7 acre has been used for residential purpose and some part is lying vacant.

**STAFF POSITION IN DISTRICT JAIL KURUKSHETRA ON 30-3-2017**

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<tr>
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<td>Class Fourth Staff</td>
<td>13</td>
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<tr>
<td>Total</td>
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</table>

S* - Sanctioned post
F* - Filled post
V* - Vacant post
Best Prison practices adopted at District Jail Kurukshetra

i. **Education**

The sincere efforts are being made to enhance education and literacy level of the inmates of the Prison.

a) **Basic Education** The basic education is being provided to illiterate jail inmates by the educated inmates to achieve the Moto of “each one teach one”

b) **Secondary & Senior Secondary (10th & 10+2th) Education**

Secondary and Senior Secondary education is being provided to the inmates who are willing to continue their studies.

c) **Under Graduate level Course** Under Graduate Level programs are being run at this prison in affiliation with Indira Gandhi National Open University (IGNOU) Special study Centre.

d) **Technical & Vocational Education**

- Guru Brahmanand Government Polytechnic College, Nilokheri, Karnal provides diploma courses for jail inmates in electrical, printing and spray painting.

- Government Polytechnic College, Kurukshetra in collaboration with Tanuj Electronics, Kurukshetra provides A.C. and refrigerator repairing courses to jail inmates.

- With the help of an local NGO Singla Motors provides two-wheeler repairing course for prisoners.

- With the help of PNB RSETHI prisoners are given training to repair electrical appliances i.e. inverter, A.C., geezer, refrigerator etc.

ii. **Some Other Initiatives**

a) On 21 July 2015 modern mulakat room and a computer center in jail library has been inaugurated for prison inmates.
b) On 7 May 2015 women ward has been inaugurated and sewing machines has been provided to women inmates by Maharaja Ranjeet Singh Trust.

c) On 9 July 2016 a training centre for inverter, A.C., geezer, refrigerator and two-wheeler repairing in collaboration with Tanuj Electronics and Singla Motors has been inaugurated by DG Prison.

iii. **Cultural Programme**

The following cultural activities are conducted at this Prison

a) Shanti Sandesh is organized daily between 3:00 to 4:00 P.M by “Rajpatiya Brahma Kumari Ishwariya Vishwa Vidyalaya” Rohtak

b) The spiritual programme via Projector Screen through NGO “Raj Yog Vidya Kendra” Chattarpur, Delhi will be continued in the female ward for the benefit of female prisoners since last 03 years.

c) Aarties & Bhajans are played daily at the time of lock-out & lock up.

d) All social as well as National Festivals are celebrated by cultural group of inmates on the respective dates

e) Yoga, Art of living and Pranayam camp are regularly being organized in Prison from time to time.

f) Religious, Motivational and spiritual lectures are being organized in Prison from time to time to bring about a change in mindset of the inmates and keep them stress free.

g) Recreational programmes are also being held in the Prison for the inmates for relieving stress levels.

h) Basket Ball, Carrom Board, Volley Ball, Chess are also being provided to Jail inmates for playing. The Jail inmates are also
busy for playing games like Kabaddi for relieving stress levels.

i) LED TV sets are also installed in each Barrack for entertainment of inmates for relieving stress levels

j) Cultural Programmed are organized on various occasions. A separate music Hall is provided to the inmates along with music instruments like Harmonim, Dholak, Benjo, Dufli, Gitar and Gharwa to practice the playing of music instruments and songs, plays, Ragnies to unburden stress among inmates and to provide live, cultural programs to the inmates during Holidays

k) All Social, Religious and National festivals are celebrated to establish a feeling of brotherhood.

