CHAPTER IX

CASE STUDY

"Amidst the cross-currents and shifting sands of public life the law is a great arc upon which a man may set his foot and be safe".¹

Prison Conditions in Charlapalli Central Prison.

People of different ages irrespective of gender may commit offences knowingly or unknowingly due to the different social status of their won in the society, prison conditions and the rules applicable to all the prisoners deserve legal considerations. Contrary to this the criminological and psychological jurisprudents have figured less significant attention on the prisoners. The substantive and procedural laws also contained very few provisions for the reformation of the prisoners during their prison custody.

But due to Liberalization, Privatization and Globalization social changes has made in the society, in the last decade the social conditions are drastically changed. Hence, the role of prisoners has undergone a lot of change. The social and political freedoms gained not only made them equal to the others in status but it was that the same was not equally accepted in real.

¹. Lord Chancellor Sankey.
Despite the recommendations made for special procedures for handling the prisoners who are in detention. But the treatment of women prisoners in lock-up and penal and correctional institutions by various committees and separate guidelines issued by the Honourable Supreme Court, about the ill-treatment of prisoners in custody is reported quite often in all daily news papers as it is pertinent to an healthy society.

To understand the actual treatment method on prisoners who are presently under judicial custody and prison custody, an empirical research methodology is designed. By following that method, prisoners who are under penal custodies were personally interviewed and their prison experiences were recorded by observing their conditions. The information thus obtained was implanted in this chapter under relevant headings. The interviews were conducted with the prisoners mainly to find out that, whether the prison authority implementing the statutory provisions, rules contained in the Prison Rules 1979 and the directions of the courts with regard to the prisoners are being implementing or not by the deferent High Courts and the Apex Court.
Method of Research adopted (Empirical)

All the prisoners in India are at different stages of the criminal Justice administration system has convicted by the courts, all the criminals will experience the custody of police by arrest at the first instance and subsequently followed by the production of arrestee with in twenty four hours before the concerned Magistrate and then remand the arrested person in first instance for fifteen days, after that if the court grants bail the arrestee may be released after completion of court formalities and finally after the completion of trial the accused may be send to prison custody if the prosecution proves the offence beyond all reasonable doubts.

Hence an empirical study was conducted by the researcher by visiting the central prison at Charlapalli in Hyderabad and Sub Jails and District Jail in Guntur District. Since all the convicted persons are for over a period of one month and below two years were kept only in the State sub Jails, the women convicts may be kept either at Rajahmundry central prison or in Hyderabad at Chenchalguda central jail, the study was mainly focused on the imamates of Charlapalli Central Prison located at Charlapalli in Hyderabad and all the Sub
Jails in Guntur district, by thoroughly visits to observe the physical conditions which were existing at that time.

Visit to Charlapalli Central Prison.

A Study on prisoners is always best with some existing common problems like ventilation, aeration and administration. As Jails are prohibited places for others no one is allowed inside, except with by prior permission from the appropriate authority. A special and specific permission is required from the Director General & Inspector General Persons (D.G & I.G.P.) who is the only competent authority to give such permission. The D.G. of prisons, after going through the abstract of the proposed work and on the production of authorization from the University authorities and after establishing the identity of the research scholar, has issued necessary permission to interview the prisoners with subject to certain necessary administrative restrictions.

In both Charlapalli central prison Hyderabad and State Sub Jails in Guntur District, the researcher was allowed to do his research work from 09.00 a.m. to 04.00 p.m. to conduct interviews with the prisoners. The researcher requested the prisoners to appear before the researcher and to answer his questions prepared by the researcher and
approved by the prison authority. The prisoners at first became reluctant to answer the questions and also questioned the researcher about the intension and usefulness of the study for their conditions in the prison. The prisoners first showed their unwillingness to express their feelings and convinced later, and answered the questions of many social reformers and social organizations earlier are also said that they could not benefit from any of such studies. Hence some of them did not like to express their personnel identity and family background to a stranger like the researcher. Hence initially the prisoners not properly answered the questions put by the Researcher.

On the first day it has been taken a lot of time to explain them about the purpose of the research and its objectives and its usefulness, if not immediately but future days, it was explained to them how the prison reforms, conditions improved in prisons over a period of time and how the research work of this kind directly and indirectly helped the convicts. It has become difficult for those illiterate prisoners to understand the need and purpose of this research work, due to lack of knowledge and ignorance. They have not easily believed that, a total stranger unrelated to any one of them, without any personal gain could take all the pain of visiting and interviewing
them and recording their custodial experiences. The notable question what they put was, can you help us in any way in meeting our family members and friends. When the researcher has explained the purpose of the study and the limitations in helping them, some of the prisoners who are under long term sentence only can be understand the position. Some of the prisoners who are educated has tried to convince the prisoners to open up their mouth and asked about the need to cooperate with the researcher. One Deputy Jailor and a warder in Charlapalli Central Prison, Hyderabad have developed the confidence in prisoners made a lot of difference in completing the task with little resistance. The under trial prisoners present in the sub jails of Guntur District has expressed their experiences in the prison freely.

It is the experience of the researcher that when interviewed individually the inmate’s was of answering well with expecting better treatment to them. When questioned about their experience in police custody, the majority of the prisoners were reluctant to share their experience. They were not even willing to accept the suggestive answers of the researcher but the female under trial prisoners in sub – jails of Guntur district one openly said that they were innocents of selling Ganja the male persons which are having the habit of selling
Ganja of their villages by taking advantage of their husbands who have the habit of taking Ganja frequently and convinced by the Ganja sellers forced them to surrender themselves to them by threatening that they would foist a brothel case against them.

For that, in order to obtain the accurate information a more or less natural convincing and conversational mode of research style was adopted. The prisoners were come into groups and conversation was started in themselves about the issues unconnected with the research. Thus after getting some confidence the conversation was turned on the specific issue of their family background crime, mode of arrest, treatment given by the police, in police station and production before the Magistrate and also in court at the time of trial by and large, this procedure has become the most useful and prompt understanding. However, it should be mentioned that in the absence of checks and counter-check of their statements the researcher has to believe the narration of the prisoners. In this process, the researcher was listen them patiently, without questioning them whether it was relevant for the research study or not, it was only for, by this behaviour that one could come out with the confidence of the inmates. It is believed that the more relaxed prisoners were more reliable in their response and
information about their experience in police custody, judicial custody and in Prison.

All the prisons have more remand prisoners than along with the convicts. This study has covered both. But the interview with the remand prisoners proved to be a different experience as that of under trial prisoners normally, the researcher believed that it is difficult to interact with under trials as they are busy with court cases and also in preparing their own defense in the court meeting their lawyers and not having either time or mood to talk freely. Since the charges leveled against them are under inquiry and not confirmed by the court, they were opposed to label them as offenders. Moreover, they reportedly expressed their fear that they may become against them and spill something during interview which may come in turn against them during the trial.

This kind of general belief is found to be untrue by the researcher. All the remand prisoners were ready to express their own experiences in the police custody and the experience of their very first appearance before the Magistrate. Each remand prisoner requested the researcher to note their experience in the police lock-up made open to the society.
The researcher had the chance of observing and noting down the admission process of some prisoners and interviewing them immediately on the day of admission but out of them, one was a convict while others were arrested on charges of theft some for grievous hurt. The physical examination process done on them at the time of admission was also observed. Identification marks of beating were noted on the bodies of the remand prisoners. So as to the next day they were specifically selected for interview about their experience in police custody was a fresh in their memory. Those under trials gave a detailed account of the beatings they received on their locked body by the police. They even narrated the way that how the Magistrates acted towards them.

Visit to mental health hospital

To understand the mental status of prisoners under mental health custody, the mental health hospitals located at Yarragadda, in Hyderabad were visited. The Superintendent of the hospital has extended all the help to me to meet the prison patients in custody. A ward boy of the hospital was escorted the researcher and helped to take their interview in the Hospital itself.
There are same aged prisoners in Yarragadda Mental Hospital Hyderabad. Some of them are under remand and some of them are under conviction. Though they were presented before the researcher, and encouraged to speak but they failed to communicate their expressions properly. Their mental condition has prevented them from speaking freely in an appropriate manner asked by the researcher. They couldn't understand the questions put to them. Their answers were irrelevant to the questions posed by the researcher. They spoke only what they wanted. So the details of the conditions of mental condition patients were obtained by observation and interviewing the doctor who is treating them and the staff who are looking after them in the Hospital. The mental condition of those destitute mental patients placed in hospital on the orders of the court was found to be no different. They were found to be totally ignorant of their parents, native village, etc. so the attempts to obtain information form them became in vain.

