CHAPTER IV

BORSTAL : MADHYA PRADESH (A)

The Law

The present Borstal Act in the State, was first passed in the year 1928 entitled as 'The Central Provinces Borstal Act No. IX 1928. After the reorganization of States, in 1956, through an amendment it has now been named as The Madhya Pradesh Borstal Act, 1956. The purpose being 'an act to make provision for the establishment and regulation of Borstal Institutions in Madhya Pradesh for the detention and training of adolescent offenders therein.' Its jurisdiction extends to the whole of the State of Madhya Pradesh.
Definitions:

Under the heading of definitions in Sec. 2 of the said Act it has defined Borstal as 'Borstal Institution means a place in which offenders may be detained under this Act given such under trial training and other instructions and subjected to such disciplinary and moral influences as will conduce their reformation'.

The origin of Borstal System in this country has been due to the British. Even the borrowing of name has the same bearing. In England the system of Institutional treatment of adolescent criminal was named 'Borstal' as the first institution was opened at the Borstal village in Kent. The Indian nomenclature of naming an Institution for adolescent offenders as Borstal has no special significance except that it commemorates the British experiment. Even the purposes of Borstal incorporated in all Indian Acts in general and in the Madhya Pradesh Act in particular are also similar as they were laid down in Section 1 (b) of the Prevention of Crime Act, 1908 which stated 'those subject to it shall receive such instructions and discipline as appears most conducive of their reformation. . . . . ' Similar provision can be noted in all Indian Acts.

The term 'Prisoner' commonly used for persons who are detained in the prisons under the Prisons Act of 1894, was not used as an expression for the person under detention and a
term *inmate* was used for person (adolescent) who were ordered to be detained. Probably this expression was incorporated, on the suggestion given by the Cardew Committee of 1920, which recommended that 'the adolescents detained in these special institutions should be termed as *inmates* as in the English Borstal Institution and not prisoners and the prison terminology should be, as far as possible, avoided.'

**The Establishment of Borstal Institutions**

Section 3 (1) of the Madhya Pradesh Borstal Act, 1928, provides that the State Government may establish one or more Borstal Institutions. The State Government excercising the provisions of the Borstal Act of 1928, converted the then District Jail of Narsinghpur into a Borstal Institution on the 1st July, 1930. Here once again we find that beginning of Borstal had been as it happened in England, where the old convict prison at Borstal was changed into the Borstal Institution. Before inception of the M.P. Institutions, Borstals have already come into being, at places like Lahore (now in Pakistan) in 1910 and Borstal Institution, Tanjore, 1916, though these institutions were synonyms of the Juvenile Jails existing at different parts of the country. It is interesting to note that Acts to regulate the management of the Borstals were passed much later.

**The Buildings**

Like all Indian Borstals, the Narsinghpur Borstal was
established in the old District Jail of Narsinghpur, which was constructed in 1894. The structure is typical of a jail, constructed as specified in the Prison Manual. For purposes of classification of Jails in Part II Section 1 of the M.P. Prison Manual page 38 the Narsinghpur Jail is declared as a special jail for adolescents. This Institution is located on the outskirts of the Narsinghpur town on the Narsinghpur-Lakhnadon Road near the Narsinghpur Railway Station (of the Central Railway). It has an outer wall of the height about 4.5 meters. Its total area is 12,36,372 Sq. feet. It is an old structure constructed with lime mortar, stone and bricks. It can accommodate 300 inmates.

The setting of the Institution is like any maximum security institution. On the entrance, there is large iron gate like in any prison. The office of the Superintendent, the Jailor, and other officers are situated between the main gate and second gate. The Superintendent's room is above the jailor's room.

The residential complex consists four double storied residential barrack's i.e. their actual number being 8, out of these one is for the hospital. In each residential barrack there is dormitory-type arrangement for sleeping for 30 to 40 inmates. There is a double storied barrack which is used for hospital having a dispensary and 5 beds for patients, and 8 to 12 beds for hospitalized inmates on the first floor. This barrack is separated by a wall from residential barracks.
There are Pan latrines for night use in the barrack.

The factory complex consists of 5 work sheds. Three are independent sheds for Carpentry and Blacksmithy. There is one shed for weaving, half of it used for Niwar weaving making and the other half is being used for Carpet weaving. There is another shed for leather work and yet another for tailoring and brass work.

There is one barrack, separated from other buildings through fencing, used as reception centre. There is a kitchen for cooking food; 5 godowns for keeping the food stuff; 1 godown for stocking raw material required for factories. There is a School-building which has two class-rooms, one reading-room and a temple. Facing the school block there is a covered place used for dining.

On the Eastern side of the outer wall there is place for bathing and washing clothes. On the far and in the same side there are, 26 Septic latrines of dry flush style. There are 18 cells for solitary confinement. The building is maintained by the Public works Department of the State Government as provided in the M.P. Prison manual. The building has electric supply for lighting and power for the factory. There is a well inside where water is drawn through 'Moth'. In addition to water from the well, the institution has 1" thick pipe line, connected with Local Municipal Water Supply system. Besides these the institution
has garden inside as well as outside. A garden which not only provides a better look to the institution but also gives an opportunity to the inmate to work and learn gardening. There is a well developed cultivation field, about 12 acres, outside the institution used for growing vegetables, fruits etc. It has a play-ground inside the institution as well.

