CHAPTER - III

CONCEPT OF PUNISHMENT

It is one of the means of social control; punishment is defined in terms of five elements.  

1. It must involve pain or unpleasant consequences.
2. It must be for an offence against legal rules.
3. It must be for an actual or supposed offender for his offence.
4. It must be intentionally administered by human beings other than the offender.
5. It must be administered through legal system.

Punishment is an instrument of public justice. In simplest way “Punishment is nothing but infliction of penalty on an offender who has broken a rule”.

According to Jerom Hall detailed description of punishment is as follows:

a) It is privation
b) It is coercive
c) It is authorized.

27 - Principles of Punishment - H. L. A. Hart's essay

28 - General Principles of Criminal Law - Hall
d) It presupposes rule, its violation

e) It is inflicted upon an offender

f) It presupposes a set of values by reference to which both the harm and the punishment are ethically significant.

g) Extent or type of punishment is in some defended way related to the commission of the harm, motives and temptations.

Purposes behind the punishment\textsuperscript{29}

a) Retaliation or retribution

b) Expiation

c) Deterrence

d) Reformation

e) Protection of society

Beccaria made certain important suggestions that represented a real reformation of the machinery of the Justice and finally he has summed up his conclusions in the words “Punishment may not be an act of violence of one, or many against a private member of society. It should be public, immediate and necessary, the least possible in the case given, proportioned to the crime and determined by the laws.”

\textsuperscript{29} - A Critical Study Of Criminology And Penology - B.K. Goswami.
The determination of second issue in the criminal trial, if guilt of the
offender is proved always use to be in respect the choice of an appropriate
sanction out of the many permitted by law in a particular situation. More
particularly when the offender’s life, literary or property and his entire future
hinge on the out come of the sentencing process, it is also bound to have
some impact on social interest, which ought to be the primary concern of the
criminal law machinery.

The sentencing process involves the determination of the appropriate
action both in qualitative and quantitative terms. The criminal sanction should
fit the offender.

According to Bentham the quantum should vary according to the
offender’s capacity to suffer. Gravity of the offence has to be assessed in
terms of social danger, alarm, social disapproval, harm and wickedness
involved in it.

The offender needs to be dealt with through “individualization” or by
penal sanctions. The term individualization includes in this context preventive
as well as rehabilitative measures and an approach different from the
concepts of retribution and general deterrence.
Sentencing is an important stage in the administration of criminal justice; it should be given its due place in the system.

So it is evident that sentencing authority must have sufficient information regarding the various personal factors of the accused if the primary and secondary decisions are to proceed on any scientific premises. So significance and importance of the pre-sentence report has been described by Sheldon Glueck.

It is apparent that Code of criminal procedure 1973 vide Sec. 235 (2) deals with the pre-sentencing hearing and this analogy is well explained in the case of Santa sing V/s State of Punjab. It is held that this proviso is mandatory and failure to give a hearing to the accused before the sentence is pronounced vitiates the sentence. So from the above quoted dictum of Hon'ble Apex Court, the importance of the hearing at pre-sentence stage is crystal clear.\textsuperscript{30}

However, in the modern society punishment is the penalty inflicted by the state upon a person adjudged guilty of crime. Considerable difference of opinion regarding the origin of punishment was in existence, but it is certain that roots of the punishment were already present when man first appeared as social being.\textsuperscript{31}

\textsuperscript{30} 1976 S.C.C (CRI) \textbf{Page No. 546}

\textsuperscript{31} A Critical Study Of Criminology & Penology - B.K.Goswami.
According to Sir John Salmond's observations, in every crime, there are three elements to be taken into consideration in determining the appropriate measure of punishment.

A) The motive to commission of the offence.
B) The magnitude of the offence.
C) The character of the offender.
KINDS / FORMS OF PUNISHMENT

Concept of punishment is prevailing in practice in different societies in different forms. However, punishments were mainly based on deterrence and retribution, which have lost all significance in modern penology. The primitive societies did not have well developed agencies of criminal justice administration, therefore settlement of private wrongs was entirely a personal matter and aggrieved party could settle the issue directly with the wrong doer.

During ancient period the principle of “Lex Talionis” meaning eye for eye and tooth for tooth was in action which led to serious clashes between the clans which made life extremely difficult. Even in some of the cases restitution for injury through payment of money compensation was substituted for blood feud and quantum of compensation was varied depending on the nature of the offence, age, sex or status of the victim.  

The theories of punishment are therefore affected by the culture by current beliefs, philosophies, religious conceptions and contemporary science. The conception of primitive religion affected society's treatment of the sinner and the criminal.

32 - Principles of Criminology – By Sutherland and Cressey
In primitive society when a crime was committed the aggrieved party was the individual harmed and his relatives. There were blood feuds. If a member of a tribe was harmed by a member of another tribe, there was a war between the tribes.

**ANCIENT FORMS OF THE PUNISHMENT.**

a) The rack
b) The wheel
c) Strangulation
d) Burning alive
e) Boiling in oil
f) Flogging with the cat-o-nine
g) Mutilation
h) Branding
i) Pillory
j) Galley
k) Torturing in heavy irons
l) Maddening shackles
m) Incarceration in dungeons.
In ancient India, during the Epic Age, there were the Dharmaśāstra and Dharma-pathakas were as many was shown as Brihaspati, the greatest law giver of ancient India. Book of many named as 'Manava Dharmaśastra' was the most important law book in ancient India Dharmaśastra emanated from Vedic schools and so these law books firstly represented schools of Brahanacical teaching.

Following legal titles are found in manu in civil and criminal law.

1) Recovery of debts
2) Deposits and Pledges
3) Sale
4) Partnership
5) Resumption of gifts
6) Non payment of wages
7) Breach of contract
8) Annulling of sale and purchase
9) Disputes regarding cattle
10) Disputes regarding boundaries
11) Assault
12) Defamation
13) Theft
14) Robbery
15) Adultery
16) Duties of man and wife
17) Partition
18) Gambling and betting.

Out of the above eleven to fifteen and eighteen are criminal titles.

Mutilation was very common in ancient times. Idea behind the punishment was one of the deterrrence.

Flogging was also prevailing and it was hard punishment. Whipping was the common form of punishment in time of old and in the middle ages also. Many of the prisoners were chained and tortured and whipping went on mercilessly even after the prisoner fainted. Till 1917, even women were not spared.

