REPORT
OF
THE GROUP OF OFFICERS
ON
PRISON ADMINISTRATION
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5. Shri Brijaspati Sharma, Inspector General of Prisons, Uttar Pradesh.

2. Shri S. D. Trivedi was subsequently replaced by Shri Kalyan Rudra, Joint Director, Intelligence Bureau. In accordance with Ministry of Home Affairs order No. V-16014/3/86-GPA-IV dated 13th August, 1986 (Appendix II), it was decided that Shri A. K. Sharma, Director in the Ministry of Home Affairs, would function as Secretary of the Group and coordinate all matters pertaining to it. The State Governments were informed about this vide Ministry of Home Affairs letter No. V-16014/3/86-GPA-IV dated 22nd August, 1986 (Appendix III).

3. The terms of reference of the Group were as follows:
   (a) to examine and review various aspects of administration and management of prisons especially in the context of security and discipline in prisons; and
   (b) to suggest measures for their improvement.

   The Group was required to submit its report within six months. Since it was not found possible to do full justice to the task assigned to the Group in this period it was extended till the end of July, 1987.

4. The Group adopted the following broad approach and methodology for its programme of action:
   (a) Issue a questionnaire eliciting information from the State Governments, Inspectors General Prisons, prison personnel and other agencies.
   (b) Visit jails of different categories and allied institutions in various States.
(c) Interview persons who have knowledge about the various aspects of prison administration.

(d) Study literature which may be of help to the Group in its work. This included study of jail manuals of the States, reports of the commissions or committees appointed by the Government of India and the State Governments, in the past, to look into jail matters, reports on important cases of prison riots and escapes from jails, literature on security system in jails of some foreign countries, etc.

5. A questionnaire (Appendix IV) was sent by the Group to the Home Secretaries and Inspectors General Prisons of various States and Union Territories on 4th September, 1986. 21 States and 5 Union Territories responded to the questionnaire. Many of the States and Union Territories took considerable time in sending their replies. Most of the replies to our questionnaire lacked details on many points.

6. The Group made an extensive programme of visits to different categories of jails and other prison establishments in as many States as possible. Appendix V gives a list of jails and other prison establishments in the various States which were visited by the members of the Group. Most of the visits were done by the Delhi based members of the Group as the outstation members could not find it convenient to come for these visits due to their preoccupation. I was happy that I could visit 66 prisons and allied institutions. During our visits to the States we held detailed discussions with the officials of various ranks posted in the prisons, the senior officers of the prison department, and the Secretaries, Home
Department, who are usually in-charge of prisons. We also met such retired officers who had had long experience of prison work. In many States, we discussed the prison problems, especially those connected with security and discipline, with the Chief Ministers and Ministers in-charge of jails and other Chief Secretaries. We found these visits and exchange of views with various persons highly useful in getting a thorough idea of various problems connected with the working of the prisons. Since security and discipline are closely linked with almost all aspects of prison activities, these visits and discussions, which were free and frank, proved very valuable to us in acquiring a good understanding of the grass-root conditions in the prisons and in formulating our views. We were welcomed everywhere and got maximum cooperation from the authorities of the various States and we are highly thankful to them for the same.

7. In our country the responsibility of escort of prisoners from the jails to courts and other places is that of the police. Incidents of escapes during transportation of prisoners from one place to another are reported frequently and, often, high security and dangerous prisoners manage to escape from the custody of the escorting parties. The police parties, who perform these escort duties, do not form part of the prison administration. We, however, decided to examine the subject of the escort of prisoners outside the jails as it is vitally linked with the security of those lodged inside. We issued a questionnaire (Appendix VI) in this connection to the various State Governments and DGs/IGs Police and we received replies from 26 States and Union Territories. During our visits to the States, too, we discussed this matter
with the prison authorities as well as the local police authorities. We have incorporated in our report a special chapter on the escort of prisoners outside the jails in which we have examined, in detail, various problems and weakness in the prevailing system and have made recommendations for its improvement.

8. Our recommendations in this report for the improvement of security and discipline in various areas of prison administration are based on an overall study and examination of the situation prevailing in different States. We have not made separate studies of specific jails except Tihar Jail in Delhi. We decided to make a separate study of this jail in view of its unique position. This jail has been in the limelight for quite some time and it has earned considerable notoriety in recent years. In terms of population it is the biggest jail in the country and it has also been subject of serious criticism and highly adverse comments by the Supreme Court. Some of the orders and directions given by the Supreme Court, especially in matters of security and discipline, on the basis of writ petitions filed against the Tihar Jail administration, have affected the working of the jails in all the States. In view of these and other special features of Tihar Jail, we made a special review of the conditions prevailing there.

