



An Overview on Amenities in Karnataka Central Prisons

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Central Prisons, Society, Reformation.

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ABSTRACT

Incarceration has been seen as a way of punishment, as evil shall be returned to the evildoer. The concept of incarceration evolved hence later the growth of civilizations this concept has taken various ways in modifying the core concept of punishment. 17th century rehabilitation concept of punishment is utilized in recent days prisons. Karnataka prison administration is one of the modernized and evolving in its ideology of punishments. Having the concept of prisonisation, prisoners are kept in prison as punishment not for punishing them, prison administration finding new ways to make inmates as law-abiding citizens of the country by developing rehabilitative techniques, this paper is attempting to give an overview of such prison reformation in Karnataka central prisons.

Introduction

Prisons in India and their administration is a state subject which is covered by article 4 under the State List in the Seventh Schedule of the Indian Constitution. The management and administration of prisons falls exclusively in the domain of the State governments and is governed by the Prisons Act, 1894 and the Prison manuals of the respective state governments. Thus every state has the primary role, responsibility and authority to change the current prison laws, rules and regulations. The Central Government provides assistance to the states to advance security in prisons, modernization of prison industries, to repair and renovation of old prisons, facilities to women offenders, medical facilities, vocational training, training to prison staff, and for the creation of high security enclosures.

The criteria for a jail to be categorised as a Central Prisons varies from state to state. However, the general feature observed throughout India is that prisoners sentenced to imprisonment for a long period which is more than two years are confined in the Central Jails, which have larger capacity in comparison to other jails. These jails also have rehabilitation facilities. Maharashtra and Tamil Nadu have the highest number of 9 Central Jails. Karnataka, Bihar, Madhya Pradesh, Rajasthan and Delhi have 8 each. Arunachal Pradesh, Meghalaya, Andaman & Nicobar Islands, Dadra & Nagar Haveli, Daman & Diu and Lakshadweep do not have any Central Jails.

Prisons are residencies for temporary or extended periods for accused persons and convicts. The importance of location and the maintenance of the prison buildings cannot be exaggerated. Many of the older prisons in the state were originally located on the outskirts of the towns and cities, but with the expansion of those towns, the prisons have now become central to the towns and cities. This poses serious difficulties not only for the prison administrators but also for the families and visitors of prisoners and anyone involved in reformation and rehabilitation of inmates. The policy does not replicate the claims of governmental concern on reformation or the reintegration of offenders into society. The nature of prison functions and the availability of communication and other institutional supports are some of the most important elements. However governments not only in Karnataka, but also in other

states have disregarded these suggestions in practice.

Modernization of Indian prisons

In the Indian Jail Committee Report 1919-20, for the first time in the history of prisons the 'reformation and rehabilitation' of offenders were identified as the objectives of prison administration. The Government of India Act-1935 affected the transfer of the subject jails from Centre List to the control of provincial government and hence further reduced the possibility of uniform implementation of a prison policy at the national level. In 1951, the government of India took a landmark initiative to invite Dr. Walter C. Reckless the United Nations expert on correctional work, to undertake a study on prison administration and to suggest policy reforms. Dr. Reckless prepared a report namely, 'Jail Administration in India' Report. His report made a plea for transforming jails into reformation centers. Consequently Government of India appointed the All India Jail Manual Committee in 1957 to prepare a model prison manual. The committee submitted its report in 1960. The committee prepared the Model Prison Manual and presented it to the Government of India in 1960 for implementation. In 1980, the Government of India has set-up a committee on Jail Reforms under the chairmanship of Justice A. N. Mulla. Basic objective of the Committee was to review the laws, rules and regulations keeping in view the overall objective of protecting the society and rehabilitation of the offenders. The Mulla Committee submitted the report in 1983. The Committee specially recommended a total ban on the heinous practice of clubbing together juvenile offenders with the hardened criminals in prisons. Accordingly, a comprehensive legislation has been enacted for the security and protection care of delinquent juveniles. The Committee also suggested segregation of mentally disturbed prisoners to mental asylums. Again 1987, the Government of India appointed, Justice Krishna lyer Committee to undertake a study on the situation of women prisoners in India. It has recommended induction of more women in the police force in view of their special role in tackling women and child offenders.

The Modern Prison Reform System in India, Humanization of Criminal Justice In a number of judgments on various aspects of prison administration, the Supreme Court of India has evolved three broad principles:

1. A person in prison does not become a non-person.
2. A person in prison is entitled to all basic rights within the limitations of imprisonment. There is no justification in aggravating the suffering already inherent in the process of incarceration.
3. Prisoners are sent to prison, not for punishment, but as punishment.

Indian Constitution and Indian Prisons

The existing judicial and administrative trend in India on prison reform is based on the fundamental principles of the Indian Constitution and Judicial decisions by Supreme Court of India and different High Courts. Though, the Constitution does not provide any specific provisions regulating right of prisoners or prison reform but certain Fundamental Rights generally applicable and even recognized by the Court of Law for protecting prisoner's right. As like, Article 14-Right to Equality, Article 19-Right to Freedom of Speech, Article 21 - Right to Life and Personal Liberty and Article 22- Protection against Arrest and Detention. In a series of land-mark judgments courts have laying down the constitutional dimensions and rights available to prisoners and the approach to be adopted in dealing with various aspects of custodial justice and administration, invoked Article 21 to protect and shield prisoners from prison vices.

