CHAPTER VI

PROFILE OF REFORMED PRISONER

(Case studies)

The essence of this study lies in understanding the reformation process in context of Maharashtra. Interviews with released prisoner were conducted and qualitative data collected through those in-depth interviews were analysed and interpreted. This chapter begins with a description of the profile of respondents, next it data interpreted in language of researcher. Thus this chapter achieve one of the objective of the research i.e. *To understand the need and demands of the society in relation with the Prison reformation.*

The four participants were selected on the basis of their experience of having overcome adversities of stigmatization after conviction and also they involved themselves in social work. A brief profile of the four participants is given below. The interviews with the four respondents yielded a comprehensive understanding of reformation process of prisoner in Maharashtra. These have been discussed next,

6.1. Profile of Reformed Prisoner

*Mr. Babu Pawar, 86 years, Ahmednagar*

He is young man of 86 years. Because his spirit and enthusiasm, while disclosing his life story before me. It was like young man. He was telling his crime history at front of me in manner of any freedom fighter. It was so because he has not fight for himself, he fight for others, for needy person, who required
muscle power to save their rights.

*Babu* was watchman at Chaya Talkies, Ahmednagar. Once his friend complain before him about booking clerk of talkies. That booking clerk always sold the tickets for its black marketing to some specific group of persons. But he most of the time refused to sale the tickets to the friend of *Babu*. Therefore one day *Babu* asked the reason to said clerk, on this reason they had dispute. *Babu* had given fist blow to the clerk. And said strong blow resulted into death of clerk. Then *Babu* was arrested.

In the year 1970 his trial was initiated in court. *Babu* was having some disturb terms with jailer, where he was detained during trial. *Babu* arranged one *rampuri chaku* (knife) and received the same in jail. And raised the knife on jailer at his residence. Jailer ran away but *Babu* caught his wife, put the knife on the neck of jailer's wife. But somehow this situation successfully tackled by the local police. Thereafter for security purpose *Babu* has been shifted to the Yerawada Central Prison, Pune.

Prior to the arrest of *Babu* he was renowned muscle man in Ahemdnagar. He was acted in Robin Hood manner in his locality. Once in 1970 one lady alongwith 2-3 children and one old lady were standing on bus stand. But bus did not halted there and went ahead. *Babu* followed the said bus on his motorcycle and stopped the same took conductor out of the bus and slapped him and compelled him to take the passenger in bus. Once *Babu* was not ready for preventive detention, police took his brother and brutally beaten him. Though *Babu* never surrendered before the police. Because he said them that no crime was recorded against him in last two years then preventive detention of *Babu*
will be not legal. Thereafter in unfortunate incident of booking clerk’s death was occurred. During the arrest police officers decided for his exposure to public from place of incident to police station. They intend to show the police pressure over the criminality. The did so. But they experienced some different scenario. They saw 1500 to 2000 people from locality were gathered to see Babu. They abuse police for the said act. Local leader tried to convince the police that this situation may cause the disturbance and uncontrollable situation in society. Police scared from the angry crowd and they returned to police station from jeep. They realized the popularity of Babu as Robin Hood.

Babu Pawar later on convicted and sentence to suffer life imprisonment in 1970, at that time he was 45 yrs old. Here Babu come across with priosn life, which was also a one life history of Babu. He was always handcuffed in jail. He made weapons of iron when he was working in iron department. He used the same to assault the co-prisoner, who was sexually harassing other inmate. For that offense his imprisonment period increased for 3 years. When he was asked his muscle power may be affected due to less nutrition food supplied in jail. He quickly replied “No, I was doing regular exercise in jail”. He continued his Robin Hood image in jail. Many times he tried to escaped from the jail. He was complaining about the jail administration. His such attitude in jail for long period.

Then he realize that this attitude and behaviour is not useful for him to achieve his goal i.e. release after 20 years. He tried to portrait himself as a obedient inmate. He accepted to do work in various vocational training programme. But he flatly refused to attend the spiritual programme. He said, “I was unable to concentrate in such kind of programme. I prefer to play gambling
with co-inmates. Such kind of programme was not useful to get your early release. But sometime I attended the same because I want to pretend myself as reforming prisoners”. But he admits that such kind of programme and his acting of good prisoner indirectly affects his mind, his anger started minimizing day by day. Prison administration reward his change and made him Warden.

