CHAPTER VII

CONCLUSION

AND

SUGGESTIONS

This is primarily a study in the field of Public Administration. The principles, practices and techniques developed in the Science of Public Administration have been utilized to understand and evaluate Jail Administration - a subject specially related to the field of Criminology and Correction. It is hardly necessary to justify the significance of this approach because of the historical fact that at the time when a prison system was taking shape in India, the political ideals and values under a dominant foreign rule were very different than those that arose after Independence of the country. The province of government enlarged considerably to embrace various forms of activities which contributed to the promotion of public welfare. Consequently, governmental operations were now on a vast scale that required for their performance organization and technical process, extensive in size and their complexity, which resulted in rapid development of the Science of Public Administration. The Union Government, recognising the importance and need of the changing times, established the Institute for Government Research on "Organized Efforts for the Improvement of Methods of Administration"\(^1\) Some of the salient points that come to our notice, through this approach, may be summarized as follows:

I. In Chapter-I, we have briefly summarized the 'Historical background' of the development of Prison Administration in India. Administration is not a self-generating force or machinery that works of its own without the man behind moving or activating it. The importance of man behind the machine has never been so much recognised and emphasised as it is done today. It is why we find that in the history of any nation, country or time, we not only find a description of the events but we also find the name of persons mainly responsible for those events or intrinsically involved in the situation, its turns and twists. In that perspective we find that the narration of the history of prison administration in India does not mention any names of persons, who from time to time added, altered or gave new directions to the jail programmes.

II. In the post-Independence era of Prison Administration, there is a remarkable contribution made by leading thinkers, leaders, administrators and prison officers of the day. In no book published so far in India on Prison Administration, effort is visible to bring out the role and contribution of these personalities elaborating how were they pioneers in giving those new jail reforms, or programmes and developments.

III. The syllabus of 'Jail Training School, Lucknow' includes Criminology, Penology, Psychology, Prison Administration, Hygiene and Sanitation, Accounts & Budget, Agriculture,
First-Aid, Fingerprint and the Probation also. Since Public Administration and the Constitution of India are not included in the syllabus, the trainees remain unaware of the basic principles of administration as well as with the spirit of democracy.

IV. The post-Independence era, with which we have been concerned in this study, is characterised by the establishment of a fully democratic form of government, which today is not only the largest democracy in the world, but is one that is successfully running in the fifth decade of its establishment. We gave a Constitution to ourselves in which we committed ourselves to develop a "Sovereign Socialist, Secular Democratic Republic" (of India) with the professed constitutional goal "to secure to all its citizens,... JUSTICE, social, economic and political; LIBERTY of thought, expression, belief, faith and worship; EQUALITY of status and opportunity; and to promote among them all FRATERNITY assuring the dignity of the individual and the unity and integrity of the Nation."² We would like to emphasise that "Democratic form of government by itself is, however, no guarantee of its administration being fully democratic. It may well be that there may be democracy at the top but administration due to its past history and tradition may not be fully democratic specially in its lower reaches.³ We

adopted the democratic form of government after Independence but we often hear the complaint that the administration still largely retains its bureaucratic and authoritarian character of the pre-independence days.  

This researcher practically faced the ills of bureaucratic authoritarian dictatorship in being denied access to public records and information pertinent to this research study. The archaic methods of secrecy and denial of legitimate access to public knowledge of happenings and occurrences inside prisons, has been severely criticised by the Supreme Court of India in several of its judgements.

V. We have discussed the basic principles of Fiscal Management as they would refer to Prison Administration, in some detail. We have presented detailed statistics to show that after Independence the nature of jail inmates has shown a very characteristic trend - a trend which it is important to recognise and take proper care of. That characteristic trend is that the population of convicts has shown a gradually downward trend, while the population of undertrials has shown an ever-increasing tendency. We have also discussed that these two categories of prison inmates, viz., the convicts and the undertrials, have nothing in common from the correctional point of view, the fundamental policy that guides prison programmes today. The avowed policy of the Post-Independence Government is that of correctional approach in prisons for the reformation of prisoners. Clearly, this

4- Ibid : p. 7
refers to the convict population. Thus, there are two distinct categories of jail inmates, viz. (i) the undertrials for whom there is no policy or programme of reformation, and (ii) the convicts, who have to be reformed, corrected and rehabilitated back in the society as useful contributing members of the community. We have pointed out that the jail rules governing these two categories are different, and so also the items of expenditure differ.