In March 1944 a bill introduced for the abolition of whipping was rejected by the legislative assembly. However, in the year 1955 Govt. of India had a bill for the abolition of whipping passed in parliament. In 1948 England abolished whipping as a punishment.
While dealing with the concept of reformation, it is essential to consider different kinds of punishment along with merits and demerits of each kind. If punishment, which is useful in nature, is inflicted, it will serve the very purpose of good law. Useful punishment is real punishment, which will lead us towards reformation of offenders. Mere infliction of pain without anything more is nothing but an evil which is hopeless and useless. No violator should be left without punishment but with the same stress no violator should be met with useless form of punishment. If proper punishment in proper form is not applied or given to an offender, innocents will be turned out towards criminality. Treatment to the patient, suffering from disease of criminality shall always be better, proportionate, reasonable and effective otherwise criminality will be strengthened in the mind of offender. It will not be out of brevity if kinds of punishment are mentioned here.

1. **Death sentence**: It is also called as capital punishment. In one of the nation i.e. Vermont (U.S.) only in 1959 death sentence was mandatory for specific offences. In some of the nations it is permissible and in some of the states it is not permitted at all. Merits and demerits of this kind of punishment are discussed below in short.
Capital Punishment

Merits and demerits

After independence of India, Policy of the Indian Govt. remained unchanged. In the year 1956 Govt. of India sought opinion of all the states in India on the issue of abolition of capital punishment, but it is experienced that all the states opposed for the same.

Following 8 grounds were put forth during the course of discussion in Loksabha as on 21.04.1962. 34

A) It is difficult to get justice as per observations of Law Commission.

B) Abolition deserves on humanitarian ground

C) Death sentence is in deference to the tradition in India.

D) Death sentence is not deterrent.

E) "Principle of non violence" is given by father of nation- Mahatma Gandhi which has to be followed.
F) Various religions also teach to that effect.

Exa: Christian religion says – "Thou Shall not kill"

Islam religion says - "If relatives of victim accept compensation and pardon the offender the murderer should not be hanged"

Lord Buddha – “Principle of Middle path"

G) It deserves to be abolished to give another opportunity to the accused to reform.

H) On the ground of miscarriage of justice.

Capital punishment is called as cold blooded murder by the state. Hanging is legal murder but still the fact remains that murder is murder. It is inhuman.

Defects in the legal system pertaining to evidence may lead to the courts of law to erroneous conclusions and so innocents may be hanged and on execution of sentence, if their innocence is established it is incurable.

It is reported that in Mahboob Nagar District in A.P. court of sessions convicted 8 accused for the murder of a person U/sec. 302 IPC. However, the person who was alleged to have been murdered and who was held by the court to have been murdered was not only alive but he was present in the court room at the time of the judgment.
According to V.S. Chitnis death penalty may terrorise the people but it does not moralise them.  

Death penalty eliminates the criminal himself. In fact we desire to eliminate the criminality and to turn the criminal into a good citizen, death penalty leaves no scope for reformation.

So death penalty is an anti-reformist theory.

It is observed that serious offences are committed except rare instances. Unequal application of law takes place because those executed are the poor, ignorant and the unfortunate without resources.

By way of abolition of death sentence, society may be amply protected by way of life imprisonment to the offender.

On the other hand the supporters of capital punishment have put forth various grounds, which are quoted below.

A) As per the principle of Retributive theory equation of 'Life for a life has to be maintained as it is highly justificable.
B) Death sentence is not only required but it is must in case of the incorrigible offenders who can never be reformed as Salmond says "it is better for us that they should be out of the world than in it".

C) Death sentence to offender satisfies the sense of justice of the masses.

D) Alternative to death penalty is life imprisonment and death sentence is more economical than other sentences, so one of the Author has rightly pointed out that "Death is substituted for a living death".

E) Several nations which had abolished death penalty had restored it once again and this fact indicates retention of the capital punishment. 37

F) There are certain cases where a capital punishment will not be out of proportion to the nature of the crime committed.

G) There are several cold and calculated murders.

H) When an offender is going to be hanged, several mercy petitions have been filed and so it indicates the deterrent effect of the capital punishment.
I) Forcible reformation is an impossible task as force and reformation cannot go together as they are inconsistent with each other.

J) Now a days crimes are increasing, murder has become a matter of play almost and so capital punishment has to be retained.

So capital punishment i.e. death sentence should be immediately abolished. Author has desire to refer here the excellent dictum of Gandhiji, the father of nation relating to the rights of human being over other human being. In consolation of the death sentence he has stated that 'God alone can take life because he alone give it', as such the principle prevailing in India in respect of awarding capital punishment is absolutely contrary to the theory of reformation. Patient should not be killed for killing the germs of the disease, more particularly without taking any of the chance of reformation and so author gives his stress on the suggestion that capital punishment be abolished immediately.

2. **Corporal Punishment**: - In some of the societies punitive measures are taken by corporal punishment. Mutilation was very common in ancient times. Giving physical torture to the offender is an element of corporal punishment.
3. **Banishment**: Banishment was prevailing earlier, banishing criminals means it was either a prohibition against going outside a specified territory or a prohibition against coming into a specified territory. Banishment may be for short period or even it may for life.

4. **Transportation**: It is also called as deportation. It is recent invention after “Banishment”. Transportation is transfer of offender from one colony/society to other where he could not even think to commit crime. Some of the persons found dangerous to specified society or territory but not for other part. So transporting from one society to other will serve purpose of prevention of crimes on one hand and on the other of punishment by way of deprivation of residence as per choice.

5. **Fine or Financial penalties**: Imposition of fine or penalty of financial nature is also one of the mode of infliction of punishment. In some of the cases fines are imposed and in default of fine payment, punishment in other form i.e. imprisonment is provided. Objects behind fine are dual i.e. to punish offender on one hand and to compensate victim or to utilize an amount of fine for the aid of other offenders and their welfare through reformatory system in different prisons.
6. **Restitution**: This kind of reaction to crime is essentially non-punitive. If the offender is solvent his property should be attached. When proceeding is started, if offender is insolvent, he can be compelled to devote part of his future income towards restitution. Modern laws are well implementing this form of punishment, which is useful in view of assistance of victims. Imprisoning offender will not be useful for injured rather if loss is compensated it is effective remedy for victims.