The method of personal observation and interview with staff was also followed here too. Separate profiles of convicts and under trails prisoners are presented. The researcher has interviewed all the
prisoners available on the date of the interview. Thus 125 convicted prisoners are interviewed and the details are presented hereunder.

**Literacy among convicts**

The total number of interviewed convicts lodged in the central Jail at Charlapalli central prison Hyderabad and Guntur district jail and sub-jails of Guntur district put together are 125. Out of these, a huge 112 or 90% are illiterates. The remaining 13 convicts are literate. This envisages the conclusion that more illiterate men, who are not aware of the legal consequences of crimes, are indulged to commit crimes.

**Literacy among Convicts**

<table>
<thead>
<tr>
<th>Literacy level</th>
<th>Total</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Illiterate</td>
<td>102</td>
<td>79.50</td>
</tr>
<tr>
<td>Literates</td>
<td>23</td>
<td>19.40</td>
</tr>
<tr>
<td>Grand Total</td>
<td>125</td>
<td>98.90</td>
</tr>
</tbody>
</table>

**Details of Literate Convicts**

The total literate convicts are 23 in number. Out of them, two are graduates and five have completed the secondary level of
education while two each completed IX, VIII, VII; six convicts have completed V Standard and 4 of them completed Class IV. Of the remaining two, one has studied only Class I, while others went up to third class. The figures are shown in the table and graph. This shows that even among the Literates only 23% of them have reasonably average education; even among the literates 78% of the convicts just know only to read and write in their mother tongue.

**Details of Literacy Level among Convicts**

<table>
<thead>
<tr>
<th>Literacy Level (Out of total 125)</th>
<th>Total</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Post Graduates</td>
<td>2</td>
<td>2.56</td>
</tr>
<tr>
<td>Class X &amp; above</td>
<td>7</td>
<td>6.16</td>
</tr>
<tr>
<td>Class IX</td>
<td>2</td>
<td>2.56</td>
</tr>
<tr>
<td>Class VIII</td>
<td>2</td>
<td>2.56</td>
</tr>
<tr>
<td>Class VII</td>
<td>2</td>
<td>2.56</td>
</tr>
<tr>
<td>Class V</td>
<td>5</td>
<td>4.79</td>
</tr>
<tr>
<td>Class IV</td>
<td>3</td>
<td>3.53</td>
</tr>
<tr>
<td>Class III</td>
<td>1</td>
<td>0.63</td>
</tr>
<tr>
<td>Class II</td>
<td>1</td>
<td>0.63</td>
</tr>
<tr>
<td><strong>Grand Total</strong></td>
<td><strong>25</strong></td>
<td><strong>20.48</strong></td>
</tr>
</tbody>
</table>
Religious identity of convicts

The large percentage of women convicts hailed from Hindu religion. They formed 77.25% of the total convicts. There are 11 Muslims forming 11.70% and only 3 Christians making them 1.74% of the total convicts. It may be noted that these percentages broadly represent their actual population percentages.

<table>
<thead>
<tr>
<th>Religion</th>
<th>Total</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hindus</td>
<td>86</td>
<td>79.94</td>
</tr>
<tr>
<td>Muslims</td>
<td>14</td>
<td>13.75</td>
</tr>
<tr>
<td>Christians</td>
<td>5</td>
<td>4.89</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>125</strong></td>
<td><strong>98.58</strong></td>
</tr>
</tbody>
</table>

Caste division among Hindu convicts

The caste wise data of the Hindu convicts is presented in this Table and Graph. Out of the 125 Hindu convicts, 86 are from the forward castes (O.C.) by 35 from are from Scheduled Castes. Their corresponding percentages of others are 30.43%, 25.36%, 23.91% and 20.28%. These percentages show that the Scheduled Caste (S.C.) and Scheduled Tribe (S.T.) convicts are more than their actual population
percentage i.e. 14 and 5. This shows the conclusion that more number of convicts i.e., about 16% are from S.C. and S.T. who are considered as the most backward sections of society both socially and economically and also literally.

**Caste Division among Hindu Prisoners**

<table>
<thead>
<tr>
<th>Caste</th>
<th>Total</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>O.C.</td>
<td>42</td>
<td>30.43</td>
</tr>
<tr>
<td>B.C.</td>
<td>32</td>
<td>23.91</td>
</tr>
<tr>
<td>S.C.</td>
<td>28</td>
<td>20.28</td>
</tr>
<tr>
<td>S.T.</td>
<td>23</td>
<td>25.36</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>125</strong></td>
<td><strong>99.98</strong></td>
</tr>
</tbody>
</table>

**Occupation of Convicts**

The occupation of the convicts is also recorded. Out of the 125 convicts, 96 constituting 60.75% are daily workers. 16 of them i.e., 18.44% are manual laborers. There is only one self-employed person. Out of the remaining five, one is agriculturist, another is a state government employee and one more is a central Government employee. There are six convicts who are Naxalites. This may be taken as an indication that more convicts having no other extra family occupations are involved in crimes of their hunger needs.
Occupational Details of Convicts

<table>
<thead>
<tr>
<th>Occupation</th>
<th>Total</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Daily labours</td>
<td>91</td>
<td>71.75</td>
</tr>
<tr>
<td>Manual labour</td>
<td>15</td>
<td>18.44</td>
</tr>
<tr>
<td>Govt. employee</td>
<td>4</td>
<td>5.36</td>
</tr>
<tr>
<td>Private employee</td>
<td>4</td>
<td>0.63</td>
</tr>
<tr>
<td>Agriculturists</td>
<td>1</td>
<td>0.63</td>
</tr>
<tr>
<td>Naxalites</td>
<td>6</td>
<td>4.26</td>
</tr>
<tr>
<td>Self-employed</td>
<td>4</td>
<td>0.63</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>125</strong></td>
<td><strong>98.70</strong></td>
</tr>
</tbody>
</table>

Sentence of convicts

Basing on the sentence they are serving, the convicts are classified into four categories. Their number is 91 forming 71.75%. 10 prisoners are serving a sentence 10 years or above. 12 of them are imprisoned for periods between 1 and 7 years. The remaining 12 are serving a sentence of less than 1 year.
### Sentences of Convicts

<table>
<thead>
<tr>
<th>Term of Sentence</th>
<th>Total</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Life</td>
<td>92</td>
<td>71.16</td>
</tr>
<tr>
<td>10 year &amp; above</td>
<td>13</td>
<td>11.28</td>
</tr>
<tr>
<td>Above 1 year and below 7 years</td>
<td>15</td>
<td>12.05</td>
</tr>
<tr>
<td>Below 1 Year</td>
<td>5</td>
<td>5.35</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>125</strong></td>
<td><strong>99.64</strong></td>
</tr>
</tbody>
</table>

### Caste division of Hindu undertrial prisoners.

The caste analysis of the Hindu prisoners has shown that 71 or 84.5% and 37 or 24.30% hailed from forward and backward castes respectively. There are 11 S.C forming 9.32% of under trails while S.Ts. are 5 in number or 4.83%.

### Caste Division of Hindu under trial Prisoners

<table>
<thead>
<tr>
<th>Caste category</th>
<th>Total Nos.</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>O.C.</td>
<td>61</td>
<td>62.52</td>
</tr>
<tr>
<td>B.C.</td>
<td>23</td>
<td>22.30</td>
</tr>
<tr>
<td>S.C.</td>
<td>21</td>
<td>19.32</td>
</tr>
<tr>
<td>S.T.</td>
<td>2</td>
<td>3.83</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>125</strong></td>
<td><strong>96.97</strong></td>
</tr>
</tbody>
</table>
Occupation of undertrial prisoners

Based on the occupation the larger prison population is from the agricultural sector. i.e. 61 or 41.49% majority of them are from daily wage earners or agricultural coolis. 54 or 38.77% are small private job holders, and getting low salaries ranging from Rs.6000/- to Rs.12000/-. 17 of them or 12.42% are getting their livelihood through small like tea stalls, hotels and pan shops a government employee in panchayatraj department, a retired government college lecturer, the last one is a naxalite.