The Administrative and Staff:

The administration of Borstal is governed by the rules provided in the Madhya Pradesh Jail Manual. The Inspector General of Prisons is superior most officer, who works under the Home Department (Jail) of the State Government. For administrative purposes the Borstal Institution is included in the Jabalpur Circle. It is equivalent to 1st Class District Jail. An adequate staff is a must for smooth functioning for any institution and more so for an institution whose aims are to deal and reform the offenders. Observing on staff Sir Alexander Paterson said, "The Borstal System has no merit apart from the Borstal Staff. It is men not the buildings, who will change the hearts and ways of misguided lads". The Indian Jail Committee of 1920 also emphasised the necessity of having a suitable staff for special institutions, for the treatment of adolescent offenders. The duties of an officer in a special institution are of special character and an officer who has once been found well fitted for such duties should be retained there.
(a) **Superintendent** :

The overall incharge of the Borstal school is the Superintendent. He is appointed by the State Government and he belongs to Class II Gazetted class of service. The duties and powers of the Superintendent are in accordance with the provisions of the Prison Manual. The Superintendent works under the order of the Inspector General of Prisons. The duties and powers of the Superintendent are well defined in the prison manual. He might be a directly recruited person by the State Public Service Commission, or may be a promotee from a Senior Jailors Cadre. He is the most superior officer of the Borstal locally. Presently the pay of scale for a Superintendent of the Borstal is Rs. 425-25-520-30-680-EB-40-800-50-900 (Scale of pay as on the 1st April, 1979). Besides the pay scale he is entitled to dearness allowance as prevalent from time to time. The dearness allowances are in accordance with the basic salary. The Superintendent is also getting rent free quarter in the compound of the institution, which has a paid telephone. Other benefits like medical reimbursement, leave travel concessions are admissible to him which are admissible to any State Government Officer in Madhya Pradesh.

(b) **The Jailor** :

Next to the Superintendent is a Jailor. He is of the class III subordinate service of the prison department. He is promoted from among the deputy jailors. In the
institution the Jailor is a very important functionary. As he is a fairly elderly person and has a long service (at least 15 - 20 years) in prison he is well versed with the Prison administrative setting. It may not be an exaggeration to say, actually it is the Jailor who runs the institution. He wears uniform as prescribed in the M.P. Jail Manual. His duties are also defined in the Mail Manual. In the temporary absence of the Superintendent the Jailor officiates his duties. Apparently the Jailor belongs to the custodial staff but he also exercises control over the working and management of the vocational and industrial units of the institution. At present the scale of pay for a Jailor is Rs. 375-12½-400-20-500-25-575. He also draws all dearness allowances admissible and medical reimbursements etc. (Pay scale as on 1.4.1979). He is given free accommodation in the campus of the institution.

(c) **Deputy Jailor**

There is one post of Deputy Jailor. He is next to Jailor in the hierarchy of custodial staff. He does all those duties which are assigned to him within the provisions of the M.P. Jail Manual. He is promoted from Assistant Jailor. He also wears the uniform as laid down in the M.P. Prison Manual. His pay scale is (as on 1.4.1979) Rs. 246-6-270-10-350-EB-12½-400-20-460. He, like a Jailor, gets all benefits as sanctioned by the State Government from time to time and free residence.
(d) Assistant Jailor:

There are five posts of Assistant Jailors in the institution. The Assistant Jailors are next to the Deputy Jailor in the hierarchy and each one of them is assigned some duties by the Superintendent like warrant duty, store, circle duty, supervision of kitchen, unlocking and locking-up etc. The assignment of duty to the Assistant Jailors is like in any other district jail. They also look after the office work, court work and treasury work. Besides, each one of them has to take night-rounds by rotation. The pay-scale of an Assistant Jailor as on 1.4.1979 was Rs. 205-5-240-6-270-EB-10-350-12½-375. They get dearness allowance and other benefits as sanctioned by the State Government. They also get accommodation on the campus. Mostly Assistant Jailors are directly recruited. Their qualifications, duties etc. are described under the rule 195 to 198 of the M.P. Prison Manual pp. 82-83.

(e) Head Warder:

The head warder as subordinate custodial officer of the prison department, belongs to the class IV service category of the State Government. A Head Warder is appointed by promotion from the deserving warders. They have a variety of jobs to do like, gate duty, supervision work of the warders and inmates etc. The duties of the head warder are discussed at length under rules 211 to 222 of the M.P. Prison Manual pp. 86 to 89. At present there are 5 head warders in this institution. Their pay scale (as on 1.4.1979) was Rs. 135-2-145-
2½-160-4-172. They get admissible dearness allowance and facility of medical reimbursement. They also get accommodation in the jail lines.

(f) **Warders**

There are nineteen warders in the Narsinghpur Borstal Institution. They belong to the class IV service of State Government. Their duties are mostly custodial and keeping a watch over inmates at different places of work. In Section IX Part III from Rule No. 199 to 209 of the M.P. Prison Manual, the duties of warders have been described. The pay of scale (as on 1.4.1979) was Rs. 131-2-145-2½-160-4-172.