Above is the mention of six different modes of punishment. However no attempt is made specifically to trace out and mention merits and demerits of each form. However, below one of the specific kind is mentioned and is analysed in detail as concept of reformation under this thesis is only confined through prison and through the punishment in the form of imprisonment. It is last kind of punishment, having status of top kind.
7. **Imprisonment**: Originally imprisonment was mode of custody of under trial persons. Under trial persons were locked in prisons for months together, years together till the disposal of the causes. In preciterate societies imprisonment was rarely used as a penalty for crime. For first time jails were established in 1597. But, before that in the last part of the 13th century in Island, imprisonment is used as a penalty only for restricted groups of offenders. Therefore, comparatively it is old as well as modern method of dealing with offenders. Now a days it is almost common form of inflicting punishment through out the world.

It is though needless to mention here theories of punishment same are quoted in short with sole object to observe and study how and with what purpose the theories are fulfilling the purposes of infliction of punishment in the form of punishment of imprisonment:

1) Deterrent theory
2) Preventive theory
3) Retributive theory
4) Reformative theory
5) Expiatory theory.
Now it is essential to go through the merits and demerits of imprisonment as a kind of punishment. Following can be mentioned as "Main purposes" of 'imprisonment'.

1. To disable the offender from committing a danger to society by locking him up.

2. To reform the offenders.

So ultimately if 1st point above mentioned is taken into consideration the very purpose of preventive theory is served as by locking up to the offender in jail one can prevent repetition of commission of crime at his hands. However, it is but natural that said prevention may be for short term i.e. temporary or it may be for long term even for life period. Anyhow offender through this media of punishment can be made unable for commission of an offence once again. Likewise definately the sole purpose of deterrent theory also seems to be achieved and achievable, as nobody will prefer to reside behind the bar for long term. Positively public will also deter to commit crimes and third and most important benefit of this form of punishment is that an opportunity for reformation is available while offender is in prison. Attempts for re-education and rehabilitation are quite possible in imprisonment. So imprisonment has reformative value.
If offenders are kept in prisons, Individualization of offenders for the purpose of reformation is probable. Experts may have an opportunity to observe, examine the mentality, physicalness of the offenders and then only expert can well advise for their rehabilitation/Reformation. Prisoners for long term may be dealt with good mode than short-term prisoners and even in view of the prisoners also after release the education given in prisons will be defiantly useful, fruitful for life. Imprisonment is a sound substitute for all other types of sentence.

It is thus clear that imprisonment is only kind of punishment; merits of which can be enjoyed well but demerits of the same can be avoided by some extra efforts.
Prison system in India

Prison System in Mughal Period

During the Mughal span in India, imprisonment was not resorted to 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 parts of the country in which criminals were detained pending trial and judgment.

However, during the Maratha period most of the punishments were meted out outside the prison.

After the arrival of British in India, a systematic code was drawn based on the principle of equality irrespective of caste and religion. Thus the Victorian administrators framed the IPC and started the modern prison system in India.

There was no regular prison system in ancient India as most of the punishments were meted out outside the prison.

Kautilya has prescribed that a jail should be constructed in the capital with separate accommodation for men and women in the jail. So in comparison to modern prison system we find that
1) There were no prisons
2) There was no specific method of internal administration of prison
3) There was no separation of prison service from civil service
4) There was no classification of the prisons.

**Mughal Period**

Following were the kinds of punishment during Mughal period:

1) Capital punishment
2) Fines
3) Tashir
4) Banishment
5) Flogging
6) Mutilation
7) Imprisonment.

Imprisonment was a very usual kind during this period but still then specific rules were fixed for the same. Mainly the span of detention was indeterminate and this feature is absolutely contrary to the present prescribed or ordered span of detention in prison.

---

38 - Sham ashatra R. - **Kane P. V.**
39 - Hason Ibn - **Satya Prakash Sanger**
The quazis were empowered to send any one to prison for uncertain period and so the accused had to show signs of repentance to secure his freedom.

There were 3 noble prisons in this span at

1) Gwalior
2) Ranthambore
3) Rohitas.

Offenders convicted for death sentence were usually sent to Ranthambore whereat on making offender to drink a great quantity of milk, he use to be thrown down from the top of the hill. Noble offenders used to be sent to Gwalior whereas offenders condemned to perpetual imprisonment were sent to Rohtas.40

During this span ordinarily criminals are kept under guard in irons but not in prison, when the prisoners were taken to the prison, they were usually loaded with iron feeters on their feet and shackles on their necks.41

For adhoc confinement ‘Chabutra-i-kotwali’ were available which are extreme identical with today’s police lockups.

40 - The Venot - O. P. Cil
41 - Manucci - I. P. 90
The practice of releasing the offenders on bail was well in existence in Mughal period.

**Maratha Period**

During Maratha period, imprisonment was not the principle form of punishment and so the development of modern prison system was not possible. There is no evidence about the prison management system during the Peshwe period.

In the fort itself some rooms called as "Bandikhanas or Adabkhanas" were reserved for prisoners, Prisoners were subject to the control and supervision of Subhedar of the division and they were subject to disposal as per the orders of the Peshwa.

Labour system was prevailing by that time & the quantity and quality of the rations varied according to the rank of prisoners. Leave in following occasions was usually granted.

A) Shraddha of dead parents
B) Marriage of daughter
C) Thread ceremony of son.
If any prisoner's health is derogated if it is certified by the medical officer, his release was allowed.

Political prisoners were kept separate. Their contact with outside world and relatives was banned. These prisoners were supplied with all sorts of comforts and first class food.

2. **Features of prison system from pre-British period**

1. There were no prisons.

2. There was no description about the internal administration of prison.

3. There was no classification of prisons.

4. There was no separation in prison service from the civil service.

5. There was no classification of prisoners.

6. Courts were not the feeding centers for prisons.

7. Most of the punishments were meted out outside the prison.

---

41 - Prison as a Social System - R. N. Datir
8. Some forts were used to keep the certain type of prisoners.

9. In fort prisons no rules for recruitment of staff were provided.

**MODERN PRISON SYSTEM**

Fantastic and major changes occurred in the prison system during the British period and after independence.

Below in a tabular or chart form the important incidents are reproduced for observance at a glance.