9. We were able to obtain some literature on the prison systems in the western countries and the studies undertaken there for custody of prisoners requiring maximum security. We found them extremely useful. They also provided valuable information on the use of electronic and other sophisticated equipment in the prison security arrangements. Two members
of our Group, Sarvashri A.K. Basak and Brijaspati Sharma, while returning from Seoul, in September, 1986, where they had gone to attend the Seventh Asian and Pacific Conference of Correctional Administrators, visited some of the prisons in Japan, Hong Kong and Thailand and had exchange of views with the prison officials of these countries. Some of the information brought by them was found by us quite useful.

10. The total picture of the jail administration, as it has emerged on the basis of our study, is very depressing. The main problems are overcrowding in many jails, high percentage of undertrials, deplorable living conditions, lack of basic facilities, absence of segregation and scientific classification of prisoners, inadequate staff and neglect of its training. There is little coordination between the prison administration and the departments whose actions affect the working of jails. The increasing political interference in the jail administration has also been badly affecting its efficiency and performance. All these factors have generally resulted in weak security and poor discipline, both among the staff and inmates. The main reason for the various ills prevailing in our prison system is that the State Governments give very low priority to the jail departments and have inadequate funds for them. The jails in most of the States continue to be operated on the basis of outdated jail manuals. The All India Jail Manual Committee (1957-59), which was appointed by the Centre, made highly useful suggestions for improvement of the jails.
and also produced a 'MODEL JAIL MANUAL'. We were disappointed to know that in many of the States the exercise of reviewing the jail manuals was still going on. The Centre has been supplementing the States' efforts for improvement of the jails by granting financial assistance. However, recently, when the Centre had offered to extend financial assistance on the basis of matching grants, we understand that a few States were reluctant to match their share and expected 100% grant from the Centre. The conditions of the jails in our country will continue to deteriorate unless the State Governments accord them higher priority, spare more funds for them and put a stop to political interference in their operations.

11. During our visits to the States, we understood that they would welcome and value advice and assistance from the Centre for bringing about uniformity in the operation of the prisons, in strengthening their security and in matters like training of jail staff, laying of standards/norms for prison architecture and standardisation of prison records. A stage has reached when the Centre should play a more active role and take initiative in bringing about improvements in our prison system, as it has been doing with respect to the police. The Centre should have an adequate and effective machinery for this task.

12. The jails, along with the judiciary, the police and the executive, form the main wings of the Criminal Justice System and in many areas their functioning is closely inter-linked. Separate studies of the problems of these wings have
been undertaken, from time to time, at the instance of the Centre. There is, however, need for coordinated examination and review of the Criminal Justice System as a whole, specially in matters where the functioning of its various wings affects, directly or indirectly, that of others, particularly the prisons. The recent directives of the Supreme Court envisage that the judiciary should exercise oversight functions over the jails. The management of a jail, specially in regard to custody, security and control of the prisoners, is vitally affected by the day-to-day orders of the courts. The jail administration has now to deal more and more with such prisoners who are violent, difficult, dangerous or aggressive types. A number of them are sophisticated criminals and some are quite influential and moneyed. In view of the deteriorating security environment, the presiding officers of the courts, at district and sub-divisional levels, should acquaint themselves thoroughly with the practical problems of the local prison administration and the police escort arrangements. The prosecuting staff and the counsels engaged to represent the prison administration in cases filed against it should make greater efforts to explain to the courts its limitations and difficulties.

13. The people and the media are generally keen to know about the conditions prevailing in our jails. The image of the jail department in the mind of the public is greatly influenced by media reports which are often based on deficient information or conjectures. The present closed policy of the State Governments regarding prisons vis-a-vis
the public and the media has created an impression of mystery about our jails. Even when concrete measures are adopted for the welfare of prisoners, little is done to inform the public about them. **The prison administration should, from time to time, make available to the media objective, factual and verifiable information.** Conducted tours of people from responsible sections of society, the media and social welfare organisations to selected prisons may be organised. Good relations with the media and disclosure of information about the prisons will help in making the people appreciate their legal, custodial and operational problems.

14. We were conscious of the fact that the reader might find repetition of some points in a few chapters of our report. We found that this could not be avoided as essential features of the jail administration, specially those connected with security and discipline, needed to be stressed in appropriate context.