Ill Treatment of Prisoners in Police Custody:

At the time of interview with the prisoners it was it was came out that, they were not arrested by the police at their residence as directed by the Supreme Court in D.K. Basu V. State of West Bengal\(^1\), and they have stated that none of them were produced before the Magistrate with in 24 hours of their arrest as laid in law. They said that they were produced before the period of illegal detention by the police ranged from 24 hours to one week. Most of them said they were in police custody for a minimum two days. Many prisoners said

\(^1\) AIR 1997 SC 610.
that they were not informed of the reasons for their arrest. A few are said that they were arrested late in the night and the information of their arrest was not given to their relatives. After their arrest, as per the prisoners, they were not handcuffed, and kept in the police station, in the lock-up. The absence of toilets and facilities for taking a both and toilet are the major discomforts faced by them during the police lock-up, they said. As per the observation of the women prisoners no women constables guarded them, even in some police stations where there are women constables they stayed with them only during the day. "Interrogation was conducted by men officers and no women constable stayed with us during the interrogation".

The prisoners said that they were not offered the bail and the available legal provisions are not explained to them. None from the free legal aid committee visited them while in detention. Prisoners said that no medical examination facility was conducted to them.

In conclusion, it may be said that the police custody is the worst custody. The inmates gave a graphic account of their experience in the police lock-up. It was always the men police who handled the women prisoners. The women police though present couldn’t take charge of the arrested women.
The police were allegedly using a highly abusive and foul language in the police station. Assault, threat to break the limbs, etc., formed part of the ill-treatment. This allegation is supported by the darkened parts of the body and the bruises found on the body of some of the remand prisoners who were admitted into jail. On enquiry, the prisoners revealed that the police were not ill-treating arrested persons if they confessed to the crime. Those who refused to confess were even reportedly threatened by the police. The person in custody is safe only when he is ready to confess to whatever the police ordered him to do so. Otherwise, the accused are subjected to prolonged illegal stay in the lock-up, torture, starvation, etc. The police custody continues to be dangerous for both the men and women accused.

Judicial Custody

After completion arrest, the arrested person is produced before the Magistrate having jurisdiction to take cognizance of the offence over the place where the crime was committed. When such production is made, the Magistrate shall follow the obligation imposed on him by the Supreme Court through the Sheela Barse V. State of Maharashtra\textsuperscript{1},

\textsuperscript{1}AIR 1983 (2) SC 96.
case. The Magistrate shall enquire into the treatment given by the police during the custody. If there is an instance of maltreatment or torture, the arrestee should be informed of their right for medical examination. But the survey revealed that no accused person was asked any question by the Magistrate about the ill treatment by the police in their custody. All the prisoners said that they were remanded to custody within minutes of their production before the Magistrate. Several of them said that they couldn’t open their mouths, though they wanted to do so, because of the strong warnings given by the escort police. The escort police force is found to be a consistent threat to the arrested person.

**Prison Torture:** The Diabolical recurrence of police torture results in a terrible scare in the minds of common citizens that their lives and liberty of under a new peril when the guardians of law gore human rights to death. The vulnerability of human rights assumes a traumatic, torture some poignancy when the police arm of the state whose function is to protect the citizens and not to commit gruesome offences against them parpertrates the violent violation.  

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A clear definition of torture is provided in U.N. Declaration on protection of all persons from being subject to torture and other cruel, inhuman or degrading treatment or punishment, 1975\(^1\). It defines torture as for the purpose of this declaration, torture means any act by which severe pain or suffering whether physical or mental is intentionally inflicted by or at the instigation of a public official on a person for such purposes as obtaining from him or a third person information or confession. Punishing him for an act he has committed or is suspected of having committed or intimidating him or other persons. It does not include pain or suffering arising only from inherent in or incidental to lawful actions to the extent consistent with standard minimum rules for the treatment of prisoners\(^2\). Section 4 of the prevention of torture bill 2010 provides that any public official commits torture against any human being shall be punished with imprisonment of 10 years\(^3\). Knowingly the prison authorities are subjecting the inhuman torture on the prisoners. Some of the prisoners are reluctant to disclose the same to the researcher.

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1. Declaration on the protection of all persons from being subjected to torture and other cruel, inhuman or degrading treatment or punishment. Adopted by General Assembly resolution 34\(\)EXXX) of 9\(\)th December 1975.
2. Article 1 of declaration on the protection of all persons from being subjected to torture and other cruel, inhuman or degrading treatment or punishment.
Another obligation imposed by the Supreme Court on the Magistrates and Sessions Judges is to inform the accused that he is entitled to free legal services, if he is unable to engage such services on his own due to poverty. This right to legal services, as per the Supreme Court is available to the arrestee even at the time of his very first appearance before the Magistrate. In Andhra Pradesh, the Legal Services Authority is providing legal assistance to S.C, S.T., B.C., women and Children for the last several years. The arrested persons, once remanded have to be produced before the Magistrate once in every fifteen days. In Charlapalli central prison Hyderabad, Andhra Pradesh. Nearly 85% of the prisoners are convicted prisoners. Some of them are continuing in jail, though they were granted bail, because of their inability to produce sureties attending to court, at fortnightly intervals is proving to be the most difficult time. Sometimes, the prisoners couldn’t be taken to court because sufficient escort police are not available. Absence of vehicles is also one of the factors resulting in the delay of production of remand prisoners in the court. Women, when taken out, are carried in the same vehicle along with the hardened, habitual male criminals causing a lot of embarrassment. The remand women prisoners are forced to wait in the court premises
from morning till evening. In the absence of toilet facilities in the court premises, the women prisoners are found to be suffering a lot.

**Prison Conditions.**

In Andhra Pradesh there are seven central prisons among them Cherlapalli Central Prison is one, nine district jails, three open prisons and one semi-open prison, one borstal school, 147 sub-jails and two State prisons for women. As on 31st December, 2009 the total number of prisoners held in all these jails put together were 25,625. The average number of prisoners held in the State, as per the records, ranged from 650 to 750 at any given time. It is to be noted that about 66.6% of the prisoners are undertrial. In Andhra Pradesh, all the remand prisoners are referred to the sub jails, district jails or central jails on administrative grounds. As per the direction of the Supreme Court, the remand prisoner should be guarded by guards or in the absence of guarded by the police by some other prisoners specially engaged for that purpose. Till 2010 women were engaged on a daily wage basis by all sub-jails, where women sentry is not available and during periods women were in custody. Since the State Government has abolished the employment on daily wages, all the sub-jails refer the female remand prisoners to the nearest district jails or to central
jails where there are separate enclosures for women or to the State Jails for women. There are no considerable insanitary conditions in the Charlapalli Central Prison as it was a newly constructed one each barrack is in a clean and neat condition no prisoner said anything badly against the prison conditions. As per records the authorized capacity and the number of prisoners lodged in these prison very high than the prescribed accommodation at the time of this study.

Classification

As per the Andhra Pradesh Prison Manual, there should be strict separation of convicts and remand prisoners, but in all the prisons there was no such separation except during lock-up time i.e during night time. In normal circumstances, all of them are allowed to mix freely. However in the evening at the time of locking them attendance was taken separately. All the life convicts are placed in one barracks, other convicts serving short term sentences are placed in a separate barrack. The separation of prisoners based on the socio-economic status of the convicts as suggested in the Prison Manual didn’t arise in the prison as all undertrial prisoners and convicts also lodged, with the low economic and social background without much formal education. All the remand prisoners are grouped together in a
single barrack in Charlapalli Central Prison in Hyderabad they are using cells to lodge them. In each cell about 25 to 30 remand prisoners are placed giving an impression of overcrowding. Most of the remand prisoners in jails are poor, illiterate and hailed from rural areas and as such deserve ‘C’ class prisoner’s status. So there was no demand for the classification based on the status. Very few educated under trails are kept separately in cells on their request and also by the court directions. While the Andhra Pradesh Prison Manual mentions about the separation of notorious criminals from others, there was neither facility to separate them nor inclination to keep them separately. No formal complaint for such separation was made by the inmates to the jail authorities except that of their inconvenience to an occasional visitor, thought they were afraid of infectious diseases spreading because of the mixed prison population.

Admission of prisoners

A remanded prisoner or convict as soon as handed over to the jail authorities was taken into the search room where the body of the prisoner was thoroughly searched for the identification marks was made by a Warden with due regard to the privacy and decency of the prisoner. The convicts or remanded prisoners belongings were
removed, such as ornaments, cash, etc. except the religious ornaments, and they are carefully documented and kept in a separate safe container. Medical examination was conducted on every prisoner by the prison doctor and the health condition of the prisoners before actual entry into the jail was recorded. That includes the height and weight of the prisoners and they are also examined for infections diseases, if any, and recorded in the prison register as per the Andhra Pradesh prison manual.