<table>
<thead>
<tr>
<th>Year</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>1773</td>
<td>Regulating Act was passed and Supreme Court was established at Calcutta.</td>
</tr>
<tr>
<td>1790</td>
<td>Punishment of Mutilation was forbidden.</td>
</tr>
<tr>
<td>1833</td>
<td>An act which effected many changes in the constitutional set of the country was passed.</td>
</tr>
<tr>
<td>1858</td>
<td>Royal proclamation was issued and immediately C.P.C, Cr.P.C. and I.P.C. were enacted.</td>
</tr>
</tbody>
</table>
Committee presented its report and handled all the aspects of housing of prisoners, discipline, health, diet, remunerative theory, rewards, education, labour. Very exceptionally this committee rejected all reforming influences such as moral and religions teaching, education, reward for good conduct in prisons but on the contrary suggested that prisoners should be kept in some dull, monotonous, wearisome and uninteresting work. 42

John Lawrence, the Governor of India reviewed the position and appointed second prisons commission to minimize the high death rates in prison.

Lord Lytton appointed Illrd commission to make general review for uniform regulations and for making short sentences more deterrent.

Two experienced officers were appointed to visit the jails to investigate on the spot questions regarding health discipline and general administration.
1894 : Prisons Act 1894 was passed by the Govt. of India

1897 : 'Reformatory Schools Act' is passed.

At present we have different enactments as well as rules pertaining to the prison management. However, the different valuable aspects pertaining to the prison system and its valuation for reformation purpose is quoted below subjectwise.

Being the subject 'Prison' is incorporated in the concurrent list of the constitution, both the central as well as state legislative bodies are competent to enact the Law and Rules on this subject and more specifically Author is r/o Maharashtra state and having actually visited the prisons from Maharashtra, the prison system, Law, Rules, Practice prevailing in Maharashtra is deemed as "Indian Prison System" on representational basis.

So with this Author do hereby proceed do recite various aspects pertaining to "Reformation" of the offenders while they are in the prison and even prior to their such remand to the prison. Present Acts and Rules available to govern the prison system. Please it be noted that Acts and Rules, which are relevant to the topic of thesis are only enlisted and studied.

43 - Constitution of India - Lists.
44 - Manual of Maharashtra Local Laws - Vol No. 18
<table>
<thead>
<tr>
<th>No.</th>
<th>Rules Description</th>
<th>Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Prisons (Admission, Classification and Separation of Prisoners) Rules,</td>
<td>Maharashtra - 1966</td>
</tr>
<tr>
<td>2.</td>
<td>Prisons (Bedding, Clothing and Equipment) Rules (Maharashtra)</td>
<td>1965</td>
</tr>
<tr>
<td>3.</td>
<td>Civil Prisoners Rules (Maharashtra)</td>
<td>1963</td>
</tr>
<tr>
<td>4.</td>
<td>Prisons (Convict Officers) Rules (Maharashtra)</td>
<td>1962</td>
</tr>
<tr>
<td>5.</td>
<td>Prisons (Discipline) Rules (Maharashtra)</td>
<td>1963</td>
</tr>
<tr>
<td>6.</td>
<td>Prisons (Employment of Prisoners) Rules (Maharashtra)</td>
<td>1965</td>
</tr>
<tr>
<td>7.</td>
<td>Prisons (Facilities to Prisoners) Rules (Maharashtra)</td>
<td>1962</td>
</tr>
<tr>
<td>8.</td>
<td>Prisons (Bombay Furlough and Parole) Rules</td>
<td>1959</td>
</tr>
<tr>
<td>9.</td>
<td>Prisons (Habituals and Hardened) Criminals Rules (Maharashtra)</td>
<td>1965</td>
</tr>
<tr>
<td>10.</td>
<td>Prisons (Lunatics) Rules (Maharashtra)</td>
<td>1965</td>
</tr>
<tr>
<td>11.</td>
<td>Prisons (Petition and Appeal) Rules (Maharashtra)</td>
<td>1962</td>
</tr>
<tr>
<td>13.</td>
<td>Prisoners (Property and Documents) Rules (Maharashtra)</td>
<td>1964</td>
</tr>
<tr>
<td>14.</td>
<td>Prisons (Punishments) Rules (Maharashtra)</td>
<td>1963</td>
</tr>
<tr>
<td>15.</td>
<td>Prisons (Remission System) Rules (Maharashtra)</td>
<td>1962</td>
</tr>
</tbody>
</table>
16. Prisons (Routine) Rules (Maharashtra) - 1965
17. Prisons (Staff Functions) Rules (Maharashtra) - 1965
18. Visitors of Prisons Rules (Maharashtra) - 1962
19. Classification of Prison (Rules) (Maharashtra) - 1970
21. Open Prisons Rules (Maharashtra) - 1971
22. Prisons (Death of Prisoners) Rules (Maharashtra) - 1967
23. Prisons (Diet for Prisoners) Rules (Maharashtra) - 1970
26. Prisons (Prisoners Sentenced to Death) Rules (Maharashtra) - 1971
27. Prisons (Prison Hospital Rules)
28. Prisons (Review and Remission of Sentences) Rules (Maharashtra) - 1970
29. Prisons (Review of Sentences) Rules (Maharashtra) - 1972
30. Prisons (Safe Custody of Prisoners) Rules (Maharashtra) - 1970
32. Prisoners Act - 1900
33. Prisoners Act - 1894
The words ‘Prison and Gaol’ are derived from the Latin words, meaning respectively to seize and a cage.

"Prison means a place properly arranged and equipped for the reception of persons who by legal process are committed to it for safe custody while awaiting trial or of punishment. 45"

It is a place where the punishment of imprisonment is executed. 46

With concrete words the objectives of the prison may be given as follows. 47

a) Retribution
b) Retaliation
c) Penitence
d) Neutralization

45. - Concise Oxford English Dictionary
46 - Punishment, Correction and the Law - Mueller Gerhard
47 - Prison as a Social System - R.W.Datir
e) Vindication
f) Deterrence
g) General deterrence
h) Special deterrence
i) Removal from society
j) Rehabilitation
k) Re-socialization
l) Protection of a criminal from the society.

Custodial function is the prime function of the prison. Prisons are examples of a total social system in which the members are to a greater or lesser degree isolated from the society in which the total system exists.

The prison population is mixture of all castes of different ages, educational level, occupations having different convictions. The Indian prison system receives its population from the sentencing courts.

Classification of the prisoners in general is as follows.

1) Convicted prisoners
2) Under trial prisoners
3) Security prisoners
Main objective or impulse behind the Russian Prison System is reformatory. In Russia, Prisons are called as “Miesta Lischenja Svobodi”, means “Places of withdrawn freedom”. 48

Chief objects of the Russian Prison system are the 'Education and Reformation of the prisoners'. Russian Prison system provides classification of the prisons as under:

1) Isolators for those under investigation.
2) Deportation prisons or exiles.
3) Corrective colonies.
4) Psychiatric clinics
5) Reformatory schools for minors.