This post of Warden not only gives responsibility of inmates on his shoulder but also his muscle power channelize in legal and correct manner. Inmates prefer to follow him instead of oppose him. Babu’s Robin Hood approach flourish in right fashion and he prefer to act as a guardian instead of warden. Babu’s handcuffed image left much behind. He learned various vocational training in jail such as carpentry, iron work, detergent and soap manufacturing etc. For some period he also prefer to become porter in jail. He said he accepted the said job, because only porter can put one step out of gate of jail and he can see the open gates. These open gates gives hope of release to him.

Babu has succeed to convert his sentence in 20 years imprisonment by mercy petition before Hon’ble President. Babu was happy his plan was succeed. But he remind himself he was required to continue this attitude till the last day. He did not prefer to take furlough (leave) because this period added in total term as per rules. Once he opted to visit his home through furlough. People used to scare him because his image is now having one more added title i.e. prisoner. But during this period he enjoined the freedom, family life. Now he decided to portray his picture of obedient prisoner with more reality and he returned to jail. He continued his administration friendly attitude till his last day in
Babu was very much happy for on his release day. Jail has issued a transit memo (S.T. Bus ticket) in his favour. He returned to Ahemdnagar with lots of joy and expectations. He took rickshaw from bus stand to reach his home. Rickshawala was aware about Babu’s popularity, he dropped Babu at his place, but did not accept the rickshaw charge from him. Babu got annoyed and compell him to accept Rs.20/- and entered in his house. He realized that how he was reacted with rickshaw driver in right manner. Then he realise that something is changed in him. His family accepted him whole heartily. The day was happiest day in life of Babu.

Babu was 65 years old. But still he was healthy. In second morning he came out and took walk in near locality. The attitude in eyes of neighbors, friends were changed, they shown reluctancy in their eyes. Babu was worried about his image. The idleness was bothering him lot. He find his old friends and started spending his time with them. Meanwhile he received the monetary help of government under Muktibandi Yojana. He used the said money in playing gambling. On his lucky day he received good amount from gambling. He was now concerned about the said amount. Babu was neither alcoholic nor having other addictions. He was having the feeling of king who work for his territory, who need justice and all kind of help from their king.

Babu decided to purchase a land from that money he purchased three goonthas of land and constructed a house consisting small rooms on it. He used his money which was received in jail from labour job. He also accepts that
white money was not plenty enough to construct the house. He also used the money received from gambling, transportation of liquor etc. He gave all the rooms on rent and receiving the handsome rent amount. But his conscious of king was alarming him every day. He constructed a small temple in locality for matang community. He said that temple was required to gather the people under one roof.

Once he was praying in that temple one lady from his community came to him and cried and requested him to help in her problem. Her landlord forcibly taken out from her house, she has no any other alternative shelter, she requested extra period from landlord, but he refused to do so. King attitude of Babu arose and he slapped that landlord. Landlord was aware about Babu's life history. He prefer to follow the Babu's decision and that last lady got extra 6 month. time to reside in landlord's house. This incident resulted into establishment of Dalit Mahasangh for Matang Community. A charitable society establish by Babu for help of people belongs to Matang Community.

When I interviewed him he was busy in purchasing the notebooks to distribute among school children of community through said society. He came to me alongwith his grandson. He shown to me a photo albums which was witnessed a various social work, news paper cuttings about his social and reputed life.

Mr. R. S, 22 years, Mumbai

Researcher not mentioning the name of respondent as he requested me to do so.
“I won’t return to my parents unless and until I wiped out stigma on me. I am not murder it was happened from me. It was not planned, it was sudden”. R.S. reacted on me. He was 17 when he was involved in offence of murder. He ran away from Observation Home. After escaping he continued his crime life. He committed theft, pickpocketing etc. He was arrested for pickpocketing and detained in Arthur Road Central Prison, Mumbai. He is adolescent prisoner and convicted for S.379 of Indian Penal Code. During his imprisonment social workers from PRAYAS (N.G.O. From Mumbai who works for prisoner) observed him and took him after release from prison. It was short term imprisonment for R.S. Volunteers of PRAYAS convinced him and surrendered him for trial of murder. It was positive step for R.S. Juvenile Justice Board, Mumbai handedover custody of R.S. In the hands of PRAYAS for reformation.