The Jailor, the Deputy Jailor, the Assistant Jailors, the Head Warders and the warders have to put on uniform while they are on duty in the institution. The uniforms of the Jailor, Deputy Jailor and Assistant Jailor are generally similar in appearance that of the police inspectors and sub-inspectors except the difference of the insignia on the belt, badge of the cap and shoulder badges which are inscribed 'प. 'प्र. ' प. '।।. The details are given in appendix of Chapter VI of the M.P. Jail Manual on pp. 512 to 562. The dress of Head Warder is similar in appearance to the dress of a Head Constable of Police and the dress of the warders is similar in appearance with the police constables. The distinction is of the badges. The Jailors are given allowance @ Rs. 8/- per month. They have to get their uniform stiched as specified by themselves. Similarly the Deputy Jailor and
Assistant Jailors get an allowance of Rs. 6/- per month. They also prepare and maintain their uniform at their own.

The Warders and Head warders are supplied uniform by the prison department. They have the privilege of getting their uniforms washed and ironed in the institution, free of cost. There are inmate officers to help and assist the regular officers of the Institution.

Inmate Officers:

Borstal Rule No. 7 provides for appointment of Inmate Officers who are equivalent to convict watchman of an ordinary prison. As per the provisions of Madhya Pradesh Jail Manual under Part VIII, Section III Inmate watchmen are appointed from among the inmates of the institution. The selection is done by the officers. They are supposed to keep watch over other inmates of their barrack during night. 6 night watchmen are appointed for each barrack. Their duty is as laid down in the Prison Manual at Rule No. 500. The general duties of a convict watchmen are to assist convict overseers in watch and ward, and in maintaining order and discipline inside the wards at night to prevent prisoners leaving their beds except with permission and for a necessary purposes, to maintain silence in the wards, and to take care that all the lads are present, and whenever challanged by the patrol, to count the prisoners and reply. In addition to night watch, Inmate overseers (convict overseers in other prisons) are appointed. The number of inmate overseer is one each in each workshef; one
in the octagon, and one in the kitchen. They are to supervise the work of their fellow inmates in their respective places.

**Supervisors:**

The other members of staff are Supervisors. They are supposed to work from morning to evening in shifts. Their duties are not well defined. They have to work as assigned by the Superintendents. Generally their duties are to teach the necessity of sanitation and personal hygiene, to advise inmates, to write their appeals and petition, to write letters of the inmate and read to them. At present there are 5 posts of Supervisors in the institution. They work in two shifts, each shift having two supervisors on duty. One of them is attached with the officer on clinical work. The working hours for shift I are 6 A.M. to 8 A.M. and 12 Noon to 4 P.M.; and for shift II 8 A.M. to 12 Noon and 4 P.M. to 6 A.M. Generally, it is presumed that the Supervisor will be exerting it. Moral influence, which will be conducive for reformation. This provision seems to parallel with the provisions of the house master system of the English Borstal. How for these Supervisors fulfill the requirement of the role of the house master is anybody’s guess. The Scale of salary as existing on 1.4.1979 was 152-2-145-2½-150. The minimum educational qualification for the post is higher secondary pass. They get dearness allowances and other benifits. They are not provided with accommodation.
Medical Staff :

The institution has one qualified Doctor of the rank of Assistant Surgeon, belonging to the State Health Department. This Doctor has to look after the Borstal, and the district subjail. His salary is being paid by Health Department and is charged from the prison department's budget. This adjustment is done at the head quarters level. The duty of the medical officer is to look after the medical needs of the inmates, and officers. Besides he has to check the sanitation and cleanliness of the institution and maintenance of a small indoor hospital of the institution. The doctor has to perform duties as laid down in the prison Acts and the M.P. Jail Manual under different rules. Generally the doctor has to examine the inmate before his admission and has to certify his general health condition. He is supposed to keep a watch over the general health-condition of the inmates. He is to check the food cooked in kitchen and has to see that it has been cooked in the prescribed manner.

In case of illness the doctor has to attend the inmate, hospitalize him and give him the necessary treatment. In cases of serious illness the doctor may recommend the case either to the District Hospital or any other suitable hospital.

Instructors :

As stated the Borstal Institution, Narsinghpur is running 6 industries namely - Carpentry, Weaving,
Blacksmithy, Leather-work, tailoring and brass work. There are six instructors to impart training, one each for every industry. The working of the industries will be examined in later.

All the instructors are trained persons in respective trades. Their duty is to impart training to the inmates and supervise work being done by them. They belong to the class III service of the State Government. Each Section is independent unit which is supervised by the Superintendent through Jailor.

The pay-scale for all instructors except the brass work instructor is Rs. 155-2 1/2-160-4-180-EB-5-240-6-252 (as on 1.4.1979). For the Brass work instructor is 195-3-240-6-270-EB-10-300 (as on 1.4.1979). They get dearness allowances etc. as per government rules. They are not provided with accommodation in the campus.