15. Our work has considerably handicapped because of highly inadequate secretarial assistance. A lot of burden had to be borne by my personal staff and I am particularly thankful to Shri G.S.V. Gopalaseshan, my Private Secretary, and Shri T.C. Junega, Personal Assistant. I would like to make special mention of the painstaking work done by Shri Pradeep Bahree, A.S.I. (Clerical), whose services were loaned to us by the Director General, CISF and later by the Director of Intelligence Bureau after he had gone on deputation to that department. Shri A.K. Sharma, Secretary
of the Group, could pay very little attention to its work. I am highly thankful to all the members of the Group for their cooperation. They and the Secretary made valuable contribution in finalising our recommendations.

16. In conclusion, it should be said that our recommendations for improvement of security and discipline in different types of prisons in the country are not aimed at making the lives of the inmates more restrictive or harsh. Better security can be achieved by firm discipline combined with humane behaviour and corrective treatment aimed at promoting self-respect among the prisoners.

Programmes for reformation and rehabilitation of prisoners can be best pursued in a disciplined, constructive and secure environment and under the supervision of alert, well-trained and motivated staff.

Sd/-

(R.K. KAPOOR)
CHAIRMAN

CHAPTER I

PRESENT CONDITIONS OF JAILS IN THE COUNTRY

1.1. The jails in our country have, from the very beginning, presented an unhappy and gloomy picture. Even in the British days of which the present jail system is a legacy, their conditions were highly unsatisfactory. The British appointed a number of committees, from time to time, to examine the problems of Indian jails and suggest measures for their improvement. Some of these committees made quite useful recommendations, but conditions in the jails did not improve much. After independence, also, the Central and the State Governments have expressed considerable concern about the deteriorating conditions in the jails. A number of committees and groups were appointed, both by the Centre and the State Governments, to study and examine their problems and make recommendations for reforming them. The reports of some of these committees/groups contain in-depth studies of the various aspects of the prison administration. They also contain purposeful recommendations for its overhaul.

Adoption of reformist objectives of incarceration and modern techniques for their management have been advocated. The most recent Report of the All India Committee on Jail Reforms (1980-83), hereafter referred to by us as 'Mulla Committee', is a valuable document on prison reforms.

Most of the recommendations made in these reports are yet to be implemented. The jails constitute a State subject and have invariably received a very low priority in the State budgets and much less in the overall scheme and management of the criminal justice system. For some
decades there has been general constancy about the nature
of ills which plague the jails in our country. These have been
emphasised from time to time, by the various committees/groups
on jail reforms. The salient features highlighted by almost
all these bodies are:

i) overcrowding in several prisons resulting in problems
of security, indiscipline, riots, violence, smuggling
of contraband, etc.;

ii) dilapidated condition of prison buildings and absence
of even basic facilities, shortage of water supply,
inadequate number of latrines, poor sanitary and
hygienic conditions with near sub-human conditions
in several prisons;

iii) absence of proper classification of prisoners
resulting in huddling together of various categories
of inmates;

iv) inadequate medical service and absence of
psychiatrists;

v) lack of incentives to prisoners for work;

vi) inadequate prison staff and lack of proper training;

vii) corruption and malpractices in prisons;

viii) inhuman and harsh behaviour of the staff towards
the inmates, often using oppressive methods;

ix) lack of coordination among the police, prosecution,
judiciary, prison, probation and executive;
functionaries;

x) increasing problems of security;

xi) deplorable conditions in the sub-jails.
1.2. After visiting a number of jails of various categories in different States, and holding discussions with a large number of people knowledgeable or connected with administration of the jails, we observed that there had been little change in the above conditions in most of the jails. In some of the States the conditions had even worsened since the Mulla Committee report. We learnt that in most of the States there was increasing deterioration in the morale, performance, efficiency, work-attitude and discipline of the staff of the jail department. There is also increasing political interference in the jail administration particularly in recruitment, postings and transfers of staff and also in facilities to be given to well connected prisoners. The security and safety arrangements in a large number of jails have many weaknesses. The general image of the jail department in the public mind all over the country is very poor with jail officials generally being considered as harsh, corrupt and impersonal. It emerged that the major factor for the continued deterioration in the prison system in the country was the very low priority accorded by various State Governments to this sector which otherwise also has remained neglected for long.