Russian Prison system consist open farm colonies where prisoners are left on trust, like free men. As trust begets trust there are hardly any escapes. 49

48- Lectures on Criminology - V.S. Chitnis.
49- Soviet Russia Fights Crime - Koerber L.
FEATURES OF RUSSIAN PRISON SYSTEM

1) The aim of the Soviet / Russian Prison system is to reform every prisoner by education and to make him a useful worker.

2) So only work done by prisoners at prisons in Russia is collective and productive.

3) Specifically unproductive work is not employed.

4) A prison sentence is minimum for a year; for reformation.

5) If prisoner worked well in prison, prison Authorities can reduce the term and may release prisoner before the expiry of the term of his sentence.

6) Two good days work is reckoned to be equivalent to 3 days detention, in R.S.F.S.R. whereas one good day’s work is equivalent to 3 days detention in the Ukraine & white Russia. 50

7) Prisoners are allowed wages for the work done by them.

50- The Labour Correction code of Russian Socialist Federated Soviet Republic (Prison code)
8) Prisoners may send some amount earned by them in the prison through work for his wife and children or other dependents at home to save them from hardship and starvation.

9) Prisoner as gets wages for the work done and that too almost an average free man's wages and so he feel as if he were a free man.

10. In Russian Prison system prisoners gets 20 to 50% of the wages of free worker.

11. 2/3 of the wages are paid and 1/3 use to be credited to him to be paid when he is released.

12. Prisoner can earn more by skilled work.

13. In every prison a council of culture is elected by the prisoners themselves and it is provided with a view to create co-operation in prison.

14. Comrades Court are provided in the prison where house offences are tried and more particularly the court is constituted by the prisoners themselves.
15. Prisoners are given a certain fund of self-government for reformation, development of spirit of self-respect and mutual regard.

16. Illiterate persons are taught reading and writing.

17. Various educational courses are provided in prisons.

18. In the year 1931, 77000 prisoners in the R.S.F.S.R. were the students in polytechnic classes and of those some 6700 students completed their courses.

19. General as well as wall newspapers are used.

20. Specifically prisoners are at liberty to express their grievances through wall newspapers however such publication is subject to censure but by Board of prisoners itself.

21. Prisoners are allowed to wear their own dress.

22. Prisoners are allowed to free speech.

23. Solitary confinement is abolished.
24. Every minute prisoners are taught to utilize and the prisoners sleep in dormitories, together.

25. Card games are forbidden but other good games are allowed.

26. There are theatre and cinema and the favourite recreation.

27. 10 to 20 days leave is granted to the prisoner every year in addition to original leaves if his conduct is found satisfactory.

28. Thousand of males and females work without any attempt to escape in the agricultural colonies for prisoners in Russian Prison System.

29. During summer season prisoners work for 10 hours and also can work more for two hours for which they are entitled for overtime wages at treble rate.

30. Most of the officials employed to supervise prisoners are specialist, some of them are ex-prisoners.

31. Prisoners from farm colony have educational and vocational courses.
32. Soviet life does not condemn released prisoners as ex-convicts but on the other hand offers them opportunities for rehabilitation.

The above features of Russian Prison System are well compared with Indian Prison System at appropriate place in the thesis and valuable suggestions are made during research work.

In comparison to American Prison System Russian Prison System is also deserving and it bears same standard. Russian Prison System also has given more importance to the process of reformation in the Jails and it believes the implied analogy lying under the dictum “Corrective Penal System is far beneficial than preventive Penal System.” In case of convicted persons the principle “Prevention is better than cure” may be hardly applicable to society to prevent commission of offence and that is why only the stage of curing has come.

With aim to cause corrections in the minds of criminals, Russian Prison System specifically provides “Corrective Colonies”, not only this but towards unique feature of Russian Prison System-said system provides open farm colonies. The colonies are absolutely open without any bars/confinements where prisoners are left in trust without any limitations and restrictions. Reposing of confidence or trusts to such a extent into the prisoners and to create the emotion of shame on the part of prisoners is
very difficult task which Russian Prison System has achieved through the media of open farm colonies. In these colonies prisoners are set at absolute liberty as well as they are also at liberty at the same place and date to work and earn in the colonies. Russian Prison System also provides independent different places for different types of detentions. Indian Prison System more specifically does not provide the separate detention for best reasons known to the Jail authority. Author of this thesis found in some of the prisons that convicted persons are kept with the under trial persons. Huge difference between convicted personalities and under trial personalities is neglected but this fact of mingling apparently seems to be fatal for the simple reason that under trial persons may be declared on conclusion of trials against them as innocent. So the provisions for different detentions at different places is one of the essential aspect which Indian Prison System has to follow.

During the stay of the prisoners in the corrective colonies as provided in Russian Prison System prisoners are instructed to perform collective and productive work. Some of the Unique rules with certain aims are introduced by Russian Prison System and consequently prisoners are highly corrected as well as benefited. One of the rule which is quoted below is found most excellent and beneficial in Russian Prison System.
Rule: "Two days good work will be reckoned as three days detention" Russian Prison System also specifically provides wages for the works done by the prisoners in addition to the above rules. Two rates of wages payable to the prisoners for their work in the prison are determined in proportionate to the wages payable to the free workers of same category for same kind of work out of the prison. However, generally prisoners get 20 to 50% of the wages payable to the free workers for the same work. In comparison to Indian Prison System, Russian Prison System pay ample, as well as justifiable wages to the workers. Author of this thesis during the visits of different prisons situated in Maharashtra state observed that from 24.07.1992 Govt. has prescribed the wages as follows for the prisoners.

In all open and close prisons: (Amount in rupees)

Skilled labour : 8/- per day.

Medium skilled labour : 6/- per day.

Unskilled labour : 4/- per day.