The medicines are procurred from the district hospital stores and if need be from the market. The doctor is supposed to go a round the institution and has to see that proper sanitary conditions are prevailing in the institution. If he finds unhygienic conditions he should bring this to the notice of the Superintendent. To assist the doctor in running the dispensary and hospital of the jail, there is a compounder and a male nurse. The compounder looks after the dispensary and male nurse attends to the nursing requirements. These two
are full time employees of the jail department. They are in the subordinate service of the State Government. The pay-scale for the compounder is Rs. 167-4-185-5-240-EB-6-270-10-300 and for the male nurse is Rs. 205-5-240-6-270-EB-10-350-12½-335. They are entitled for all dearness allowances and other benefits. They have been provided accommodation in the campus of the institution.

Sanitary Staff :

To look after sanitary needs of the institution, there are four sweepers, full time, employed by the jail department. They have to clean the toilets and environment. The inmates also do some cleaning jobs like sweeping the dormitories and roads. The sweepers are appointed in a pay scale of Rs. 125-2-145-2½-150. They get dearness allowances admissible and other benefits. The cleanliness of the institution is being maintained as per the provisions of the M.P. Jail Manual as laid down in Sections IV and V of the Part IIInd.

Educational Staff :

To impart basic education to the inmates, the Borstal institution Narsinghpur has a school. This is being run by the whole time teachers. There are 7 part time teachers in the institution. Presently there is a Head Master designated as Assistant Superintendent who is incharge of the school. He is promoted to this position from the cadre of teachers. His pay of scale as on 1.4.1979 was 246-6-270-10-300-EB-12½-
400-20-460. This pay scale is similar to the pay scale of the Deputy Jailor. The Assistant Superintendent is supposed to manage and supervise teaching and other co-curricular activities of the school. He has also to encourage the inmates for learning. The Assistant Superintendent has to keep coordination between teaching and other activities of the institution. No residential accommodation is provided to him. There are four teachers for engaging classes of the school. They are in the pay scale of Rs. 169-300 which is similar that of Compounder. They too are not provided residential accommodation. There is one teacher for teaching music. He is designated as 'Sangeet Teacher'. His pay is similar to that of a school teacher of the institution. The teaching is imparted in vocal and instrumental music, like the harmonium, table, flute and benzo. Besides these whole time persons, there is a part-time religious preacher who visits institution occasionally to impart religious and moral preaching to the inmates. There is a post of part-time armourer and a part-time electrician. The armourer has to clean and oil the weapons of the institution occasionally. The electrician has to look after the electrical connections and fittings of the institution. There is a part of table teacher. The post is lying vacant for the last few years (as on 1.4.1979). There is a band-master who teaches the inmate to play brass-band. The band master is a Head Warder.
The appraisal:

The staff pattern of the institution can be divided into the following categories: (1) Custodial - comprising of the jailors and warders, (2) Supervisory - comprising of the supervisors, (3) Educational - comprising of the teachers, (4) Vocational - comprising of instructors, and (5) Health - comprising of doctors and compounders.

The overall charge of the institution is with the Superintendent. The Borstal has primarily been developed as a peno-correctional institution. The inmates detained in the borstal are primarily sentenced for a term for their offence. The Borstals have been created to detain the adolescent offenders and hence they have prison-like buildings and administrative structure. This is the part penal part. On the correctional side, there is the staff to impart training which is supposed to be, conducive for reformation. Thus, more or less, staffing of Borstals in the country is falling within the same pattern. The two other institutions, the Borstal school, Dharwar, and the Borstal school, Hisar from where the information has been collected, have similar staffing pattern. The Borstal School, Dharwar has a Superintendent, a Medical Officer, a Chief Jailor, 2 Jailors, 6 teachers and instructors, about 24 Head Warders and Warders. The Borstal institution, Hisar had the following staff members (in 1977-78) a Superintendent, 1 Deputy Superintendent, 1 Assistant Superintendent, 1 Welfare Officer, 2 Head Warders.
and 25 Warders, 1 teacher and 6 instructors.

The scale of pay prevailing at Borstal Institution, Hissar in 1976-77 were: For Superintendent - Rs. 550-30-760; Dy. Superintendent Rs. 300-25-550-EB-30-700; Assistant Superintendent and Welfare Officer - Rs. 210-10-280-EB-15-430-EB-20-550; Instructors and Compounder Rs. 140-6-170-8-250; Teachers - Rs. 125-5-150-5-250; Head Warder - 100-4-140; Warder - Rs. 90-3-120-4-140. At the Borstal, Narsinghpur, most of the staff is for custodial and administrative purpose. Similarly the precise nature of work of the Supervisor is not well defined, with a result they are at the disposal of the Superintendent and most of the time some of them are working in the office of the institution. The teachers belong to the jail department. Their service condition though apparently is similar as the counter parts in the Education Department, but they are not satisfied as they have poor chance of promotion and the facilities of imparting education are lesser than what they are at outside. One more occasion of their grudge is non-availability of the opportunity of tuitions and exploitation of their services by the jail administrative staff. As far as the custodial staff is concerned, they have come here by way of transfer, though left to themselves they would not like to stay here, they would like to go to other prisons.