1.3. There are certain essential requirements and pre-requisites for bringing about improvements in the prevailing conditions in the jails and for laying the foundations of a progressive prison system. Some of the important and basic pre-requisites are as follows:

(a) making reformatory and rehabilitative approach a reality in the prisons;

(b) scientific and human approach towards handling and treatment of offenders;
(c) de-congestion of prisons afflicted with chronic over-crowding, and making prisons into manageable administrative units;

(d) improvement in living conditions and provision of basic facilities so as to making them compatible with human dignity;

(e) removal of prevailing dissatisfaction among the members of prison service and need for proper training to create a cadre of devoted prison personnel;

(f) all round tightening of security arrangements in the prisons;

(g) measures to improve discipline, both among the inmates and the staff;

(h) identify the areas of prison administration where corruption and malpractices are rampant and take stringent measures to root out these evils;

(i) adoption of principles of modern management in prison work.

It is essential that these basic requirements should be fulfilled to remedy the chronic ills and to ensure that prisons are operated in an efficient, secure and effective manner to achieve the objective of making them institutions for correction, reformation and rehabilitation of offenders.

1.4. Security and discipline being fundamental to any prison system are organically linked with all aspects of prison work. They are essential not only for efficient operation of prison administration but also for pursuing
correctional and reformative programmes. Like other areas of jail administration, there has been considerable deterioration in matters of discipline (both among the staff and the inmates) and security. In recent years, there have been serious cases of escapes of dangerous and devious prisoners from custody. Incidents of attacks on prisons from outside, by taking advantage of vulnerability in their safety arrangements, and securing release of high risk prisoners are being reported. There has also been a considerable and qualitative decline in staff discipline when problems connected with control of prisoners are increasing. Hence, there is a dire need to examine and review all aspects of security arrangements and various issues relating to discipline in different categories of jails with a view to take remedial action. Reasonable living conditions, appropriate security, high discipline, humane and sympathetic behaviour towards the prisoners with correctional treatment programmes based on individual needs of inmates should be the basic objectives of our prison system.
CHAPTER II
CATEGORIES OF PRISONS AND PRISON BUILDINGS

2.1. The jails in various States fall mainly into the following categories:
   
   (i) Central Jails;
   
   (ii) District Jails (in some States they are classified as Class I, Class II and Class III);
   
   (iii) Sub-Jails;
   
   (iv) Open Jails;
   
   (v) Borstal Schools;
   
   (vi) Other institutions, including exclusive women's Prisons (only in a few States).

Manipur has got one camp jail for drug addicts. Appendix VII gives the number of jails of various categories in the country.

2.2. The closed prisons, viz. Central Jails, District Jails and Sub-Jails have been classified into these three categories on the basis of inmate capacity, resources and facilities available in them and the type of prisoners intended to be lodged there. All the three categories of jails have both undertrials and convicts. Convicts with longer terms of imprisonment are mainly kept in Central prisons, while those with only very short term (two months) imprisonment are kept in sub-jails. The sub-jails are used mostly for keeping undertrial prisoners of various age groups. All the three categories of closed prisons are generally marked with overcrowding, inadequate accommodation, absence of segregation facilities and insufficient staff. The condition of buildings in most of the jails is deplorable. There is lack of proper lighting, water supply and toilet facilities. Drainage and
sanitation are extremely poor and dirty drains with stagnant water, breeding mosquitoes and flies, can be seen in many jails. There is almost perpetual neglect in regard to whitewashing and repairs, specially of the accommodation barracks and cells. Night lavatories which form part of living barracks/cells lack flushing facilities and their foul smell is breathed by the inmates all the time. Over-crowding has reached such dimensions that in many district and sub-jails inmates living in barracks cannot even easily stretch their legs while lying down and in some sub-jails they have to sleep in shifts.

2.3. Both in central and district jails the inmate population consists of all types of offenders, women offenders, juvenile delinquents, habitual criminals, underworld prisoners, detenus, civil prisoners, military prisoners, lunatics (both criminal and non-criminal). Although separate wards and enclosures/yards have been provided for some classes of prisoners, it is virtually impossible to segregate various groups of inmates when they are confined in the same institution. In most of the States more than half of the total population in the closed prisons consists of inmates awaiting investigation or standing trial. Although limited attempts at separation of convicts, as per instructions in jail manuals are done, male undertrials of all types are huddled together in the wards earmarked for them.