In Swatangrapur open colony situated at Atpadi Dist. Sangli wages at the rate of Rs. 15/- daily are provided. In addition to the 2 gunthas land is given to each prisoners for cultivation and earning who are allowed to reside in the quarters along with their family members.
Author of this thesis having specific analogy and the special knowledge of the fact that while calculating payable wages to the workers in the prison, the expenses incurred by jail authorities for lodging, boarding, clothing and eating are required to be considered and after taking into consideration all these factors positively suggests that wages should be paid to the prisoner just like Russian Prison System in the formula of percentage (%) wages payable to the free workers. Positively 2/3 amount of wages is payable in net to the prisoner where as 1/2 amount of the wages will be credited to 'Release fund' as such on one hand prisoner worker may meet out few contingencies in the prison out of 2/3 amount of the wages and on the other hand day by day increasing 'Release fund will become helpful, on release either for his maintenance or for starting any new business. Fortunately the same rule is also applicable and is in existence in Indian Prison System also. However, there are few points of material differences which deserves more consideration as well as modifications. Russian Prison System pay more attention to the quality and quantity of the work performed by the prisoners in the prisons as well as wages are also payable to the workers according to the quantity and quality of the work, but Indian Prison System never provides for such classification.
Probation of offenders has been widely accepted as one of the non-institutional methods of dealing with corrigible offenders, particularly the young offenders, and the first offenders. It aims at rehabilitation of offenders by returning them to society during a period of supervision rather than by sending them behind the bar.

1. 'Probation' word is derived from the Latin word 'Probare', which means 'to test' or 'to prove'. So probation is a matter of discipline and treatment. The release of offenders on probation is a treatment device prescribed by the court for persons convicted of offences against the law, during which the probationer lives subject to supervision by a probation officer.\(^5\)

It is an opportunity to the offender to improve his conduct and to readjust himself to the community, often on condition imposed by the court. The basic purpose is to keep the delinquent away from evil consequences of incarceration and offer him an opportunity to lead socially useful life without violating the law.
Probation is a conditional release of an offender under supervision. Supervision can be before or after the custodial sentence. It is applied to an offender before custodial sentence, it is known as 'Probation' and it is applied to an offender who has just been released from a custodial sentence, and then it is known as 'Parole'.

In other words, probation offers an opportunity for the probationer to adjust himself to normal society by avoiding an isolated and jail life in the prison. The system of probation involves conditional suspension of punishment.

Probation is rooted in the broader social and cultural trends of the modern era. It is derived from English common law. The meaning of term 'probo' is to see whether probationer can live in free society without breaking the law.

Probation is often misconceived by some people as an easy let-off or a form of leniency and not a punishment, but, this notion is rather misleading because the probationer must either respond favourably to reformation or suffer imprisonment later.
The original offence remains punishable throughout the period of probation and the offender is liable to be punished in case he violates the conditions of probation order.

Probation is designed to avoid evil consequences of incarceration and yet throw about the delinquent the influences that may lead him to a life of social usefulness.

Following are the certain tentative principles of probation:

1. Probation work must be based on investigation.
2. Investigation and treatment must be individualized.
3. Term of probation should not be fixed in advance.
4. The home and neighbours must be used to rehabilitate probationer.
5. Physical and mental conditions must be considered.
6. A definite plan should be formulated.
7. It should consist cooperation with all the agencies.

8. Trained probation officers are needed.

9. Probation officers must be well paid.

10. Supervision of the offender must be too close.

11. Handling of each case must be as per 'case work method'.

12. It should be extended to rural communities.

13. State supervision or state probation is necessary.

14. It should be indeterminate.

Probation is non punitive method of handling offenders. But, at the same time it has birth from punitive legal system. ‘Probation’, thus is a system for implementing the treatment reaction to law breaking. It does not attempt to make the offender suffer, it attempts to him from suffering. Probation is clearly different from the mere suspension of sentence alone since it includes a positive method of dealing with the offenders.
Probation thus represents a kind of compromise between the punitive reaction and the treatment reaction.\textsuperscript{54}

The Morrison Committee has observed that "Probation submission of an offender while at liberty to a specified period of supervision by a social worker, who is an officer of the court, during this period of the offender remains liable, if not of good conduct to be otherwise dealt with by the court."\textsuperscript{55}

"It is release of an offender under suspended sentence under the oversight of probation officer for certain span for reclaims offender from evil courses."\textsuperscript{56}

One of the major aims of any penal policy is the protection of society. In the olden days probation was provided by the removal of the offender. He was hanged or transported. However, later the society realised that it has to live with the offender and therefore to help the offender to adjust himself to society by putting him under the supervision of probation officer is found one of the aim of penal system.\textsuperscript{57}

\begin{itemize}
\item \textsuperscript{54} Principles of Criminology - Edwin H. Sutherland & Donald R. Cressey
\item \textsuperscript{55} Probation and Parole - By C.B. Veddor and B.A. Kay
\item \textsuperscript{56} Bulletin of the Prison Association of the New York.
\item \textsuperscript{57} The English Penal System - Elkin
\end{itemize}
In the opinion of the author conclusively it can be quoted here that following are the features of the concept of probation.

a) "Not to hate the offender but bear with the offender as offender is nothing but a victim of the disease of criminality," is the soul of probation.

b) Probation is nothing but most soft kind of punishment in which full liberty subject to supervision by court through probation officer is the accepted formula.

c) Probation is not only useful in the interest of the offender but it is equally useful in the interest of the society also.

d) First offenders, young offenders may be dealt with properly for their rehabilitation vide the probation.

e) It is a matter of discipline as well as treatment. In other words probation is outdoor treatment on the disease of the criminality through the legal system.
f) It is nothing but an opportunity made available on the past of the offender to reform.

g) Excess punishment is rather dangerous and so fear of such an excessive punishment will not lie in probation type of punishment.

h) It is non punitive in nature but having birth from punitive legal system.

i) Probation system is most useful for reformation purpose as offender himself puts restrictions on himself so if it is detonated as 'Auto Limitation', theory then Author may not be in errors.

Origin of probation

The origin of probation was not the result of a deliberate, creative, legislative or judicial Act. But rather it is the result of gradual growth and modification of existing legal practices. Probation is derived from the practical extention of English common law and so the legal origin of probation are principally concerned with England and America in 1841 for first time from the Police court of Boston first convict was released and this offender turned out to be a sober citizen.
In U.K. system of probation received statutory recognition in 1907 with the enactment of Probation Of Offender Act. However in 1905 a separate court for the trial of tin age criminal was established at Burnig Ham Latteron. Probation Of Offender Act 1907 was amended in 1908 and in 1914. Further with the enactment Criminal Justice Act 1948 probation was extended through out England. It is deemed as a major correctional method of treatment. However, it is a thing of surprise that probation of women was introduced, in England at much later stage than for adult males.

In England probation developed out of various methods for the conditional suspension of punishment.