Budget:

Like any other government agency, the Borstal
Institution, Narsinghpur is wholly financed by the Government of Madhya Pradesh. The Annual budget of the State is passed to meet the requirement of each department the government allocates funds. Which in turn is spent on various predetermined sub-heads. The annual estimates of expenditures are sent to the Inspector General of Prisons, who sanctions the expenses from the consolidated budget of the State prison department and then the finance department sanctions the allocations. In the year 1973-74, a total of Rs. 4,92,514-51 was spent over salaries upkeep and other expenses; whereas in 1974-75 Rs. 6,10,440-68 was spent. The average expenditure per inmate in 1973-74 was Rs. 2,348-55 and in 1974-75 it was Rs. 3,064-28. The total expenditure for 1976-77 was Rs. 4,32,967-65, out of this amount Rs. 2,30,087-65 were spent on salary whereas Rs. 2,02,880-00 were spent on other items like upkeep and running industry etc. The average expenditure per inmate was Rs. 1,142-55 towards salary, and Rs. 1,007-44 towards upkeep bringing the total average per inmate as Rs. 2,149-99. In the year 1977-78 a total of Rs. 7,43,365-62 were spent. The expenditure on salaries was Rs. 2,84,663-60 and towards other heads Rs. 4,58,702-02. The average per inmate towards salary was Rs. 1,669-00, and average for other expense was Rs. 2,889-38. In the financial year of 1978-79 the expenditure amounted to Rs. 6,07,178-90 out of this Rs. 2,76,229-60 were spent for salaries and Rs. 3,30,879-30 were spent over other heads. The average for salaries were Rs. 1,863-24 per inmate and Rs. 2,231-30 for other
expenditure. Thus the average total expenditure per inmate for this has been Rs. 4,094-54. To have an idea of the expenditure incurred by the different State governments over Borstal, we may look towards the statistics compiled by the Central Bureau of Correctional Services, Government of India (Now National Institute of Social Defence). Though the figures quoted here are of the earlier year of the decade 1970-80, it will be still useful to get an idea of State of affairs.

The major areas of expenditure are establishment of staff and maintenance of inmates. Little amount is spent on the therapeutic measure like educational and vocational training. Excepting Maharashtra, no other state is spending for after-care and rehabilitational programme. So the Borstal Institution, Narsinghpur spends most of its grant over establishment and maintenance, and no money is spent over after-care. Relatively however, on training a little amount is spent.

Admission:

A guilty person, depending on the gravity of offence, is awarded a term of imprisonment, and is sent to an institution where he is confined for the period specified in the judgement. An adolescent also comes to Borstal under the same process. If he is convicted for an offence other than (a) an offence punishable with death; (b) an offence under Chapter VA and Chapter VI of the I.P.C.; (c) an
offence committed in pursuance of political activity; (d) an offence punishable under Gambling Act with imprisonment; (e) an offence punishable under Opium Act with imprisonment; (f) an offence punishable under Excise Act with imprisonment; (g) an offence punishable under Dangerous Drugs Act with imprisonment.

Normally the adolescents who are admitted in the Borstal are generally convicted under different sections of the Indian Penal Code.

There are two types of detenues in the Borstal Institution, Narsinghpur (i) Those who have been awarded Borstal Detention Sentence under the provisions of Section 30 of the Cr. P.C. and under Section 123 of the Cr. P.C. (ii) Those convicted adolescents from other institutions are sent to Borstal Institution.

The M.P. Jail Manual specifies certain conditions for admission of adolescent offenders to the Borstal; (a) No person who has been previously detained for the whole period in this institution can be detained again (M.P. Borstal Act, Section 10), (b) The incorrigible inmate once transferred from this institution to an ordinary prison (Under Section 19 of Borstal Act).

The provisions of Prison Act IX of 1894 lay down a provision under Chapter V, Section 27 (2) put a bar on confinement of young in prison under 21 years of age, with
Table No. 4.01

Showing expenditure on Borstal Schools during 1971 in India only those States included where Borstal Act is in force.

(£. in thousand)

<table>
<thead>
<tr>
<th>STATE</th>
<th>EXPENDITURE ON</th>
<th>Total Expenditure per inmate year</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Establishment</td>
<td>Other maintenance</td>
</tr>
<tr>
<td></td>
<td>Custo-Med</td>
<td>Edu-Voca-Wel</td>
</tr>
<tr>
<td>Andhra Pradesh</td>
<td>42.94</td>
<td>3.06</td>
</tr>
<tr>
<td>Bihar</td>
<td>-</td>
<td>37.12</td>
</tr>
<tr>
<td>Kerala</td>
<td>210.68</td>
<td>-</td>
</tr>
<tr>
<td>Karnataka</td>
<td>137.91</td>
<td>17.33</td>
</tr>
<tr>
<td>Madhya Pradesh</td>
<td>69.16</td>
<td>12.98</td>
</tr>
<tr>
<td>Maharashtra</td>
<td>160.80</td>
<td>7.19</td>
</tr>
<tr>
<td>Punjab</td>
<td>362.09</td>
<td>10.26</td>
</tr>
<tr>
<td>Tamil Nadu</td>
<td>129.37</td>
<td>10.31</td>
</tr>
</tbody>
</table>

adult prisoners. Further on page 512 the M.P. Prison Manual, 
under general instructions regarding confinement of Criminal 
prisoners in jails of Madhya Pradesh, states, that "All 
adolescents detained under the Madhya Pradesh Borstal Act, 
1928 and convicted adolescents from Madhya Pradesh Jails shall 
be detained and transferred to the Borstal Institution, 
Narsinghpur".