**Restrictions on prisoners**

In no way the prisoners move away from the enclosed area of the jail except with the proper order. Their movements are restricted up to the inner gate of the jail during the day time. They are allowed to move out of the gate only for the attendance in the court, transfer or under the order of the Superintendent of the jail for a specific approved purpose. The Superintendents of the prison at Charlapalli, in Hyderabad is very strict in this regard. No other member is allowed to enter into the prison unless he has proper permission letter from the appropriate authority to attend within the premises on a specified date and time. Even such permission entry is prohibited after sunset and before sunrise unless an emergency is warranted such entry. Even
such permitted entries are permitted only after obtaining the necessary permission from the Superintendent and accompanied by the staff of the jail. A staff member of the jail accompanied by him till he finished his job and reached the main gate.

Medical facilities:

A full-fledged hospital was headed by a qualified Medical Officer, Staff nurses are also found in the Charlapalli Central Prison. The immediate medical attention is available for the sick prisoners within the prison. There is an inpatient ward in the prison hospital. They are treated for normal ailments, but in case of serious cases they are referred to the prison ward of the Nizam Institute of Medical Sciences and General hospital for special treatment. The entire cost of the treatment was at free of cost all the medical bills were paid by the Government. Before discharging a prisoner either on bail or parole or furlough, a medical examination is conducted and the same is repeated on readmission into the jail. If any Prisoner is suffering from contagious diseases are kept separately and if necessary transferred to the medical ward for better treatment. In Hyderabad Charlapalli central prison, provision is also made for treatment of the prisoners suffering from HIV related diseases. Prisoners who are in
need of mental health care are sent to the Yerragadda mental hospital, Hyderabad. An escort is also provided for them throughout the treatment.

**Dietary Schedule:**

The Government of Andhra Pradesh has laid down a dietary schedule to the prisoners. In Andhra Pradesh, the prisoners are provided with adequate nutritious diet as laid down in the Andhra Pradesh jail Manual 1979, but it has to be amended as per the advanced changes. The timings are also prescribed in it. The dietary schedule includes a cup of tea in the morning, breakfast at about 7.30 a.m. followed by lunch at about 10.30 a.m. with rice, dhal and sambar but the gap between the breakfast and lunch is very small it has to be changed because the gap between the lunch and dinner is very high. Dinner at 5.30 p.m. includes rice with curry and sambar. In between lunch and dinner, tea is served at 4.00 pm. Everyday one seasonal fruit is served with meals. There was provision to alter the diet scale either temporarily or permanently. Non-vegetation food is served on Sundays. Yellow rice and occasional sweets are served on festival days and on days of national importance. Special diet for pregnant female prisoner and their children will be provided on medical advice.
Milk, bread, coconut water, eggs and glucose are given to sick and old age prisoners and are also served with special diet as per medical advice. Low salt content curries and chapathies are served for prisoners suffering from hypertension or diabetics, respectively. The kitchen of the prison was equipped with modern amenities like gas stoves, grinders etc in place of traditional firewood. A separate dining hall is found only in the Charlapalli central prison, but during the interview the researcher observed it was converted into church and a cross was also present. All prisoners take their food in the shadow trees and buildings. In the jail, the convicts as a rule perform the duty of cooking by rotation as per the instructions of the authorities. It is observed that while the Government is trying to provide nutritional food to prisoners, a considerable quantity of food is going waste for several reasons. One of the reasons mentioned by a prisoner is the badly timed lunch. There is a little time gap between breakfast, and lunch in the morning. This difficulty was expressed by the inmates of Charlapalli central prison Hyderabad in sub-jails in Guntur. The jail authorities serve red gram, green gram or Bengal gram twice a week to the prisoners. The following is the official dietary scale which is displayed in the prison premises, per head per day.

343
## Official Dietary Scale for Prisoners in Andhra Pradesh

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Name of the Dietary Article</th>
<th>Labouring Quantity</th>
<th>Non-Labouring Quantity</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>a. Rice diet-Rice</td>
<td>700 gms</td>
<td>600 gms</td>
</tr>
<tr>
<td></td>
<td>b. Wheat diet-Wheat</td>
<td>700 gms</td>
<td>600 gms</td>
</tr>
<tr>
<td></td>
<td>c. Mixed diet-Jawar or Bajra flour and Rice</td>
<td>700 gms</td>
<td>600 gms</td>
</tr>
<tr>
<td>2.</td>
<td>Dhall (not to be issued on Sundays)</td>
<td></td>
<td>100 gms</td>
</tr>
<tr>
<td>3.</td>
<td>Vegetables</td>
<td>250 gms</td>
<td>250 gms</td>
</tr>
<tr>
<td>4.</td>
<td>Groundnut oil or any other Substitute</td>
<td>30 gms</td>
<td>30 gms</td>
</tr>
<tr>
<td>5.</td>
<td>Tamarind</td>
<td>20 gms</td>
<td>20 gms</td>
</tr>
<tr>
<td>6.</td>
<td>Fuel (firewood or any other Suitable substitute)</td>
<td>700 gms</td>
<td></td>
</tr>
<tr>
<td>7.</td>
<td>Salt</td>
<td>35 gms</td>
<td>35 gms</td>
</tr>
<tr>
<td>8.</td>
<td>Mutton with bones or any other non-vegetation dish like Fish, beef, etc. Once a week</td>
<td>175 gms</td>
<td>175 gms</td>
</tr>
<tr>
<td>9.</td>
<td>Onions (to be issued on Sundays only)</td>
<td>15 gms</td>
<td>15 gms</td>
</tr>
<tr>
<td>10.</td>
<td>Chillies</td>
<td>10 gms</td>
<td>10 gms</td>
</tr>
<tr>
<td>11.</td>
<td>Turmeric</td>
<td>2 gms</td>
<td>2 gms</td>
</tr>
<tr>
<td>12.</td>
<td>Garlic</td>
<td>4 gms</td>
<td>4 gms</td>
</tr>
<tr>
<td>13.</td>
<td>Coriander</td>
<td>4 gms</td>
<td>4 gms</td>
</tr>
<tr>
<td>14.</td>
<td>Chillies to be issued on Sundays (Extra, besides the usual quantity Of 10 gms)</td>
<td>5 gms</td>
<td>5 gms</td>
</tr>
<tr>
<td>15.</td>
<td>Milk (butter Milk or Curd)</td>
<td>70 ml</td>
<td>70 ml</td>
</tr>
</tbody>
</table>
All the 125 interviewed prisoners equivocally stated to the researcher that, the prison authorities are not serving sufficient quantity and quality of food even though they made several repeated requests.

**Clothing:** The Jail authorities provide clothing and bedding material for the prisoners, the uniform given by the prison authorities are not friendly to skin it causes more inconveniency in the summer, in accordance with the local climate it has to be changed, the two pairs per a year has to be increased to four pairs with good texture. Extra clothing is provided on medical grounds for a specific period or during a specific season of a year as per the suggestion of the Medical officer. Old and infirm prisoners are also provided with extra warm clothing by the authorities it is on request only.

**Education:** All eligible and willing illiterate prisoners are taught the basic education within the prison. In Charlapalli central prison, Hyderabad the responsibility of teaching is entrusted to the educated prisoners who are paid for those services. However, it is observed that in this jail the prisoners are not enthusiastic to learn. Besides this all form of Government sponsored Akshara Jyothi like Programmes were also implemented in the prison. For those who are in a position to appear for the Open University degree and PG courses, Part-time
teachers are available to teach them for the entrance test as well as examinations. There are two life convicted prisoners studying degree through distance study. A moderate library facility is also available in the prison, where were news papers, magazines and some books are kept. However, there was no interest among the prisoners to visit the library as 79.50% of convicted prisoners are illiterate. The remaining 20.50% of convicted prisoners upon deep probe by the researcher stated that, the prison authority are not giving daily newes papers regularly.

All the prisoners who are fit and able are counselled to meditate for half an hour every morning before tea. Yoga training is giving to those who are willing todo. Moral and religious lectures are also encouraging through the social workers to develop repentence in the mind of the prisoners. Religious groups are permitted once in a week to address the prisoners on religion and the need of morality in the day to day life of every individual, hence it is a welcoming thing in the reformation of the prisoners.
Prison Conditions: As per the Andhra Pradesh Prison Manual the prisoners are encouraged to maintain personal hygiene by providing washing soaps and bathing soaps every month. Combs and hair oil are also supplied to each prisoner. Each barrack is provided with a mirror. The following items are supplied to the prisoners.

Sanitary facilities: As per section 13 of the Prisons Act, 1984 the Medical officer shall have the charge of sanitary administration of the prison. All the barracks are provided with two flush out toilets for night use due to over-crowding these two toilets are not sufficient during the early morning, while separate toilets are provided for day time use of the prisoners. Both of them have running water facility and are maintained clean and dry by the prisoners itself.