Appraisal

Prisons were in existence thousands of years ago as places of confinement for lawbreakers. But modern concept of prisons, i.e. using these places as penal institutions emerged during eighteenth century. Before then prisons were used to detain offenders before sentencing convicts to death or life of slavery. But with the development of our civilization prisons transmuted as the correctional institutions to rehabilitate and reform prisoners. Jails were the first type of correctional facility to develop, and in some form they have existed for several thousand years. Whether pits or dungeons or caves were used, or the detained were tied to a tree, ancient people all had ways of holding people until a judgment was made or implemented. The concept of modern prison was unknown until the early 19th century. Punishment during 16th and 17th centuries consisted of physical forms of punishment including capital punishment, mutilation and whipping, branding and non-physical punishments such as public shaming rituals like the stocks. During the seventeenth century philosophers and reformers started condemning cruelty and barbarity in prisons. Imprisoning criminals as their punishment was a reform that emerged in the eighteenth century. In
modern age as we became more civilized more sophisticated so were human rights emphasized, and prisons got converted into correctional facilities that started implementing the concept of rehabilitation and reform of prisoners.

In ancient Indian society provisions for punishment were based on principles enunciated by Manu and explained by Yajnavalkya, Kautilya and others. The Muslim Law which was prevalent in the medieval period in India, it is revealed that imprisonment was not recognized as a form of punishment. The prison system as it operates today in India is a legacy of the British rule. It facilitated the abolition of our antediluvian system of barbarous punishments and substitution of imprisonment as a chief form of punishment for the commission of crimes. It was an ingenious creation of the colonial rulers over our indigenous penal system with the prime motive of making imprisonment “a terror to wrong doers”. Prison reforms has been an important issue of concern for Government of India since British period. During British period in 1836, a *Prison Discipline Committee* was constituted by Lord William Bantick, in 1864 Second *Commission of Enquiry* was appointed by Lord Dalhousie, Fourth *Jail Commission* was appointed by Lord Dufferin in 1888, *All India Jail Committee* was appointed in 1919. The period from 1937 to 1947 was important in the history of Indian prisons because it aroused public consciousness and general awareness for prison reforms at least in some progressive States like, West Bengal, Tamil Nadu, Maharashtra etc. When India gained independence in 1947, the memories of horrible conditions in prisons were still fresh in the minds of political leaders and they, on assumption of power, embarked upon effecting prison reforms. The first decade after independence was marked by strenuous efforts for improvements in living conditions in prisons. *Dr. W. C. Reckless*, a U.N. Expert on Correctional Work, visited India during the years 1951-52 to study
prison administration in the country and to suggest ways and means of improving it. His report *Jail Administration in India* is another landmark document in the history of prison reforms. The Government of India has constituted an All India Committee on Jail Reforms under the chairmanship of Mr Justice A. N. Mulla in 1980 the committee submitted their report in 1983. This committee examined all aspects of prison administration and made suitable recommendation respecting various issues involved. In 1986 National Committee on Women Prisoners was appointed headed by Justice Iyer. Some more committees were formed such as: Kapoor Committee on Jail Reforms 1986; Justice Leila Seth Commission of Inquiry 1997; Duggal Committee Repot on Classification of Prisoners 1998. Government of India has constituted All India Model Prison Manual Committee in November, 2000 under the chairmanship of Director General of BPR&D to prepare a Model Prison Manual for the Superintendence and Management of Prisons in India in order to maintain uniformity in the working of prisons throughout the country. This manual has been circulated to all States/UTs for adoption after the acceptance by Government of India in January, 2004.

To sum up it can be said administration of jails in Haryana state leaves much to be desired. Most prisons suffer from severe under staffing. It is sad to note that in central jails 142 and in district jails 67 posts are laying vacant. Thus a big gap exists between sanctioned and filled posts in Jails of Haryana State. Despite the problems of overcrowding, manpower shortage and administrative difficulties, it is satisfying to note that a number of best practices are being adopted in Haryana Jails indicating that sincere efforts are afoot to improve living condition in Haryana's prisons
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Development Ministry of Home Affairs, Government of India, New Delhi.