It is apparent that larger number of inmates are 
admitted as convict persons, that is, who have been convicted 
under different sections of the Indian Penal Code and are 
subsequently admitted to the institution. This being done 
as the Borstal is primarily a detention institution for 
adolescent offenders.

The following table shows the average yearly lock up 
at the Borstal Institution, Narsinghpur:

Table No. 4.02
Showing Average Lockup

<table>
<thead>
<tr>
<th>Year</th>
<th>Convict Inmates</th>
<th>Borstal Detention Inmates</th>
</tr>
</thead>
<tbody>
<tr>
<td>1974-75</td>
<td>189</td>
<td>16</td>
</tr>
<tr>
<td>1975-76</td>
<td>137</td>
<td>11</td>
</tr>
<tr>
<td>1976-77</td>
<td>201</td>
<td>11</td>
</tr>
<tr>
<td>1977-78</td>
<td>171</td>
<td>13</td>
</tr>
<tr>
<td>1978-79</td>
<td>148</td>
<td>09</td>
</tr>
</tbody>
</table>

Average of 5 years 175.6

Source: Office of the Superintendent, Borstal Institution, 
Narsinghpur.
The inmates are admitted from all parts of the state. Normally they are transferred from other prisons under provisions laid down under different rules in the M.P. Jail Manual. The mode of admission can be classified into two categories: (1) Those who are admitted directly who are sent to the institutions under orders of the sentencing courts, (2) Those who are transferred from different prisons as per provisions of the Chapter VI, page 512 of M.P. Prison Manual and under Section III, Part VI, rule 438 of the M.P. Prison Manual. The following table shows the mode of admission.

Table No. 4.03
Showing Mode of admission of inmates of Borstal Institution, Narsinghpur

<table>
<thead>
<tr>
<th></th>
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<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Direct Admission</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Borstal detention</td>
<td>3</td>
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<td>4</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Convicts</td>
<td>2</td>
<td>4</td>
<td>3</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>Transferred from other Prisons</td>
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<td></td>
</tr>
<tr>
<td>Convicts</td>
<td>166</td>
<td>113</td>
<td>118</td>
<td>149</td>
<td>147</td>
</tr>
<tr>
<td>Borstal detention</td>
<td>9</td>
<td>5</td>
<td>3</td>
<td>6</td>
<td>6</td>
</tr>
</tbody>
</table>

Table shows that out of the 12 B.D. Sentence inmates only 3 were admitted directly in 1975, out of the 8 B.D. admissions in 1976 again only 3 were directly admitted, in 1977. Out of 7 B.D. admissions 4 were directly admitted as in 1978. Out of the 7 B.D. admissions only 1 was admitted
directly and similar situation is prevailing in 1979. In the category of convict inmates in 1975 - 2, in 1976 - 4, in 1977 - 3, in 1978 - 2 and in 1979 - 1 were admitted directly. Incidentally they are the convicts of Narsinghpur and adjoining Hoshangabad district. In the category of transferred inmates we find that even those who were awarded Borstal Detention has to pass some time at Prisons at the places of their convicts before they could be admitted in the institution. The yearwise figures of the transferred B.D. sentenced are 9 in 1975, 5 in 1976, 3 in 1977, 6 in 1978 and 3 in 1979. Largest population of the institution comprises of convicted inmates who are transferred from various prisons of the State. Their number was 166 in 1975, 113 in 1976, 118 in 1977, 149 in 1978 and 147 in 1979. The admission of inmates is governed by the rules as laid down in Chapter II, Part IV, Vol. I of the M.P. Prison Manual. These rules are similar, for admission to those of adult prisoners as well. Broadly they are checking of warrant, search of the inmates, Medical examination, recording of age, health etc., entries in the admission register etc.

The appraisal of the admission procedure reveals that as far as this process is concerned it is similar to the process of adult prisoners. In fact there is no special process of admission of the adolescent offenders. Except for the difference of place that is they are admitted to an institution where the population is more homogenous in the age pattern. There is no other procedure.
Classification:

The meaning of classification as understood commonly is the method of arranging things into classes; whereas class means an order or division or grouping of persons or things, possessing the same characteristics or status etc. Classification is also used as a technical term in our prison manuals to connote the process of separation and segregation of prisoners. The usages on penal administrative set up of the term, classification, has a multiple repercussions. Firstly it is used to separate habituals from casual offenders. It is also used for separation of offenders on the basis of their sex that is Male and Female offenders. Further it is used to separate the offenders of different age groups, like the juveniles, the adolescent and the adult on the basis of age, for seperating them and confining them into seperate enclosures of the prison.