Recreation facilities: Television is the only recreation facility available inside the barracks. They show one telugu movie in a week through a CD player. Prisoners are allowed to play indoor games like carroms, chess, etc. Prisoners about 60 years are found playing their own native games like pukizoodam and like other. The occasional cultural programmes are the other means of recreation. They are very few and are mainly presented at the time of religious festivals.
Interviews: Andhra Pradesh Prison Manual provided Special attention for the maintenance and improvement of relations between a prisoner and their family for this the prison authorities in Charlapalli central prison was provided a facility to each prisoner to talk with their family members for five minutes in a week. They are allowed to meet his relatives and friends between 4 to 5 pm. The convicts are also permitted to meet their lawyers and friends for preparing in appellate courts for appeal or revision in the higher courts. The prisoners maintain the contacts with the family through the two permitted interviews per month in the day time. However in practice they are allowed to meet the family members more frequently. Prisoners are permitted to write letters to their relatives. They are allowed to receive letters from relatives, friends and lawyers, but after necessary scrutiny as per the Prison rules. Prisoners are allowed to meet the members of their family if they are also lodged in the same central jail. It is permitted once a month.

Work in the Prison: All the convicted prisoners are except those who are prohibited on medical advice are engaged in some work or other like cooking, cleaning, manufacturing and gardening are allotted on rotational basis. Some prisoners are forced to over work.
while some favoured prisoners are not allotted any work except supervision. This complaint was made in Charlapalli Central Prison, Hyderabad. Some of the prisoners stated that the prison authorities are not paying even minimum wages as per the Minimum wages Act.

**Vocational Training:** The prisoners in Charlapalli Central Prison are imparted with vocational training, it is provided in the manufacture of tooth powder, chalk pieces, tailoring, biscuits, iron safes, and tables of wooden and iron, etc to get their livelihood. The prisoners are categorised into skilled and unskilled workers and are paid Rs.15/- and Rs.10/- per day respectively it was very less amount when compared to the Minimum Wages Act. The money earned is deposited in the individual prisoner's account and withdrawn partly when the prisoner requests. Such withdrawn money shall be spent within the prison to purchase some items of their choice beedis and cigarrets. The illiterate persons are found to be ignorant of their account and the money available therein.

**Premature release of life convicts and long term prisoners:** The Andhra Pradesh prison rules are liberal for the premature release of prisoners in the State. If any prisoner serving with life sentence is
considered for early release after serving a minimum of seven years, the woman prisoner's case is considered for release after five years of her stay in the jail. Such premature releases mostly on some important occasion either at State level or national level. A special G.O. is issued for all such premature releases.

**Release on Parole and Furlough:** The parole and the furlough are the provisions incorporated for the temporary release of the prisoners on sufficient reason. They are aimed at maintaining family ties of the prisoner. During the research the researcher found that the illiteracy of the prisoners is the prime reason for not utilising these opportunities. Those few who know about them are also not enjoying the facility for various reasons. The sanction of parole requires a lot of paper work and government influence. The consent of the higher police officials becomes very difficult to the prisoners. Such a clearance and permission from the Superintendent of Police concerned, being mandatory, the prisoners are released on parole very rarely.

**Discipline and-punishment to prisoners in Prison:** All the prisoners move about freely from 6 a.m. to 5 p.m. No fetters or handcuffs were found on any of the inmates. The prison authorities watchful for the
discipline and good behaviour of the convicts in the prison. During
the interview of the prisoners in Chrlapalli Central Prison, Hyderabad
some of the new prisoners complained about little ragging by the
prisoners who have been there for a long time.

Social activities: Various NGOs are involved in the social activities
of the prison inmates in Andhra Pradesh. The names of the
organisations which regularly visit the prison and undertake some
useful activities which include:

1. Penal Reform And Justice Association.
2. Prison Ministry
3. Prison Fellowship of India
4. Freedom Foundation
5. Rotary Club and
6. Lions Club

These organisations organise medical camps, moral lectures,
cultural programmes, prayers and bhajans periodically throughout the
year. Some of these organisations help the family members of the
prisoners in education and economic affairs by charity.
Welfare activities: Like in each prison, in Charlapalli central prison also a welfare officer looks after the welfare needs of the prisoners. This department helps in drafting the appeal, petitions and peruses the court cases. It counsels the newly admitted prisoners and encourages them to lead undisturbed life during their period in the prison. The welfare officer also functions as a link between the prisoners and their family background in their villages.

Legal aid: The prisoners in custody can receive free legal aid under Article 39A or from the Andhra Pradesh state Legal Services Authority subject to certain conditions like the annual income of the accused.

The establishment of separate enclosures for men and women prisoners in all Central and State Prisons was strictly following by the Central and State governments. These enclosures and jails are totally administered by the male and female staff respectively. This gives the necessary privacy and needed for the prisoners. The prisoners are allowed to move freely within the premises and interact with the staff and as such there is a sort of intimacy between the prisoners and the staff will develop and it will help in smooth functioning of the prison administration. The prisoners found the staff more accessible, caring
and compassionate whereby they are open their hearts freely and express their problems in life and seek solutions. The staff on their part treat the prisoners not as criminals but as those who did something wrong at a momentary loss of self control and judgment. The sensitivity of the staff is reflected in the prisoners during the interview. The prisoners felt that they are safe in the hands of the staff and there is not even an iota of corruption which is traditionally said to be associated with the prison administration. There are no restrictions whatsoever on the movements within the prison or during the interviews of the prisoner with her friends or relatives.

As the concept of prison and prison administration has undergone vital changes in all over the world since from the last century due to the intervention of universal declaration of human rights. Prison life, in the earlier times is highly inhuman and barbarous there is no any kind of respect to the prisoners rights, in those sorrowful days the prisoner life is in a complete dark, unventilated and insanitated small cells like that of present solitary confinement cells, coupled with hard labour and insufficient and inhygienic food. At that time, it was meant for punishing the criminal in an inhuman manner with vengeance and the reformative part was totally ignored by the than criminal justice
administrators and also prison administrators. Now the emphasis on
the reformation of the prisoner was recognised all over the world.
Hence the prison structure and function has totally changed in
accordance with the new concepts. Andhra Pradesh is in ahead with
compare to other states like Bihar and Madhya Pradesh in undertaking
reforms in prison administration and correctional services. Even
before the Justice Krishna lyer Committee made the recommendations
for the treatment of prisoners in a separate manner, the prison
Department of Andhra Pradesh was implementing them on their own.
It is pertinent to note that out of the 44 recommendations made by the
Justice Krishna lyer Committee 38 recommendations have been
implemented in the prisons of Andhra Pradesh.

The prison authorities in Andhra Pradesh have started many
innovative steps and programmes to improve the quality of life in
prisons and the same was implementing in the Charlapalli Central
Prison also but the conditions in the Guntur district Sub-jails was in
considerable change in general. To study the problems of the
prisoners during their incarceration and to improve their physical and
mental health was still in some neglected state. In each prison
Superintendents take new initiative steps with the approval of state government to make the life in prison more and more meaningful.

In the Charlapalli Central Prison health camps are arranging at regular intervals with qualified government medical officers. The prisoners are examined and free medicines and other necessary equipments are distributed through the superior officers whenever the prisoners needed. Adult education programmes are conducting under the Sarva Siksha Abhayan programme of the Human Resources Department of the Central Government and Akshara Jyothi programme of State Government. Slates, books and writing materials are distributed to the illiterate prisoners to make them read and write. Clean and green programmes was also conducting regularly, the prisoners are encouraged to plant trees and take care of them in the prison premises it also increased the vegetation in the prisons. All religious festivals are celebrated in the prisons and special menu was also supplied to the prisoners with the help charity trusts also along with government. There is a idol of God Vinayaka within the prison where the prisoners offers their prayers, if there is any purohit prisoner the pooja programme was conducted by him.
In Charlapalli central prison, Hyderabad a special programme for teaching 'Annamacharya Sankeerthanas' was arranged on every Saturday morning for other religious prisoners like muslims and christians also their prayers was also conducted by their respective religious priests, among other religion christian fathers conducts prayers very frequently. National festivals like Independence day, Republic day, State Formation day and Mahatma Gandhi's Birthday was conducting by the prison authorities. During all these days, people from outside are invited to address and interact with the prisoners.