Prison in Humanitarian perspective

The human dignity is the essence of human rights and denial of dignity means denial of human rights. Regardless of the crime a man/woman may commit, he/she is a human being and entitled to be treated with dignity, decency, kindness and compassion. Prohibition of torture is absolutely necessary and may not be suspended. The prisoners cannot be kept in fetters day and night as this dehumanizes a prisoner and reduces him from the level of human beings to that of animals. Detention takes away the right to freedom of movement outside the jails but it should not be at the cost of social communication. The prisoners should be allowed to retain their liberty to move, and talk and share company with co-prisoners within the jail premises. The Under trial prisoners deemed to be innocent until convicted. On being sent to prisons they should not be kept with convicts or even with habitual offenders. The right of the prisoners to contact their family members cannot be ignored but it may be restricted in the interest of security. The rights of a mother and child to be together cannot be restricted. The State must take full responsibility to ensure health, medical care, immunization and education of such children. The arrestee should be subjected to a proper medical examination by a qualified and trained medical officer within 24 hours of being sent to the prison and every 48 hours thereafter during his/her detention in custody.

Karnataka State Prisons Department

Karnataka State Prisons Department is functioning having following objectives:

Prisons are integral part of the Criminal Justice System. Prisons are established for safe custody of convict and under-trial prisoners.

The Main Objective of the imprisonment aims to deter those who would otherwise commit crimes and to make it less likely that those who serve a prison sentence will commit crimes after their release.

The department also undertakes various measures such as training the prisoners in technical and non technical trades, conducting sports, cultural activities and imparting adult education to enable them to become good human beings and socially responsible citizens and make them self reli-

ant and thus help in their rehabilitation in life after their release from Jails.

In Karnataka central prisons were situated in Bangalore, Belgaum, Bellary, Bijapur, Gulbarga, Mysore, Dharwad, Tumkur(women) districts,

Amenities in Karnataka Central Prison Breakfast to the prisoners

Karnataka government sanctions varieties of breakfast on all days of the week instead of uppittu every day which was practiced earlier. The quantity of breakfast to be issued is increased from 180 grams to 250 grams.

Telephone Facility to the inmates of all Central Prisons

Another first, Telephone facility for the inmates has been provided to the inmates at Central Prison, Bangalore, Mysore, Belgaum, Bellary, Bijapur, Gulbarga. Now prisoners may communicate to their kith and kin, friends and advocates, through the telephone booths advisors once in a week for five minutes.

VCTC center at Central Prison, Bangalore

The HIV/AIDS contagion in its epicenter towards prisons gradually. The Anonymous Surveillance report discloses nearly 6 to 7% of the prison population is semantically affected by HIV infections, with the virus moving beyond prison premises with high risk behavior to the general population. HIV/AIDS is a major challenge in prisons. The dream of Karnataka Prisons Department was realized on 2.7.2007 when a Voluntary Counseling and Testing Centre (VCTC) was inaugurated at the prison hospital at Central Prison,

Reddressing of Prisoners Grievances

Opening of Petition Boxes at various prisons in Karnataka have been provided an opportunity to put forth prisoners grievances in grievance boxes at in co-ordination of the Karnataka Legal Services Authority. From which helped to tackle the cold wars in prison as well as to find out the other problems in prison.

Mental Health Care in Prisons

A study titled "Mental Health Care in Prisons" has been undertaken for the first time in India, at central prison, Bangalore. The study has been funded by the Karnataka State Legal Services Authority and conducted by experts from NIMHANS. The study will cover the way for training of prison personnel. Motto of the study was as follows

1. To assess the Mental Health morbidity of prisoners
2. Providing mental health training for the prison staff in early identification and treatment of mental health
3. To standardize the screening instrument for mental health in prisons.

Outcome of the Mental Health care program:

To raise awareness among the prison staff regarding mental health and mental illnesses so that appropriate steps can be initiated towards the care of mentally ill prisoners. Decrease in the time lag period in identification and treatment offered for the mentally ill prisoners. Establishment of network of local professionals and NGOs to cater to the needs of mental health care within the prison. Guidelines developed will set a bench mark in the care of mentally ill inmates of all the prison across the country.

Reformatory Measures

Following are the measures incorporated in the routine activities of the jails to facilitate the inmates to correct,

reform and thereafter rehabilitate themselves as good citizens after their release. Prisoners housed in jails have a right to life with dignity even while in custody. It is the responsibility of the State to provide safe and secure detention to the prisoners in jail; provide best possible facilities admissible as per law to prisoners to maintain their human dignity; ensure protection of their human rights; reform prisoners by involving them in various spiritual and educational activities; and engage them in various vocational training and work programmes to rehabilitate them after their release from the prison.

Reformatory measures in Karnatak Central Prison involves, Vocational Training in various crafts of their choice, Training in modern techniques of Agriculture,, Horticulture, Sericulture, Sheep rearing and Dairy farming, Wage earning scheme, Sports and cultural activities, Reading room and library facilities, Interview, letter correspondence and remission system, Canteen facilities, Prison Panchayat system, Temporary release facilities on Parole, Furlough and, Emergency Parole, Premature release.

Conclusion

As the phrase "prisoners are kept in the prison as a punishment and not for punishment" in Karnataka several attempt were undertaken to improve prisons and Indian prisoner's life. A great importance had been assigned to the education of the prisoners from criminal justice system. Besides encouraging the prisoners to pursue higher education through correspondence courses by offering certain incentives like exemption from examination fee, grant of special remission etc., the literacy classes had been run for the illiterate prisoners. Karnataka state prison department is working consistently for the betterment of prisoners in central prison providing them better opportunity to change themselves as good citizen of the society.

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