Classification as used in the Correctional field, is a frequently a misunderstood concept. The word itself adds to the confusion, implying that its sole function is to place inmate into types or categories. Normally in Indian settings classification has been understood as seperation of prisoners into types based on sex, age and frequency of offence and the segregation of similar types into separate institutions. In India, as the number of separate institution being meagre, the classified offenders are detained in different enclosures of the same institution. Now the term classification has a specific meaning in the Correctional
practices also. The major objectives being development of an integrated and realistic programme for the individual drawn though the coordinated diagnostic observations.

The Borstal has a homogenous population and therefore here the dilemmas of classification are fewer as far as separation and segregation are concerned; because all the inmates of Borstal Institution are first offenders and all of them belong to an almost similar age-group. The procedure of classification at Borstal Institution, Narsinghpur is based on the provisions as given in the rules for regulation management and classification of the Borstal Institution, Madhya Pradesh, Jail Department Notification No. 20/III/Jail dated 27.2.1960.

As soon as the formality of admission is over, the inmate is taken to 'reception centre' which is located within the four walls of the institution. This 'reception centre' is an integral part of the institution. The inmate admitted in the reception centre and other inmates of institution get similar facilities except that the inmate housed temporarily in the reception centre is under observation. In appearance this type of provision looks similar to the integrated classification unit though its name reception centre in Hindi "SWAGAT KENDRA", appears like a most developed system of diagnostic centre. Here the inmate is studied and observed by the officers in general and by the Supervisors in particular, and then he is housed in a barrack as considered
fit by these persons. The inmates of institutions are classified into 'grades'. There are these following grades: (i) Ordinary grade, (ii) Star grade, (iii) Special Star grade, and (iv) Penal grade.

All inmates on reception are put in ordinary grade. The provisions of the grade system under rule 10 are quoted below: (i) **Ordinary grade**: An inmate shall remain in the ordinary grade for at least six months, during which he shall be employed on domestic service, gardening or farming. During this period he shall be carefully observed by the staff with reference to his character mental disposition. (ii) **Star grade**: The promotion to star grade shall be made by selection by the Superintendent, the inmate so promoted being placed in a trade suitable to his individual taste and capacity while in this trade, inmates shall be permitted to join in games twice a week to accompany members of staff on route-marches; to write and receive one letter and have an interview every month, and by exemplary conduct to earn badge money of one rupee a quarter. (iii) **Special Star Grade**: When after close observation of his general demeanour and efficiency, the Superintendent is satisfied that an inmate in the Star grade may be safely placed in a position of special trust, he may be promoted to the Special Star Grade, such inmate shall wear a distinctive dress: . . . . . . and by exemplary conduct to earn badge money of three rupees a quarter. (iv) **Penal Grade**: When an inmate is believed to be exercising a bad influence or is guilty of any misconduct,
he shall be placed by the Superintendent in the Penal Grade for such period as the Superintendent considers necessary in the interest of the inmate himself and in the interest of other inmates. While in this grade, an inmate shall be employed in separately on hard and labourious tasks and shall forfeit all privileges. . . . . in a case, shall an inmate, be placed in the grade for a period longer than three months, without the special sanction of the Inspector General of Prisons. Similar provisions and similar grades are existing at the Borstal School, Dharwar. Borstal School, Kolhapur and Borstal School, Hisar. Baker in his classical work - the principles of Borstal treatment as applied to Indian prisoners - suggested that main consideration for classification should be : (1) apparent age taking in account physical development, (2) length of sentence, (3) nature of offence.

Baker further suggested that the Borstal inmates should be classified into: (a) Ordinary grade (the provisions being similar as prevailing at Borstal Institution, Narsinghpur). (b) Special grade : by promotion from ordinary grade - provided : (i) he has completed 1/3 of his sentence, (ii) he has been well behaved and is of good character, (iii) he has passed in drill. (iv) he has studied upto the Second class in education. (v) he is a good worker at a trade. (c) Star Grade : By promotion from special grade provided : (a) he has passed at least 6 months in special grade, (b) he can take charge of a company drill (50 days) and passed 'tender foot Second Test'. (c) has studied upto
IIIrd primary. (d) skill worker at a trade. (d) Monitor
Grade : By promotion from star grade provided: (i) he has
passed $\frac{1}{4}$ of his sentence. (ii) he can take charge of 200
boys for instructional drill and passed 2nd class Second Test.
(iii) has studied upto IV primary. (iv) Expert in trade and
can impart instructions in the trade.

Appraisal :

The kind of classification as practiced at the Borstal
Institution, Narsinghpur is still based on the observation
and the pleasure administration. The purposes, of
classification as laid down by American Prison Association,
are: first analysis of the problems presented by the
individual through the use of every available technique
such as social investigation, medical, psychiatric,
psychological examinations, educational, vocational,
religious and recreational studies; second by deciding
in staff conference upon a programme of treatment and
training based upon these analyses, third by assuring that
the programme decided upon is placed in operation; and
fourth by observing, the progress of the inmate under this
programme and by changing it when indicated.

This type of classification appears rather impossible
in Indian situation at present due basically to economic
constraints and secondly to lack of attention by the
governmental and other agencies. However even those purposes
have not been included which have been recommended in the Model Prison Manual like, to organize an overall, balanced, integrated and individualized training programme.