2.4. Apart from absence of proper segregation of different categories of prisoners in the jails most of the prisons have several locational and structural shortcomings. Many of the jails are located in congested areas in the hearts
of cities with tall buildings overlooking them and providing unhindered view of the security arrangements and other activities inside the jails. Contraband items can also be easily thrown in from these buildings inside the jails. At some places criminal elements, jhuggi dwellers and stall-owners have stretched their hutsments right up to the perimeter walls as no sterile zones around the jails exist. Structural shortcomings will be described at appropriate places in subsequent chapters.

2.5. For separation of various categories of prisoners as statutorily laid down in the jail manuals and for their scientific classification to pursue correctional and treatment programmes and, above all, for ensuring proper security and discipline among the inmates, it is essential that they should be segregated into as small groups as possible. We should plan for dormitory accommodation for small groups - at the most of 10 to 12 inmates. Attached lavatory and bathing facilities should be provided with each dormitory and the present system of having separate blocks of lavatories should be given up.

The inmates lodged in those smaller dormitories of 10-12 capacity should have the opportunity of larger congregation at fixed hours in the enclosure/yard of the ward for exercise, association, etc. In a ward, the number of such smaller dormitories should not be more than five so that when the inmates are brought out of them into the open yard/enclosure their number is manageable. There should also be opportunity of association while engaged in work programmes, including industries, agriculture, etc. This arrangement would help in maintaining better control and discipline and organising
thorough searches, when necessary, and in identifying troublesome and turbulent elements. Segregation into smaller and homogeneous groups would be helpful in prisoners' diagnosis and planning and execution of treatment programme.

2.6. The Jail Manual Committee (1957-59) has recommended the creation of diversified institutions to provide for separate facilities for children, young adults, non-habitual adult offenders, habitual, professional and organised criminals, offenders who are difficult discipline cases, women offenders, offenders suffering from mental disorders, old and infirm offenders, leprosy and T.B. cases and undertrial prisoners. The Committee also recommended the creation of open institutions and recognised the need for sub-jails.

The Mulla Committee had recommended the construction of new buildings for the categories of prisoners mentioned below:

(i) separate jails for undertrial prisoners;
(ii) separate institutions for women offenders;
(iii) separate institutions for young offenders;
(iv) arrangements for mentally sick prisoners;
(v) open camps - mobile and permanent - for prisoners sentenced to less than one year;
(vi) semi-open and open prisons for prisoners sentenced to less than one year and more;
(vii) camps for those courting arrests during non-violent, social, political and economic agitations for declared public cause.

2.7. We agree with the recommendations of the Jail Manual Committee and the Mulla Committee. However, during our visits to the States we were told everywhere that due to
acute financial stringency the State Governments were not in a position to spare funds for construction of new institutions. Even for repairs, renovation of existing buildings and for providing minimum basic facilities for the inmates the State Governments are unable to provide money. After the Centre has agreed to provide funds for the jail buildings under the recommendations of the Eighth Finance Commission, plans are being drawn in the States to construct new buildings in place of those jails which are to be shifted from highly congested areas in the cities or for replacement of those district and sub-jails where there is unbearable over-crowding, deplorable living conditions and absence of minimum requirements for running the institutions. Plans have also been made to create separate institutions for women offenders. Some States are planning to create camps to lodge non-violent political agitators. However, in the present circumstances, there seems to be little possibility of the States creating separate institutions for undertrials in districts or sub-divisions/talukas. Without substantial financial assistance from the Centre the States are unlikely to take up the programmes of creating diversified institutions, although they accept the need for the same.

2.8. Keeping these circumstances in view we recommend that while the long range objective should be to create diversified prisons at this stage the following action should be taken in order of priority in regard to existing prison buildings:

(i) renovation and improvement of the conditions of the existing buildings and provision of basic facilities like adequate number of toilets,
bathing and drinking-water arrangements and electric lighting;

(ii) creation of additional accommodation in the existing buildings to remove the pressure of overcrowding;

(iii) creation of units for quarantine, observation scientific classification and pursuing of treatment programmes;

(iv) arrangements for segregation of inmates in smaller groups; existing larger barracks should be converted into smaller dormitories by raising partition walls;

(v) separate arrangements for women offenders and young offenders;

(vi) wherever necessary, creation of special security wings in the existing prisons;

(vii) construction of new prison buildings in place of those whose replacement has become unavoidable;

(viii) training institutions at the State and regional levels;

(ix) creation of family quarters for 75% of staff at each of the existing prisons in the next 5 years;

(x) establishing camps for those courting arrest during the non-violent socio-political and economic agitations for public cause;