VI. We have analysed Jail expenditure on various heads and pointed out that expenditure as "Establishment Charges" is a major head of expenditure, which includes, in the main the security arrangements. Both the need for security and the type of security varies for the three kinds of prison inmates, viz. (i) undertrials, (ii) convicts in closed jails, and (iii) convicts in open camps (jails). We find no effort on the part of Prison Authorities, at any level, to demarcate and differentiate the various jails (and institutions) on the basis of the quality and quantum of security arrangements called for by the above varying three types of jail inmates. Even the text books on Criminology discuss three types of jail, from the point of view of security arrangements, such as (i) the Maximum Security Prisons, (ii) the Medium Security Prisons, and (iii) the Minimum Security Prisons, but their approach is not the financial consideration advocated here in the interest of better Fiscal Management.

VII. We have, at some length, developed the concept of 'Self-Image' and the role of one's dress and out-fit, on his
appearance and self-evaluation. Though some attention was given to this aspect, particularly prisoner's dress, first at the Model Prison, Lucknow in 1949 and thereafter in 1952 at the Sampurnanand Camps, but in general and at the policy level there has been no discussion and pronouncement in this connection.

We shall give the following suggestions for improving the jail administration in U.P.:-

1- It is our suggestion that the history of prison administration in India needs to be re-written, which must highlight the role and contributions of pioneer workers in the field, particularly the prison officers and men who are responsible to give us the modern chiselled, polished and sophisticated prison system.

2- It is strongly suggested that a detailed study of the structure, set up and form of administration at the working level of jails needs to be carried out to determine the depth of democratic norms of functions that have penetrated down to the lower level of working and dealings with the public in the jails.

The Supreme Court of India has declared that a convict by virtue of his conviction or being confined in jail, does not lose his rights as a human being, which must be duly assured to him and sanctimoniously protected in a democracy. If our aim is to reform prisoners, certainly the process of reformation and the various activities connected with it cannot be
held away from the public gaze. Actually, the democratic form of functioning is based upon the principle that public gaze is essential to keep the administration going straight and on the desired lines. The essence of democratic administration according to Lilianthal is doing things with people, not to them; and placing responsible administration close to the people where they must share the peoples problems.

3- Public Administration and the Constitution of India should be included in the syllabus for the officer-trainees at Jail Training School, Lucknow.

4- Based on the Principles of Fiscal Management in the interest of efficient financial control over the field programmes and the need to supervise the veracity and validity of expenditure on various items, it is our suggestion that the accounts of various items of expenditure on (a) undertrial prisoners, and (b) the convicts, should be kept separately and accounted for and presented in separate tables, annually in the Annual Prison Administration Report.

5- It is suggested that various jails (institutions) should be differentiated and demarcated on the basis of the quality and quantum of security arrangements and the accounts should accordingly be maintained so that

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5- Sharan, Parmatma: Public Administration in India, Meenakshi Prakashan, New Delhi, p. 64
it will portray the picture very clearly, both from the financial point of view as well as the Correction-al point of view.

6- About the prisoner's dress our suggestion is that, any Government that professes to be progressive, human and correctional in its approach, such as the Government of Uttar Pradesh, should declare its policy in this context, which has not been done so far. The policy statement should be able to answer clearly questions such as: When we come across a prisoner, in his inner recesser of rest and ease, and outside at work or when outing, is it our policy that his dress must betray that he is a prisoner?

7- We have tried to analyse the working and achievements of one of the best specialised institution of the Uttar Pradesh Government, the Model Prison, Lucknow, in some details basically from the eyes of the Science of Public Administration. Specialised institutions are developed to carry out specific programmes laid down by the Government. For instance, the Government of Uttar Pradesh in their order dated September 2, 1949 unambiguously directed that the Model Prison, Lucknow "will be developed on the lines of a self-sufficient colony". The very admission of a prisoner to the Model Prison Scheme was conditioned to his accepting full personal responsibility to earn his
livelihood and pay back to the State full cost on his maintenance in the jail. It was, therefore, expected that the government would report, from year to year, the number of such inmates of the Model Prison, Lucknow as were successful in achieving that desired and prescribed "self-sufficiency". It is indeed astonishing to find that the Jail Department has nowhere published the number of prisoners it was able to turn out as 'self-sufficient Prisoners', which should have been, from any consideration but specifically from the Fiscal Management point of view an essential requirement.