Massachusetts originated the practice of probation as referred above as early as 1848 when a Boston shoe maker by name Jhon Augustur was asking the court to suspend sentence of young offender. The first statutory provision for probation with publicly paid officer was the Massachusetts law of 1878 which authorized the mayor of Boston to appoint and pay a probation officer and authorized the Municipal Court to place the offender on probation.

Later on legislative extended this power to all other Mayer of the state in 1880 and further in 1891 it made mandatory, the appointment of probation officer by lower court judges.
The system of adult probation was provided in 1917 in 21 states in America.

History about the origin of probation in England is given by devhin with following words.

The English Criminal Justice Act 1962 suggested reorganization of Probation Committee for the purpose of redressing the situation created by House Of Lord's decision. According to the opinion of House of Lord's there was no power to include a in a probation order a requirement that probationer should attend every day the center. At present there are more than 100 center operating in Briton and so the system of probation, supervision of conditional release on license is in effective practice during after care program for treatment of rehabilitation of offender in U.K.

In 1951 United Nations Economic and Social Council Urged "All Govt. to adopt or extend the system of probation as major instrument of policy in the field of prevention of crime and the treatment of offender. America and England for number of years used probation as major instrument of policy and so it has be regarded as "Their most important contribution to penal practice.”.

With this author of the thesis will prefer to turn to observe the historical development of probation law in India.
In India the first Legislative effort is made vide Sec. 562 in the code of criminal procedure 1898 and this section was applied to offences of theft. Theft in building, dishonest misappropriation, cheating or any other offence under I.P.C. Punishable with not more then two years imprisonment Sec.562, in original, which was appearing in the code of criminal procedure 1898, & which is not in the new form U/s. 360 Cr. P. C. is reproduced below,

Sec. - 360. Order to release on probation of good conduct or after admonition. -

1) When any person not under twenty -one years of age is convicted of an offence punishable with fine only or with imprisonment for a term of seven years of age or any woman is convicted of an offence not punishable with death or imprisonment for life and no previous conviction is proved against the offender, if it appears to the Court before which he is convicted, regard being had to the age, character or antecedents of the offender, and to the circumstances in which the offence was committed, that it is expedient that the offender should be released on probation of good conduct, the Court may, instead of sentencing him at once to any punishment, direct that he be released on his entering into a bond with or without sureties, to appear and receive sentence when called upon during such period (not exceeding three years) as the Court may direct and in the meantime to keep the peace and be of good behaviour:
Provided that where any first offender is convicted by a Magistrate of the second class not specially empowered by the High Court, and the Magistrate is of opinion that the powers conferred by this section should be exercised, he shall record his opinion to that effect, and submit the proceedings to a Magistrate of the first class, forwarding the accused to, or taking bail for his appearance before, such magistrate who shall dispose of the case in the manner provided by sub-section (2).

2) Where proceedings are submitted to a Magistrate of the first class as provided by sub-section (1), such Magistrate may thereupon pass such sentence or make such order as he might have passed or made if the case had originally been heard by him, and, if he thinks further inquiry or additional evidence on any point to be necessary, he may make such inquiry or take such evidence himself or direct such inquiry or evidence to be made or taken.

3) In any case in which a person is convicted of theft, theft in a building, dishonest misappropriation, cheating or any offence under the Indian Penal Code (45 of 1860), punishable with not more than two years imprisonment or any offence punishable with fine only and no previous convicted may, if it thinks fit, having regard to the age, character, antecedents or physical or mental condition of the offender and to the trivial nature of the offence or any extenuating circumstances under which the offence was committed, instead
of sentencing him to any punishment, release him after due admonition.

4) An order under this section may be made by any Appellate Court or by the High Court or Court of Session when exercising its powers of revisions.

5) When an order has been made under this section in respect of any offender, the High Court or Court of Session may, on appeal when there is a right of appeal to such Court, or when exercising its powers of revision set aside such order, and in lieu thereof pass sentence on such offender according to law:

Provided that the High Court or Court of Session shall not under this sub-section inflict a grater punishment than might have been inflicted by the Court by which the offender was convicted.

6) The provisions of Sections 121, 124 and 373 shall, so far as may be, apply in the case of sureties offered in pursuance of the provisions of this section.

7) The Court, before directing the release of an offender under sub-section (1) shall be satisfied that an offender or his surety (if any) has a fixed place of abode or regular occupation in the place for which the Court acts in which the offender is likely to live during the period named for the observances of the conditions.
8) If the Court which convicted the offender, or a Court which could have dealt with the offender in respect of his original offence, is satisfied that the offender has failed to observe any of the conditions of his recognizance, it may issue a warrant for his apprehension.

9) An offender, when apprehended on any such warrant, shall be brought forthwith before the Court issuing the warrant, and such Court may either remand him in custody until the case is heard or admit him to bail with a sufficient surety conditioned on his appearing for sentence and such Court may, after hearing the case, pass sentence.

10) Nothing in this section shall affect the provisions of the Probation of Offenders Act, 1958 (20 of 1958), or the Children Act, 1960 (60 of 1960), or any other law for the time being in force for the treatment, training or rehabilitation of youthful offenders.

Later on the Children Act 1908 provided power of the court to release certain offender on probation of good conduct.

The Govt. of India prepared a draft for Probation Of Offender Bill in 1931. However, it failed & so in the year 1934 the Govt. of India informed the local Govt. that they were at liberty to enact the suitable laws on the lines of
draft bill. Probation laws were though enacted by the provisions, however lack of uniformity is experienced.

After the Indian independence certain concrete steps were initiated to popularize probation as a correctional measure of treatment of offenders. All India Jail manual committee was formed to review the working of Indian Jail and to suggest the measures for reform in the system. Consequent to the report of this committee a bill on probation was introduced in Loksabha on 11.11.1957. The said bill is later on passed as on 25.02.1958 and after that as on 16.05.1958 it became an Act i.e. the probation of offender Act. 1958.

The above Act provides four different modes of dealing with youthful and other offender in lieu of sentence subject to certain condition.

1) Release after admonition.

2) Release on entering a bond on probation of good conduct.

3) No sentence of imprisonment to the offenders under 21 years of age, unless the report of the probation officer is called.

4) The person released on probation does not suffer a disqualification attached to a conviction under any other law.
Thus it is apparent that provisions of the Probations Of Offender Act are extended to adults also. Further it is also clear that the provisions are applicable not only for the offences from I.P.C., but same are also applicable to other special enactments. I.e. 'Prevention of Corruption Act. 1962, etc.