(xi) separate arrangements for mentally sick prisoners;

(xii) earmarking a few existing jails exclusively for convicts and the rest for undertrials as the percentage of the latter is higher and has been increasing.
CHAPTER III

PRISON ARCHITECTURE AND BUILDING REQUIREMENTS

3.1. There is a close relationship between the architecture and design of a prison building and management philosophy. In the past the prisons were considered only punitive institutions and the prison buildings were designed mainly from the point of view of security and custody. In these traditional buildings the emphasis was upon establishing an environment of regimentation and inhibition. This led to the evolution of fortress type prison buildings and this is the design of most of the prison buildings in our country which were built in the pre-Independence period. They have circular or radial layout and most of the central jails and a large number of district jails have been built on the same lines. The sub-jails and the district jails created after upgradation of sub-jails do not have any common design features. They are mostly very small buildings with two to three rooms to lodge the prisoners (mostly undergraduates) and even from security point of view many of them are quite vulnerable. With the new approach in correctional philosophy it is necessary that the design of the new buildings should combine secure confinement with opportunities for effective rehabilitation through job training, education, health, social programmes, etc. The prison architecture should also reflect the new prison philosophy.

3.2. We were told during our visits to the States that due to acute financial stringency there were plans for construction of only a very small number of new prison buildings. The present plans are mainly for replacement of some of those jails.
which are located in highly congested areas and those sub-jails where there is not only excessive over-crowding but also almost sub-human living conditions. There are no plans to replace even those jails whose buildings are in deplorable state and where apart from over-population, there is little or no scope for providing facilities for correctional programmes in accordance with the modern concept. During our visits we found that wherever new buildings are being planned the designs are mostly on the basis of older models. It is necessary to lay down guidelines for the construction of new prison buildings and this can be best done by the Central Government. The Ministry of Home Affairs should appoint a committee consisting of architects and engineers and two or three Inspectors General of Prisons of States to lay down minimum standards and specifications in prison construction and prepare type designs and plans for prisons of different categories. The model designs prepared by this committee can be adopted by the States after making alterations, if necessary, based on factors of local climate, types of prisoners to be kept in a particular jail, etc. The Centre has already offered funds to the States, under the recommendations of the Eighth Finance Commission, for construction of new prison buildings and in future also financial assistance to the States for this purpose would be necessary. It is, therefore, essential that this committee should be appointed early and it should complete its task expeditiously. The services of the committee should also be available to the States for consultation and obtaining expert opinion in regard to building plans/designs made by them independently for construction of some of their prisons.
3.3. During our visits to the States we saw some of the prison buildings which have been built in recent years and also the plans of some buildings whose construction is likely to be taken up in the near future. We found that proper planning had not been done in regard to the buildings which had been newly constructed and they lacked a number of requirements relating to security and correctional treatment. Some of the points noted by us were the following:

(i) watch towers along the perimeter wall and the central observation tower had constructional defects and some of them were wrongly positioned; in one prison they overlooked the female ward and thereby encroached upon its privacy;

(ii) stairs of the observation tower were defective and so flimsy that the staff was afraid of going up the tower;

(iii) wooden doors fixed in some of the rooms were very weak and had already got warped while they are meant to last decades;

(iv) fixing of grating in a defective manner as to allow possibility of escape;

(v) not covering the outer gate of the main gate with steel sheet and thereby permitting the public outside to see all activity and the weakness of the warden guards in the main gate area and risk of attack on them from outside with a firearm;

(vi) no provision of interview rooms and where such rooms have been built they are too small and no waiting rooms for visitors have been provided;
(vii) separate rooms for searches of incoming and outgoing prisoners and staff members have not been provided and it is expected that this activity should continue to be done in the main gate area where atmosphere is always anything but orderly;

(viii) segregation walls of the wards/yards have been extended up to the outer perimeter wall; the points where these walls meet would make escapes easier;

(ix) little scope for segregation among the various categories of prisoners; at one place a barrack for lunatics has been built in the yard which has accommodation for undertrials;

(x) mixing up of the common facilities with accommodation wards; in one prison, the passage to the kitchen block was through the convict ward thereby necessitating the gate of this ward being kept open all the time;

(xi) little scope for separating the inmates into smaller groups by lodging them in small dormitories/barracks; in most of the new buildings big barracks, each with a capacity of 40 to 80 inmates have been built or are being planned; to save space and cost double storeyed blocks with as many as 4 to 6 barracks in the same yard have been built; thus 200 to 300 prisoners and in one prison more than 700 prisoners congregate simultaneously in the yard at the opening time;
(xii) no provision for reception or quarantine ward and for scientific classification and treatment;

(xiii) lack of attached toilet and bathing facilities; in one prison under construction such facilities for almost the entire population have been concentrated at the same spot and collection of such a large number of inmates simultaneously will create management and control problems;

(xiv) no action for proper landscaping even where open lands are available, both inside and outside the prison; haphazard tree plantation, especially inside the prison.