The Government of Andhra Pradesh has recently introduced an annual jail week during which the gates of the jails are kept open for the general public. Various articles produced by the inmates are exhibited and sold to the public, for this in Charlapalli central prison there is a well established manufacturing industry run by the prison department.

**Innovative Steps in Prison Administration:**

The Department of Prisons and Correctional Services in Andhra Pradesh is a progressive looking department and perhaps few other
States have taken so many initiatives in the prison administration. The first initiative in the penal reform is the establishment of the State Institute of Correctional Administration (SICA) located in the Charlapalli Central Prison compound, it was mainly established to sensitise the prison staff through proper training. The department has provided video linkage between prison and courts for the production of undertrial prisoners and also for the speedy disposal of the cases it helps more to the remand prisoners and also saves state revenue. The proposed new initiatives are the community service as an alternative to prison sentence and classification of prisoners for better security arrangements and prison administration. The formation of Prison Development Board for improving the physical conditions in prisons and to improve effective prison administration is also one of the another initiative.

**State Institute of Correctional Administration:** This Institute was established in 1984 in the State capital of Hyderabad, in Andhra Pradesh has the distinction of being the first to establish such an institution in South India. This pioneer institute is headed by the Superintendent of Jails. During the last twenty years of its existence, SICA has been imparting basic induction training to the newly
recruited prison staff. Special training to the inservice prison staff, both middle level and lower level, is imparted through refresher courses and crash courses. During the training programme the staff are encouraged, besides outdoor training, to participate in case studies, panel discussions, group discussions covering the major and minor Criminal Acts, Criminology & Penology, Human Rights, etc. Basic computer training is also provided. Experts in the field of prison administration are engaged to interact with the trainees.

The Department has made the training mandatory for all its staff. The staff managing different prisons are made to attend one training programme of seven days every year. 'Transparency in the work sphere' is the major treatment for recent training classes. The ministerial and executive officers of the prisons in the State are trained to meet any challenge posed in the field of security and treatment of prisoners.

**Video-Linkage of Prison and Court:** This is a new initiative in penal reforms was introduced by the Andhra Pradesh prison authorities, to solve the problem of producing the large number of accused and poor men lodged in the prison bars awaiting trials for
long periods. As per Section 167(2)(a) and (b) of Criminal Procedure Code, 1973, the accused person once remanded have to be produced before the Magistrate once in every fifteen days. The production of the accused before the Magistrate is necessary for the extension of the remand period recently the prison authority using this technique frequently.

In Charlapalli Central Prison nearly 10% of the prison population are undertrial prisoners. The production of them before the court is a dangerous and expensive task. The main problem involved in producing the remand prisoner before the court is the requirement of a large number of police force to complete the elaborate procedure of checking the prisoner before and after the production. Besides the escort duty, the police are involved in several other duties along with law and order. As a result, many a time, the police were failed to perform escort duty and could not produce the accused before the court at the end of the remand period and during the trial of the case.

The other practical problem involved, as per the prison authorities is transport of the prisoners from the prison premises to the court compound a number of vehicles are required for the transporting of the prisoners. The absence of sufficient staff and vehicles is also
becomes as one of the reasons for non-production of remand prisoners before the court. Because of the shortage of vehicles, the undertrial prisoners are carried with the habitual and hardcore criminals in the same heavy crowded vehicles and causing a lot of inconvenience to the prisoners.

The prisoners are invariably forced to wait in the court till the evening as the same vehicle is used to carry all the remand prisoners back to the prison. The long stay in the court premises, coupled with the absence of minimum facilities in courts causes pressure on the prisoner’s health. Besides all these, the expenditure involved in producing remand prisoners is huge number at a time as per a departmental study it runs into crores and causes heavy burden on the government. To overcome all these problems and also to administer speedy justice to the undertrial prisoners, the prison department of Andhra Pradesh has proposed a new initiative programme in penal reforms by providing a video-linkage between prison and courts.

The Government of Andhra Pradesh which is in the forefront in utilizing the information Technology in prison administration has immediately responded to the proposal and recommended the Criminal Procedure Code, 1973. With mendment to Section 167(2) of the Code,
the undertrial prisoners will be produced before the court through electronic video-linkage method.

The following amendment was made to Section 167 of Cr.P.C., 1973. "In the Code of Criminal Procedure, 1973, section 167, in its application to the State of Andhra Pradesh, in sub section (2) (i) to clause (b) the following shall be added at the end, namely:-

"either in person or through the medium of electronic video linkage".

(ii) In the Explanation thereunder, for the words "an accused person was produced", the words "an accused person was produced in person or as the case may be, through the medium of electronic video-linkage", shall be substituted.

Following the amendment, the state government have been set up electronic video linkage in the Charlapalli Central Prison and the court. On each working day at a specified hour the video linkage was activated and the undertrial prisoner is presented before the camera within the prison premises. The court at the other end in the court can see and listen to the prisoner and take a decision on the extension of remand or otherwise he may be released on bail if granted.
**Prison Development Board:** Most of the times in the Charlapalli Central Prison is over crowded with insanity conditions. The need to improve the existing conditions in prisons by arranging proper sanitation, purified water supply, good security measures to prevent escape etc., was recognised by the correctional services department. Besides maintainance of prisons and custodial justice also became an expensive one and it is becoming increasingly difficult to provide productive work to all inmates.

The Prison Development Board was established in the year 2001, in Andhra Pradesh with the following members,

a) Chief Minister .......... Chairman

b) Minister for prisons ....... Vice-Chairman

c) Registrar General of The High court of Andhra Pradesh ..... Ex-officio Director

d) Principal Secretary to Government in Home (Prisons) Department .... Ex-officio Director

e) Principal Secretary to Government,

Finance Department ........ Ex-officio Director
f) Principal Secretary to Government, Revenue Department Ex-officio Director

g) Secretary to Government, Law Department Ex-officio Director

h) Director General And Inspector General of Police Ex-officio Director

i) Director of Prosecutions Ex-officio Director

The main functions of the Board are:

(a) To examine the living conditions of the prisoners with specific reference to their basic needs and provision of facilities compatible with their dignity;

(b) To look after the prisoners with humanity and help them lead law abiding and useful lives after their release;

(c) To endeavour to reform and reassimilate the prisoners in the society by giving them appropriate correctional treatment.

(d) To see that the prisoners are provided with sufficient accommodation, hygienic, sufficient water supply, sun light,
ventilation and adequate medical attention, if necessary by repairing or altering the existing prisons,

(e) to build new prisons, where the existing prisons are not in a satisfactory condition or beyond repair;

(f) to review the programmes of treatment of prisoners, education, vocational training, in industry, manufacturing activities, agriculture, poultry, dairying, horticulture and such other occupational activities being carried on in prisons with a view to developing prisons as correctional centres and

(g) to efficiently manage the prisons, if necessary, by acquiring properties, whether movable or immovable, including computers, communication facilities, gadgets, vehicles, security or surveillance equipment and electronic video linkage system, etc.

Community Services In Charlapalli Central Prison.

The other innovative penal for the purpose of prison reforms proposed by the Andhra Pradesh prison authorities is community service in place of prison sentence. This will be the most innovative
experiment of the prison reforms and implemented in regard to noncustodial measures of sentence with offenders. Though such community service as an alternative was in vague in different countries India has not yet decided on this aspect. Andhra Pradesh government has taken a lead in this regard and has implemented in Rayalaseema districts, in Cuddappah town one petrole and disel outlet was exclusively running by the life sentenced prisoners.

It is a new form of sentence under which an offender is required to perform unpaid work to benefit the community under the supervision of the probation officer. He shall also provide rehabilitative counselling and guidance to the prisoners. The order is punitive and the offender is required to use his leisure time to perform community service as reparation to the harm which he has done to the community. It imposes restriction on the freedom of the prisoner.

The prison authorities in Andhra Pradesh have identified the following as the advantages of the proposed community service.

1. A community service order scheme is low costly than custodial measure. The cost to the State for keeping an offender on community service order scheme is much less than keeping him
in prison. It costs little to administer and is also inexpensive in terms of human and social aspect. It avoids the expenses of providing food, clothing, shelter, medical care and other necessities in prison.

2. It relieves the pressure on the prison system by reducing the prison population and thus helps to prevent overcrowding of prisons.

3. The community will benefit through the work performed, by the prisoner which he could not otherwise be carried out, such as assisting social institutions.

4. It enables the offenders to live with their families in the community thereby maintaining family relations. The dependents are saved from interruption of family life including the loss of bread winner.