In addition to the probation of offenders Act 1958 Indian legislatures have provided Sec.27,360 of Cr.P.C. and the Juvenile Justice Act 1986, Now Juvenile Justice (child care & protection) Act 2000 for the release of certain offenders on probation.

Concept of probation law, of probation and need of Probation is though extremely high the judicial trained in India is not favourable and the courts are reluctant to grant the benefits of these provisions & so we are loosing the very first opportunity of reformation of an offender and that too for no reasons and thus we ourself are creating the pressure on the prisons so the opinion of Author “Discretion of Courts are required to be withdrawn and instead of that a mandate has to be given through the enactment for extending benefit of probation to the offenders who are less then 21 years of age in case of males and irrespective of the age to all the females, it is needless to mention here that certain offences for which the benefit of probation may be given may be well prescribed in the enactment itself. Mere discretion is found not useful or potential and so present provisions in this regard has seen the defeat.
Parole / Implications of the parole

Parole is different from the probation. Parole is also different from the conditional release. Parole is also known as pre mature release of the offender. Parole means "a term to designate conditional release granted in a penal institution".

It is a new technique and in England, it is known as ticket of leave. It is premature release from prison, which is conditional to behaving in good way in society and accepting to live under the guidance and supervision of parole officer.

Maconochie is known as father of parole. The Status of parole today is still disputed. On one hand it is considered as an act of clemency. The granting of which depends entirely on the prisoners conduct in the penal institution and on his repentance.⁵⁸

Parole is also regarded as a social defence measure. Parole is often conceived as penological measure in harmony with the original sentence and even in fact an extension of it.
Historically parole is a concept known to military law to denotes release of a prisoner of war on promise to return. Parole is one of the devices for reducing pressure on prison institutions, if selective prisoners are released on parole.

Ex. Prisoners are generally feared, shunned, discriminated and exploited and thus they are compelled to go wicked rather than being assisted to lean an upright life.

Probation is the first where as parole is the last stage of correctional scheme. The life in the prison is so rigid and restrictive that it hardly, offers any opportunity for the offender to rehabilitate himself. Aim behind the parole is to restore the inmate to society as a normal law abiding citizen.

Parole is release from prison after part of the sentence has been served the prisoner still remaining in custody under stated conditions until discharged and liable to return to the institution for violation of any of these conditions.

The features of the concept of parole are as follows.

a) It enables the prisoner a free social life yet retaining some control over him by law.

b) Only prisoners who are potential for correction and response favourably use to granted parole.

59 - Criminology – Thaft & England
a) It is an individual method of treatment.

b) It is liberation of an inmate on condition that original penalty of prisoner shall revive if conditions of liberation are violated.

c) It is an opportunity to the offender to associate himself with outside world.

d) It is provisional release from confinement but is deemed to be part of the imprisonment.

e) It is a part of the reformatory process.

f) Probation and parole have the same objectives i.e. Rehabilitation of offenders.

g) Both probation and parole consist “Skillful supervision of the selected offenders outside the prisons.”

h) Violation of condition of parole will result in cancellation of the order and convict is to be sent back to prison.
i) The term parole has expressed the old idea of "Furlough" which means permission granted to the prisoners to visit their families as well as to keep the prisoner in contact with the society in general and his family.

j) Parole ideally includes treatment in the form of guidance and assistance to the offender.

Parole & Reformation

Grant of parole may limit the effects of imprisonment, which are deleterious to the offenders and to his family. It offers an opportunity for the practical application of rehabilitation programmes prior to the expiration of sentence. The parole encourages the offenders to maintain maximum contacts with the world outside the institution. It is just like an incentive to good conduct and it is one of the means to shorten the period of imprisonment.

If the aim of reformation is to be achieved probation and parole are good milestones marching towards the path of destination.

In case of infliction of excess punishment, balance use to be lost on the part of the offender and so if the instrument of parole is used, it may be
helpful to satisfy such emotion which may be one of the helping point in the process of reformation.

Release of offender on parole also gives an opportunity to re-evaluate the role of institutional treatment in the prison and the relative merits of alternatives.

So far modern approach towards the concept parole is deemed as release from correctional institution of an offender who remains under the control of the correctional authorities.

So in one sense parole is the last step in a correctional scheme.

According to the report of All India Committee on Jail Reforms headed by Justice A.V.Mulla in the year 1980-83 “Parole is premature release which is an accepted mode of incentive to a prisoner, as it saves him from extra period of incarceration and at the same time also helps in his reformation and rehabilitation.”

More particularly the judicial trend about the grant of parole to under trial prisoners is more in favour of the prisoners. As well it is also observed by the Indian Courts that conditional release on parole for reasonable spells has to be appreciated which is always useful on humanitarian ground and just to maintain unity of family.  

Release on parole is though welcomed, Indian Parole System has considered ‘Breach or violation of parole law’, in serious way. As per the provisions of “The Prisons Act 1894”, if any prisoner without sufficient cause failed to observe the conditions of the parole then it amounts to commission of an offence U/sec. 48 A of the Act.

As per the Model Prison Manual following are the main objectives of the parole.

a) To enable to offender to maintain continuity with his family life and deal with family matters.

b) To save the offender from the evil effects of continuous prison life.

c) To enable the inmate to retain self-confidence and active interest in life

However, still then it is experienced by the Author on the basis of actual visits to the 6 prisons and on interviews with 60 prisoners that without positive or favourable police report release on parole is not made and all the time why? How? it happens God knows? police reports always use to be negative and as against the offender and so several prisoners complained with full of cry that “due to such system we could not see even faces of our family members since last more then 10/12 years”.
Author found that the above aspect has very badly affected on the reformation process, which no ideal prison system will prefer.

Parole is also called as 'conditional liberation' which provides that prisoner shall live in accordance with specified rules. Following types of conditions may be well laid down.

a) Leading a law abiding life.
b) Abstaining from intoxicating liquors and drugs.
c) Keeping free from bad associates.
d) Spending evenings at home
e) Refraining from gambling.
f) Supporting legal dependents
g) Remaining in a specified territory.
h) Not changing residence
i) Not changing employment without permission.
j) Attending church at least once each Sunday
k) Not marrying without permission.
l) Not becoming dependent on charity.
m) Making written or personal reports as required.

61- Principles of Criminology – Sutherland & Cressey

THE END