3.4. Since a prison building is planned to last a long time and once constructed it is difficult to make major changes in its design, it is essential that considerable thought should be given to pre-construction planning and designing. Assessment and evaluation of the requirements for a new prison building is the responsibility of the prison department of the State while designing and construction is done by the architect of the State Government and by the State PWD, respectively. Very close coordination between them is necessary. For pre-design planning the concerned I.G. Prisons should appoint a committee in his department which under his guidance should work out, in detail, all the requirements for the new prison and a record of this should be kept in the I.G.'s office. The committee should, inter-alia, take into consideration the category of the prison to be built; the number of prisoners and the staff to be accommodated; security categorisation of the prisoners; classification of various categories of prisoners; the type of work and training programmes proposed
to be organised in the institutions; and, the requirements of security and discipline. The committee should convey in concrete terms the main needs of the new prison to the architect and the engineers responsible for construction. A senior officer who is well conversant with the detailed requirements of the building should be appointed by the I.G. Prisons to maintain constant liaison with the architect and the PWD department. This liaison officer should normally be not changed till the construction of the building is completed and during the construction he should spend considerable time at the site along with the engineers supervising the construction.

3.5. As mentioned above, for quite some time, the prisons were being considered as penal institutions and their regimes were guided entirely by considerations of security and custody. In this context, prisons in western countries were designed for single cell occupation and the prevailing correctional philosophy was based on silence, penitence, isolation and harsh discipline. Inmate circulation was confined to secure and enclosed corridors which ensured control and restricted movement. An enlightened correctional philosophy involves providing opportunities to the inmates for association and involvement in individual and group programmes. Now, the inmates in the prisons in western countries are being lodged in separate rooms with better facilities and are allowed greater 'out-of-cell' time. With effective perimeter security and outdoor lighting system outdoor walks between housing units and central facilities are
being now allowed. In our country, even when the jails were considered mainly punitive institutions, the living conditions for the inmates inside the prisons were far more liberal. In Indian prisons cellular confinement was limited only to high escape risks and condemned prisoners and to punishment cases. The rest of the inmates were lodged in large barracks/dormitories with capacity of each generally varying from 50 to 100 persons. This provided them ample opportunity for meeting and association when locked up and at the time of opening of barracks they congregated even in still larger numbers in the open areas of the wards. They were also allowed, from the very beginning, to move from one part of prison to another through open spaces and there were no closed corridors for such movement. This liberal approach in lodging and movement created increasing management problems from the point of view of security, discipline and control. As financial stringency precludes arrangements for lodging of prisoners in individual rooms in our prisons, it is essential that they should, at least, be kept in as small groups as possible. We feel that our present objective should be to create rooms (dormitories) with a capacity of 10-12 prisoners at the most, and we should gradually aim at smaller and smaller dormitories and as many single rooms as possible. Separation into smaller groups will help not only in ensuring better security, discipline and control, but also in creating more and more homogeneous groups of inmates for pursuing correctional programmes and for greater staff-inmate interaction to lessen tension and hostility between the two sides and to reduce the 'we' and 'they' dichotomy.
3.6. We recommend that while planning for a new prison building the following points should be kept in view:

(i) The building design should combine the security needs with functional utility and provide an atmosphere which may promote work efficiency as well as harmonious relations between the staff and inmates and among the inmates themselves.

(ii) For location the site selected should not be at a low level, nor close to seashore or international borders or adjoining airfields or on busy road fronts. Thickly populated and congested areas should be avoided but it should also not be too far away from the main town or district headquarters. Nearness to the town will help the prison administration in maintaining closer liaison with officials of other departments, in meeting the day-to-day requirements of the institution, in maintaining contact with social and voluntary organisations and in organising community linked correctional programmes. Availability of facilities for schooling, shopping, medical aid, etc. for the family members of the staff living in the jail area have also to be kept in view.