It is not that the Government has not published any information about the achievement of the Model Prison Scheme. We have quoted from the available Annual Prison Administration Reports for the period 1950 to 1963, in Table No. X, but this information refers to the 'Net Savings Accrued to Prisoners' from year to year. A proper fiscal accounting and its presentation should give adequate information which at a glance would show the success or failure of the scheme. It should also be able to show the strong points in the achievements as well as the weaknesses, to guide future action. It is therefore suggested that the Performance Report on Model Prison Lucknow, should, in its Annual Administration Report present the fiscal results of the scheme under headings such as:
A.  
i) Number of self-sufficient prisoners remaining on the 1st day of the accounting year under report.  
ii) Number of new admits to the scheme during the year.  
iii) Number of self-sufficient prisoners released during the year.  
iv) Number of self-sufficient prisoners on the last day of the year.  

B.  
a) Total amount of wages earned during the year.  
b) Total amount paid to the State as maintenance charges.  
c) Total net earnings (a - b).  
d) Average net earning per head per day.  
e) Total expenditure out of net earnings:  
   i) on himself in the jail  
   ii) by remittance to the family.  
f) Total net savings (c - e).  
g) Average net saving (in the account) per head:  
   i) excluding savings from previous year  
   ii) including all savings.  

C.  
Place and Nature of Employment or work.
8- We further suggest that on lines similar to those indicated for the Model Prison, fiscal results in other schemes such as the Sampurnanand Open Camps and others (where applicable) must also be prepared and published by the Government.

9- The Science of Public Administration suggests a number of techniques, ways and means to increase efficiency and performance of a scheme or the working of an organisation, which are usually discussed under the broad head "Tools of General Administration". Keeping these principles in mind we suggest the following 'Tools of General Administration' to be developed for the Model Prison, Lucknow.

(a) - A SERVICE MONOGRAPH on the Model Prison.

It is common knowledge that the transfer and posting of officers as well as officials in various institutions are done as a routine generally triennially. Why that is so, and should the old practice still continue, would be beyond the scope of discussion here. What we would like to emphasise is that an official is not a piece of machinery that can just be taken out and replaced by another similar piece of machinery. An official is a living, thinking and reacting human organism, who must be properly and adequately trained and oriented to do the job required of him. The first essential requirement for efficient administration is that every member of the team
should have full knowledge of all details of the job that affect or control in any way the performance and achievement of the work to be done. Willoughby elaborates the point "Much of the most effective means by which this information can be made known is through the preparation of a series of studies, to which is here given the designation of "Service Monographs", that will give, according to a uniform plan, a complete and detailed description of each service to which it relates."  

The Service Monograph should start with the history of the institution, indicating how was it established and developed, that is outlining the circumstances or reasons leading to its creation, the purpose and aims and objects set to be achieved, a statement of functions, described not only in general terms but also by detailing the specific activities engaged in. It should also contain a compilation of up to date references, publications, financial statements and full bibliography, on the working of the institution. This will serve as a ready reference and guide to all the staff members.

6- Willoughby, W.F. : op. cit., p. 150

(b) FOUNDERS' DAY CELEBRATIONS: which is usually an annual stock-taking, review, re-examination of what has been done and an effort to peep into the future plans for the progress of the institution. This is also an important occasion to boost the morale of the workers as well as develop an esprit-de-core in them.

The Founders Day is, in many organisations of repute and standing, celebrated as a 'WEEK' as that provides adequate opportunities for a comprehensive programme and coverage of activities. Organisation of Seminars, Workshops and appropriate Conferences of past and present officers of the institution and other experts as well as some non-officials interested in or attached to the institutional programmes, would greatly add to the dissemination of useful information of the good work being undertaken and the generation of public good will and interest in the scheme.

It is earnestly felt that a small Committee or Commission consisting of experts from the fields of Public Administration and experts in Prison Administration could profitably hold joint discussions to examine the entire field covering its structure, set-up, working and the available resources of the Prison
Department to work out specific ways and means as suggested by modern scientific methods of work organization, recording reporting and evaluation. This will not only tone up the existing administration but also provide handy information and tools in the hands of the higher prison authorities for exercising better and timely check-ups and a more effective control and achievement of goals.

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