R.S. Was exploring his prison life before me. He said once prison staff switched of the television when everyone was watching the same. He beat the said staff, again he was punished for the same. No one can learn a good habits in prison. Co-inmates used to taught me the strategy of robbery, theft. They also convinced me that how drugs can relaxed us. No one is interested in recreational activity, adult education etc. Everyone is busy in timepass, mischievous activities.

When R.S. completed his he came out from jail at that time he was not having money. He was starving for four days. Then social worker from PRAYAS took him in their office. They gave food, shelter to him. After some counseling sessions R.S. started working in Beggar's Home. His job was to search and trace some child beggars, their homes, whereabouts of parents. Thereafter he
started working for child labour. He become media between child labours and their rehabilitation.

If R.S. was not helped by someone then it was difficult to rehabilitate. Above all he himself wants to lead respected and clean life. His inspirational story has been covered by marathi newspaper. Researcher enclosing the same. This story is also narrating the process of reformation of R.S.

Mr. S.T., 29 years, Mumbai

This respondent also did not allow me to disclose his name in research.

S.T. Was living with his parents near to Nepal border. In one natural calamity he lost his parents and elder sister. His parents done intercaste love marriage, therefore they have been separated from their family and community. S.T.'s father and mother were working. His elder sister used to take care of him. But S.T. he was very hot temper child, he used to fight with her sister. Therefore their parents made separate arrangement for him for school.

Once S.T. Returned to home he saw that his house was completely destroyed in collapse of valle. That time his parents and sister was inside the house. There dead bodies were also not traceable. S.T. Was 8 year old that time. He was unable to understand the circumstances. One of their neighbor took him with them. They started taking care of him, but previous pampered life does not allow S.T. to stay longer in neighbor's house. He ran away from there. His journey started from his village and ends at Mumbai. Now he is 20 years old.
He learned how to survive and at what cost.

In Mumbai he was having one girl friend, he was happy and dreaming his future with her. He used to give precious gifts to her from the money gained from theft, pickpocketing and other crimes. She never opposed these sources, therefore S.T. Continued his life as it was. Demand of luxurious life was increasing. S.T. decided to do the robbery along with his friends who were habitual offenders. Murder was occurred in that robbery, all were convicted, but it has been proved that S.T. was not culprit of murder. Therefore he was punished with imprisonment of 3 years.

These 3 years were complete enjoyment for S.T. He used to transport banished article in prison in illegal manner. He started earning inside the jail from these sources. Once he was caught by Superintendent of Jail. She kept him in isolation. There also S.T. not reside peacefully, he started creating nuisance by hurting himself. Therefore, he shifted to cooking department, where he can be kept under observation. All illegal activities of S.T. have been curtailed. Now he was not having alternative except to follow the jail discipline. In his prison life he came across with crime gang, which was active in Mumbai. They offer help to S.T. after release. They were willing to incorporate him in their gang due to his hot temperament and his skill of transporting banished articles in prison.

Meanwhile social worker from PRAYAS was observing him. S.T. was released after completing his period of sentence. He was not having any shelter. His girl friend already broke the relationship. S.T. was in need of urgent shelter. He decided to meet the said crime gang, he was reading their address, which is
in his hand. Suddenly social worker Chandrakant came in front of him. He took S.T. along with him, and thrown the address of crime gang. The problem of urgent shelter was solved. Now S.T. always used to be with Chandrakant, S.T. uses to observe his work. S.T. was thinking about his new criminal life, but chandrakant does not allow S.T. to get empty time to act on his thoughts.

One day Chandrakant and S.T. went to shelter home of orphan child. There S.T. saw one child from his village. He feel certain attachment with that unknown child. He started talking with him in their local language. That kid become happy after meeting S.T.. S.T. observed, “this orphan kid does not choose the road of crime like me. Though I was child of learned parents I have chosen the path of crime. This kid is orphan like me, but he is not complaining his present circumstances”. This incident changed life of S.T. Now the Chandrakant's company was no more compulsion for him. Because S.T. decided to change his life track. He decided to work for those orphan kids. Now S.T. is dedicated social worker working in Beggar's Home. S.T. is now planning his future life with full of positivity and hope of clean life.