5. The offender may benefit from diverting energy from antisocial to socially accepted activities. Because of the offender's direct involvement with the community agencies, he may be positively influenced by the good example of those working with him.
6. The offender is saved from the dangerous effects of contamination from other dangerous offenders and the effects of prisonisation.

The Andhra Pradesh prison authorities also prepared the features of the proposed community service programme. They are as the following:

(i) The offender must be aged 18 years or above.

(ii) The offence must be one which is punishable by imprisonment only but it should not include moral turpitude.

(iii) The court must be satisfied that the offender is a suitable person and that arrangements can be made for him to carry out the obligation which is described thus, 'to perform unpaid work' for a specified number of hours to the society. The sentencing court must specify the number of hours per day also.

(iv) The minimum number of hours for a community service order is forty and the maximum a thousand hours.
(v) A social enquiry report is a prerequisite. The court needs to be assured that the offender is 'a suitable person to perform work under such an order'.

(vi) Probation officers should be made responsible for the community service order scheme in the area concerned. The social enquiry report is the responsibility of the District Probation Officer.

(vii) The offender must consent to the making of the order.

(viii) The court must explain the measure of the order to the offender in ordinary language and supply him with a copy of that order.

(ix) No order can be made which conflicts with the offender's religious beliefs or times of normal work or school attendance.

**Classification of Prisoners:** The classification of prisoners on the basis of security perception is another penal reform attempted by Andhra Pradesh prison administration department. At present, the confinement of prisoners in prisons is on the territorial basis and also on the duration of sentence. Remand prisoners are confined among various prisons based on the place of offence, nature and proximity of the prison. In the absence of a proper and scientific way of
classifying the prisoners based on security risk, most of the times dangerous prisoners and ordinary prisoners are mixed up in many prisons. The level of the security imposed is the same for ordinary prisoners and dangerous prisoners. Therefore, the Andhra Pradesh Prison Department felt that there is a need to classify the prisoners on the basis of the offence, they pose to the society. The number of escapes would also come down and the man power which is now being wasted on ordinary prisoners can be put to better use and improve the security and benefit of the society.

The need for introducing classification of prisoners on the basis of security and on the health conditions of the prisoner and to prevent the escape of dangerous prisoners from the prison custody, the following is the classification:

Security Category-1 (S.1) : Naxalites, radicals, extremists and terrorists (High Security Prisoners)

Security Category-2 (S.2) : Dacoits, Robbers, drug peddlers, Hired Assassins and other prisoners including previous escapes.

Security Category-3 (S.3) : All types of offenders who do not pose any threat to the society even if they were to escape like
ordinary murderers, offenders involved in attempt to murder, grievous hurt, simple hurt, traffic offenders, excise offenders, railway offenders and other offenders.

Security Category-4 (S.4) : Prisoners who are eligible for open air prisons

If all the prisoners are classified according to the above system, the appropriate level of security can be provided to them in the prison.

**Education:** There are no sufficient facilities to educate the inmates. The Superintendent of the prison disclosed that some of the prisoners are not interested in education due to their age factor and illiteracy. Some of the literate prisoners are interested to use library facilities there newspapers and some books were available for the inmates.

**Diet Schedule:** The Government of Andhra Pradesh sanctions Rs.330/- per month for each inmate to meet their nutritional and sanitary requirements it fixed on the inflation rate of that times in 1979 but at present this amount was not sufficient though they have taken rice, tamarind and some other provisions from the Civil Supplies Department hence the state government and the prison
authority has to review it as per the changed and enhanced prices to give good quality of diet to the prisoners.

On Sundays, the prison authority serves a special lunch which includes a nonvegetarian dish or eggs to the nonvegetarians and sweets to the vegetarians. Similarly on Saturdays, fruits are given as supplement. The sick prisoners are provided with special diet on medical advise. The prisoners prepare their own food and as such there are no complainants on the quality of the food. The kitchens are provided with cooking gas cylinders and stoves as in all houses in the society.

The tentative daily diet is as here under

The Daily Dietary Chart

<table>
<thead>
<tr>
<th>Srl.</th>
<th>Detail of Diet</th>
<th>Time</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Breakfast</td>
<td>7.30 am</td>
<td>Tiffin like Idly, Upma with cup of tea</td>
</tr>
<tr>
<td>2.</td>
<td>Lunch</td>
<td>10.00 am</td>
<td>Rice, Dhal, Rasam, Buttermilk</td>
</tr>
<tr>
<td>3.</td>
<td>Evening</td>
<td>4.00 p.m.</td>
<td>Light snacks like Biscuits with tea.</td>
</tr>
<tr>
<td>4.</td>
<td>Dinner</td>
<td>6.30 p.m.</td>
<td>Rice, Curry, Rasam, Buttermilk</td>
</tr>
</tbody>
</table>
Uniform: Each prisoner is provided with two pairs of clothings including undergarments. A carpet and a bed sheet are provided at the State expense and the inmates are allowed to buy the goods of their choice, if they can afford to do so but the uniform given by the prison authority is not in a fit manner it is made of just like a gunny bag all the prisoners are not satisfied with the uniform.

Hospital facilities: There is a medical room with a medical officer and staff nurses to attend the prisoners within the prison. If there is any emergency they will took to either nearby private medical practitioner or referred to the Nizam Institute of Medical Sciences depending upon the severity of the disease and also based on the medical advice of the medical officer of the prison. The whole medical expenses are provided by the State.

Separation of inmates in the Resque Homes:

In the resque home there is a separate rooms for keeping prostitutes, rescued minor girls, victims of rape, etc., under the court orders. They have to be necessarily kept in separate enclosures. But such facilities are not available in some homes there all are kept in a single room.
**Vocational courses:** Vocational training was also conducted as per the interests of the inmates such as tailoring and embroidery is imparted to the inmates. A craft teacher was working there on a permanent basis. Wages are paid by the State Government. The money earned by the inmates, if any, is paid at the time of their release from the home.

**Labour:** No special labour work is imposed on any inmates. They have to clean their premises, wash their clothes and cook for themselves. The inmates are neither asked to do some work nor paid any amount as wages.

**Release:** The inmates are kept in the home as per the direction of the court for a period as specified in the order, subject to the maximum period of three years. Subsequently they are released. If they wish so, they are shifted to the State home for training and rehabilitation. However, beyond the period of 3 years the State takes no responsibility, if they are able bodied persons.

**Free Legal Aid:**

Free Legal Aid facility is available for the inmates. They are encouraged to approach the A.P. State Legal Services Authority.
directiy or through the advocates appointed by the said Authority for their grievances if any some of the inmates may utilise it or not.

The Superintendent and other staff members have taken the initiative in helping the inmates to move away from the profession and lead a normal life in the society. They are encouraged to take up other means of livelihood. In some cases, when a suitable groom is available, the home conducts the marriages of some of the inmates.

During the study, no prostitute is rescued home. As such, all the observations made above are based on the records and also the information provided by the Superintendent of the home.

**State Homes For Women Prisoners:**

State homes are meant for women who are discharged from correctional institutions and who are unable to protect themselves from adverse social forces and also for those women in the age group of 18-35 years who voluntarily seek shelter. There are at present five such homes in the State of Andhra Pradesh. The inmates will stay in the homes for 3-5 years. The capacity of the State homes varied with a maximum capacity of 100 in the Hyderabad home. The homes
allow children up to 3 years to stay with their mothers. They are given free boarding and lodging at the rate of Rs.330/- for adults and Rs.230/- for their children.

Those who are interested in studies are provided with teaching material and those women who cleared 10th class are sent for nursing training.

The home trains them in job oriented and training-cum-production units like stitching, book binding, beautician, etc. The uneducated women are employed as domestic servants after obtaining an undertaking from the employer and the women. The women who are released after the completion of their term are provided with a sewing machine.

For the entire State of Andhra Pradesh, there is one rescue home which is located in Hyderabad especially ment for women prisoners. The home building not suited for such a home where the segregation of the women held on different offences in the state. In the absence of such a facility to home them separately, even prostitutes, when lodged, mingle with the other young girls who are likely to be influenced and drowned in to the prostitution.
A women police security which is a must for such a home as per the direction of the Supreme Court not in place at the rescue home. The sanitary and other living conditions reflect the low budgetary allotments made by the Government for running the rescue home. There is no meaningful infrastructure to train the inmates of the rescue home and provide educational facilities, personal or career counselling or psychiatric treatment.

Any contact between the authorities and those released is non-existent. The N.G.Os. are not encouraged to involve in the activities of the rescue home. As such, the rescue homes are run more or less like the jails, thus defeating the very purpose for which they were established.