The system of grading has nothing to do much with the individualized study. In nutshell the inmates are assigned to those tasks which are necessarily for administrative conveniences. They are sent to those trades where there is a demand for man-power rather than choice of the inmate. This point will be further elaborated in subsequent pages. For the purposes of day to day working of the Borstal Institution, Narsinghpur, the inmates are regarded as similar to those in any other prison. So, to regulate a segregated life of a prison, the M.P. Prison Manual has laid down rules, for prisons from admission to release. The abidance to these rules, which can also be called as leading a disciplined life, in the institution entitles the inmates for some privileges and favours whereas, non-abidance of these rules makes him liable for loosing or for total deprivation of privileges. The incentives provided for abidance of rules have a principle to encourage the prisoners in jail or inmates of the institution to follow them in letter and spirit. This not only helps in smooth working of the institution but also in helping the inmates to secure early release though remission and also enjoying certain privileges.

The rules are to be observed for all acts whether undertaken individually or collectively by the inmates. Few
important rules from Part X are: Rule No. 616, about movement in the institution, Rule No. 618 for obeying all laws and orders by the prisoners; No. 617 and 618; for moving in with files and saluting on word of command No. 620; for latrine parade 621; and Rule No. 632 which has certain Dos and Don'ts for prisoners. The Rule No. 637 is very elaborate which requires that these instructions must be followed by prisoners. The non observance of any rule by the inmate makes him liable for action under Part XII 'offences and punishments' Rule No. 723, 724, 725, 726, 728, 729, 730, 731 — 737 and 738.

Escapes:

Sometimes the inmates run away from the custody of the institution. The frequency of these is however rather low at the Borstal Institution, Narsinghpur. The problem of absconding is common faced by all institutions for detention of convicts. In the year 1974-75 there were two cases of escape. In 1975-76 one, and in 1977-78 one, whereas in the year 1976-77 and 1977-78 there was no case of escape. Under Rule No. 723, those 46 acts have been enlisted which constitute prison offences.

Further, the punishment for the prison offences have been classified into two categories: (i) Minor punishment; (ii) Major punishment under minor punishments measure like formal warning to separate confinement, imposition of link fetters etc. can be taken. Whereas under major punishment
measure like - forfeiture of remission, cellular confinement, penal diet and separate confinement, etc. can be taken. The Superintendent in empowered to withdraw all or any privilege for unsatisfactory conduct of the prisoner (inmate in Borstal).

The following table shows the nature of offences committed by the inmates of the Borstal Institution, Narsinghpur and the type of punishment awarded to them.

**Table No. 4.04**

**Showing offences committed and punishment awarded to the inmates**

<table>
<thead>
<tr>
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<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>(A) Relating Work</td>
<td>Minor</td>
<td>04</td>
<td>14</td>
<td>19</td>
<td>01</td>
</tr>
<tr>
<td></td>
<td>Major</td>
<td>01</td>
<td>02</td>
<td>03</td>
<td>06</td>
</tr>
<tr>
<td>(B) Relating prohibited articles</td>
<td>Minor</td>
<td>-</td>
<td>-</td>
<td>09</td>
<td>01</td>
</tr>
<tr>
<td></td>
<td>Major</td>
<td>-</td>
<td>04</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>(C) Relating to assaults, escapes etc.</td>
<td>Minor</td>
<td>-</td>
<td>08</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td></td>
<td>Major</td>
<td>01</td>
<td>-</td>
<td>02</td>
<td>-</td>
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</tbody>
</table>

B.S. Narsinghpur.

Generally as far as possible minor punishments are awarded, but when the offences are of serious nature, in order to have salutary influence on the violator in particular and exemplary influence on the other inmates in particular,
major punishments are awarded, for example, link and fetters were put on two inmates in 1976-77; two inmates were hand-cuffed in 1977-78. The punishment awarded to any inmate is recorded in the punishment register; maintained by the institution under provision of Section 51, Prison Act 1894 Rule No. 15 for regulation of Borstal institution gives classification of Borstal offences as: (1) Rioting, (2) Assulting a public servant, (3) Sodomy or attempted sodomy, (4) Attempts to commit suicide, (5) Voluntarily causing grievous hurt, (6) Escape or aiding escape, (7) All other offences against discipline and good order with exception of such as must be dealt with by prosecution under Indian Penal Code. The offences included in Sub-heads (1) to (6) and offences under Indian Penal Code shall be major Borstal Offences and under Sub-head (7) shall be minor Borstal Offences.

The Up-keep:

The award of a term of imprisonment puts restrictions and imposes deprivations have similar reactions universally. How so ever great might be the deprivation of liberty through imprisonment, the detenuses cannot be deprived of the basic necessity of food, clothes and shelter. In a reformative institution like Borstal the importances of provision of these facilities has its own importance. The present dietary system, is intended to maintain not only health and strength but also contentment. The prison administrations for obvious reasons
concern themselves a great deal with arrangement of goods and services that provide for feeding, clothing and accommodating the inmates. The importance of upkeep in an institution is very great as it has direct bearing on the smooth functioning of the institution. This is one of the stupendous tasks, next only to security. Within the meaning of upkeep, the food, the clothing, the bedding and the medical care personal hygiene arrangements provided for the inmates at the Borstal institution, Narsinghpur have been included.