Ms. Bharati, 38 years, Pune

“I did not kill my husband, it was mere an accident. I bear mental and physical harassment given by him throughout 20 years of marital life. Once he came to me in drunken condition for intercourse as usual. I was not ready for the same. I was tired therefore I pushed him back, he dashed on wall and died. I was looking after my family since last 20 yrs. by doing maid's job in several houses. My husband was sitting in home and used to take money from me for his addictions. I have two young sons. They are also working for survival".
Bharati was talking about her offence. Neither she hide her name nor
details of offence from me. Court has converted her offence from S. 302 to S.
304 B of Indian Penal Code. Her two sons deposed in her favour. Therefore
she sentenced to suffer short period of imprisonment.

Now she choose to be a caretaker of son of her lawyer. She is also doing
job of counseling to those ladies who are frustrated from alcoholic husband. She
did not prefer to reside with her sons, because she decided to live for herself.
Her lawyer help her to come out from her mental trauma and also helped her to
rehabilitate. Now Bharati is no more exprisoner.

6.2. The biggest challenges

The above profile shows that there are major problems which afflict the
prison system and need immediate attention. These are,

6.2.1. Overcrowding

The following table shows the number of prisons, capacity, population
and occupancy rates in the Maharashtra State at the end of 31/3/2007

<table>
<thead>
<tr>
<th>Sr. No.</th>
<th>Types of Prison</th>
<th>No. Of Prisons</th>
<th>Capacity</th>
<th>Total Inmates</th>
<th>Occupancy rates</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Central Prisons</td>
<td>8</td>
<td>11382</td>
<td>17086</td>
<td>150</td>
</tr>
<tr>
<td>2</td>
<td>District Prison Class- I</td>
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<td>2706</td>
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<tr>
<td>3</td>
<td>District Prison Class- II</td>
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<td>2171</td>
<td>3067</td>
<td>141</td>
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<tr>
<td></td>
<td>District Prison Class- III</td>
<td></td>
<td>145</td>
<td>196</td>
<td>135</td>
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</tr>
<tr>
<td>5</td>
<td>Women Prison</td>
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<td>262</td>
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<td>Borstal School</td>
<td></td>
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<td>31</td>
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<td>Special Prison</td>
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<td>Total</td>
<td></td>
<td>17767</td>
<td>25034</td>
<td>141</td>
</tr>
</tbody>
</table>


That our jails are overcrowded is a known fact. The occupancy rate of jail is 141. Capacity of prison is 17767 but prisoners residing in prison of Maharashtra in 2007 is 25034. Overcrowding contributes to a greater risk of disease, surveillance difficulties etc. Overcrowding does not permit segregation among convicts. The result may be that hardened criminals spread their influence over others.

6.2.2. Deprivation

According to Sykes (1958), on being imprisoned, a criminal faces the problem of

a) deprivation of liberty

b) deprivation of privileges

c) deprivation of emotional security, and
d) deprivation of heterosexual relations.

It is world of individuals whose daily relationships are impersonalized and who hold attitudes which are predatory or assaultive or sexually unconventional in nature. On one hand, the inmates have to operate in accordance with a fixed autocratic routine, and on the other hand, they are expected to develop individual initiative.

6.2.3. Deficiency in communication

While in jail, communication with outside world gets snapped with a result that the inmate does not know what is happening even to his near and dear ones. This causes additional trauma. A liberalized view relating to communication with kith and kin specially is desirable. It may be pointed out that though there may be some rationale for restricting visits, but in so far as communication by post is concerned, there does not seem any plausible reason to deny easy facility to an inmate.

6.2.4. Prison Discipline

Although with the modern facilities available to inmates, the rigorous of prison life are considerably mitigated nevertheless they are likely to become restive if not kept under proper discipline. There is yet another reason to justify the need for strict discipline in prison. Whatever be the object, it is certain that the life inside prison necessarily pre-supposes certain restrictions on the liberty of inmates against their free will.
“In our word prisons are still laboratories of torture, warehouses in which human commodities are sadistically kept and where spectrum of inmates range from drift-wood juveniles to heroic dissenters”.

- Justice VR Krishna Iyer