**Medical Mental Health Custody:** There is a mental health hospital in Andhra Pradesh located at yerragadda in Hyderabad. The overall sanitary condition are below normal. However, a new specially designed hospital building is coming up for the treatment of mentally retarded prisoners. There are such proposals in Andhra Pradesh at Hyderabad and Visakhapatnam.
In both the hospitals, there are separate enclosures to lodge female and male patients. The admission into the hospital is based on

1. the request of the relatives;

2. the reception orders of the court; or

3. the report of the jail authorities in case of convicts or remand prisoners.

The prisoners referred to the mental health hospitals are sent to the Yarragadda mental hospital located in Hyderabad and Vishakapatnam mental hospital located in Vishakapatnam, depending upon the geographical convenience or on the specific reference of the authorities concerned. There is no hard and fast rule of jurisdiction for mental hospitals. In case of mentally ill prisoners from the prison located in coastal Andhra and Rayalaseema, the reference is made to the Visakhapatnam Mental Health Hospital, like wise those from Telangana are sent to the Mental Health Hospital at yerragadda in Hyderabad.

The number of mentally ill prisoners, as per the hospital records, is negligible and they are not kept in the hospital beyond until thy were cured it may take about few months. They are shifted back to prison
on completion of the treatment and on the certification by the discharge committee.

During the present study, one remand prisoner each was lodged in the Hyderabad Mental Health Hospital at Yerragadda. They were referred to the mental hospital by the Superintendent of the prison, either to Hyderabad or Visakhapatnam respectively. He is charged and convicted under Section 302 of Indian Penal Code for murder. The prisoner in Yerragadda mental hospital Hyderabad and kept in a separate cell while in Hyderabad the prisoner is allowed to stay along with the other inmates. The prisoner is guarded by a specially deputed escort round the clock. The mental condition of the remand prisoner is such that he could not answer properly to the questions put to them. However, the prisoner in Hyderabad Mental Hospital appears to be satisfied with the conditions and the behaviour of the staff but expressed dissatisfaction about the food served and his stay in the hospital. The majority of the recovered prisoners are still in the hospital observation, as their relatives do not accept their discharge for fear of missing. They allowed to move out of the hospital though they are satisfied with the conditions and the staff in the hospital. Some of them are destitutes ignorant of their stage or place of origin.
The State may have to consider ways and means to rehabilitate them in a suitable manner after their release from the hospital.

Separation of mentally ill prisoners:

In the hospital, the mentally ill prisoners are placed in separate enclosure far away from the normal vicinity of the outsiders. Entry is restricted to the office staff only, except for doctors depending upon the need of their treatment and other conditions. There are cells which are separated in Hyderabad Mental Health hospital at yerragadda in Hyderabad to lodge the mentally disordered men and women prisoners. They acted along with the other patients in the same barrack in hospital, there is no segregation of patients based on the mode of classification, or the age, illness, etc. prisoners, all other mentally disorder are kept in a separate barrack. There is a provision to keep the serious patients in separate cells. In the hospital, the ill prisoners are guarded round the clock by the escorts.

Staff pattern: The hospitals at charlapalli central prison in Hyderabad and district and sub jails have sufficient doctors and clinical staff to take care of the mentally ill patients. In the case of the
women prisoners referred to the mental hospital, a female doctor is specifically designated to treat them.

Restrictions on enclosures:

The enclosures are locked throughout the day to prevent any unauthorised entry and escape. No member is allowed into the enclosures without prior permission. The mentally ill prisoners are allowed freely within the barracks during the day but locked after sunset by the warders along with other inmates.

Accommodation, cleanliness and sanitation:

In charlapalli central prison Hyderabad, there are wards like in any other general hospital, with cots and beds. The wards are neat and clean, the building in which the mentally ill-prisoners are lodged is an newly constructed building. There is good and proper ventilation in the hospital. The mentally challenged persons deserve better conditions and treatment. The cells in which the criminally charged prisoners are placed are much better, except that they are separate, and open for the escort police to have an eye on the inmates. The physical facilities like cots and beds are sufficient and the sanitary conditions and other facilities like running water, ventilation, etc., are
very good. When questioned about these the lack of mosquito nets, bed lamps the authorities pointed to the new block under construction, where the mentally ill-patients admitted prisoners are to be shifted to in the near future. The personal cleanliness of the inmates is taken care of by the hospital staff. The hair and nails are cut to maintain the hygiene of the patients.

**Clothing:**

The mentally ill inmates are supplied with uniform as per the scale laid down by the government. A Dhobi is engaged for washing the clothes of the patients. Bed sheets are washed every alternate day.

**Dietory:**

There is no separate cooking facilities in the Sub jails as in the Charlapalli Central Prison, cooking is done in the common kitchen by the inmates having knowledge of cooking and the food is then carried to the enclosure. The diet is as under the scale prepared by the respective mental hospitals. dietician supervises the quality and quantity aspect of the food and While the hospital staff are engaged in cooking in Hyderabad Mental Hospital at yerragadda, the same job is entrusted to a senior jail warder. The diet provided as per the specific
quality and quantity and on time schedule and both of them are displayed minently. In Hyderabad Mental Health Hospital at yerragadda there is a dietician, dietary and the patients are served bananas and breads with milk daily.

The diet scale is periodically reviewed by the committee led by Superintendent of the Hospital. The committee includes two members other than the dietician. On important occasions like Independence Day, Republic Day, special food is arranged in the hospital also like in the prison.

Interviews:

The relatives, family members and their counsels of the patients can meet the inmates after their identity is established and visitors pass by the hospital authorities such persons can stay with the inmates for some time.

Vocational training: No vocational training is imparted to mentally ill prisoners, but are allowed to read paper in order to study their mental conditions. No wages paid for such works.
Recreational facilities: The hospital authority has provided a TV in the ward. Inmates are allowed to play carroms, to read newspapers and magazines are kept in the wards for the patients.

Voluntary organisations: Voluntary organisations are permitted to undertake service activities subject to the rules and guidelines of the Mental Health Hospital. In charlapalli central prison Hyderabad, Sri Satya Sai Organisation visits the hospital on a regular basis and serves the patients. This organisation helps out in cleaning the premises, and gives head baths to the inmates, changes the clothes of inmates. Singing keerthanas and distributing prasadam are also part of their activities. Other N.G.Os. like Christian sisters are also engaged in helping the inmates.

Board of visitors: In the hospital, a Board of visitors comprising of two psychiatrist doctors and three social workers are in place as per the Mental Health Act, 1987. One of the social worker is a female.

Development Committee: The Development Committee headed by the hospital Superintendent looks after the developmental activities of the hospital.
Discharge of inmates: As per Section 40 of Mental Health Act, 1987 the power to discharge the mentally ill patients is vested with the medical officer of the hospital. He discharges the patients after obtaining recommendation of two medical practitioners out of which one is a psychiatrist. The medical officer informs the authorities and the authorities in turn refer the matter to the Magistrate under whose orders the mentally ill person was detained. If there is no response from the authorities or the police station concerned or from the relatives to whom the information was passed on, the hospital authorities send them at their own cost to their last known residential address. In case of refusal by the relatives to accept the discharged patients, the authorities to counsel them. When all the efforts fail, the discharged persons are entrusted to the care of State homes run by the Department of Women Development and Child Welfare. Since such patients are admitted into the homes run by reputed voluntary organisations like Prema Samajam, Mother Theresa Institutions, etc.

The Hyderabad Hospital Authorities have taken the lead in accommodating the destitute discharged patients. A separate enclosure is created for them and they are encouraged to do small activities. Some of their cases were referred to the Social Welfare
Department of the Government of Andhra Pradesh and got them sanctioned for old age pensions. Some of the patients based on their age are also referred to for old age homes and State homes according to their age.

Mental Health Hospitals in Andhra Pradesh maintain separate enclosures, wards and are fully staffed with trained nurses and doctors to treat them. The mentally ill-patients, lodged in the hospitals under the orders of the court, are treated on par with other patients. Daily the mentally ill prisoners are held separately for reasons of security. In Hyderabad, under the charge of the psychiatrist even the prisoners are allowed to mingle with their mentally ill patients. The sanitary conditions are not sufficiently good. The attitude of the staff towards the patients is positive and wholesome.

There are no avenues or facilities to segregate the patients who respond to the treatment from the partially recovered patients. The training and rehabilitation of such patients are not attempted in right earnest. The attempt to make the family members play a role in the treatment process of the mentally ill patients as has been attempted in the Hyderabad Mental Health Hospital at Yerragadda may be extended even to the patients in custody also.