(iii) The jail should not be of too large size. It is not advisable to plan a central jail for more than 750 residents and a district jail for 500 inmates.
(iv) There should be scope for individual occupancy as far as possible. So far, the individual occupancy has been in terms of cells for solitary confinement or for punishment cases will all their formidable features. We should plan for 'rooms' - and not 'cells' - as they meet goals of decency and humanness and they provide more flexibility and better security. Inmates with disruptive behaviour can be controlled better if lodged in single rooms. Such rooms are more manageable and safe for both inmates and staff and can be supervised and controlled by lesser number of staff personnel. The initial construction cost for single rooms is higher than that for multiple occupancy buildings but there are long term advantages in this type of construction. However, some cells for segregation of inmates and for purposes of security and punishment would be needed.

(v) Multiple occupancy should be in terms of rooms (i.e. dormitories) for 10 to 12 individuals at the most. Segregated groups in smaller dormitories can be controlled and managed better from the point of view of security, discipline and contamination. With smaller groups it would also be easier to assess the prisoners ad individuals and formulate and arrange their correctional programmes.
(vi) Both individual rooms and groups dormitories should have attached toilet and bathing facilities. On an average, one latrine with flush system should be provided for six inmates. To ensure better and quick cleaning the walls of the latrines should be tiled and the floors of smooth stone (like Kota stone). Extra expenditure on this, initially, will add a lot to the prison hygiene and in the long run be a saving on repairs.

(vii) There should be provision of family quarters for all members of the staff in close proximity of the prison in an exclusive campus.

(viii) Provision should be made for creation of special security wings in prisons.

(ix) There should be provision for reception and classification and for individualized treatment of inmates through diversified educational and work programmes.

(x) Provision should be made for workshops, vocational, educational and recreational facilities; assembly houses and gymnasium; hospitals and welfare services; administrative blocks, interview rooms, canteens, rest rooms for the staff.

(xi) Building technologies should be so devised so that the requirements of security, which are
absolutely essential, are met, wherever possible, through unobtrusive physical controls. Also, a sterile area all round the prisons, secure perimeter walls, search rooms, control rooms, adequate gaps between the inner segregation walls of the wards and the outer perimeter wall are essential. In special security prisons there should be watch towers along the perimeter wall. There should be a central observation tower inside all closed prisons.

(xii) A road for mobile patrolling outside the perimeter wall should be built.

(xiii) Instead of old radial/circular model a rectangular model can meet the requirements of security, custody and treatment equally well. In rectangular model the inside area of the jail does not appear very formidable and oppressive and it provides more scope for open grounds, for landscaping, games, outdoor programmes etc.

(xiv) In the open spaces both outside and inside a prison building, suitable landscaping should be done in consultation with experts. Landscaping contributes to creation of a non-institutional atmosphere and in softening the harsher environment of the prison.
(xv) Building roofs should be free from spaces which provide potential for hiding. Tiled roofs should be avoided as holes can be made into them easily and wooden/steel bars constituting their supporting structures can be removed and used as escape tools. The big roof area of the administrative block should be made secure by fixing barbed-wire or some other suitable device.

(xvi) A mail room for opening, inspecting and sorting of inmate letters should be provided.

(xvii) A separate admission room in the administrative block and near the main gate should be provided for all activity connected with new inmates which would include orderly receiving, identification, initial screening, searches, photographing, etc. The admission room should be secure and it should have 'view window' so that the staff can see into the room from outside also.

In addition to what we have recommended above in regard to the prison buildings, we also agree with the recommendations of the Mulla Committee made by it in Chapter V of its report.
CHAPTER IV

SECURITY ARRANGEMENTS

4.1. During our visits to the jails in different States and Union Territories we examined the main areas of prisons where security arrangements are required throughout day and night and the position is discussed in the following paragraphs.

PERIMETER SECURITY

4.2. Strong perimeter security of a prison is of vital importance. Good perimeter security permits scope for movement within the prison and a degree of freedom of association among the prisoners. The prison staff also works with greater confidence if they know that the perimeter of the prison is well secure. They are, thus, able to devote their energies to a greater extend to activities and programmes connected with the treatment of prisoners.

4.3. The central and district jails have perimeter walls of height varying from 14 to 21 feet. The sub-jails at many of the places do not have perimeter walls and lack adequate security arrangements along the outer periphery of the jail premises.

4.4. We also noticed that in most of the district and central jails some area along the perimeter wall and outside it, though owned by the jails, is not 'out of bounds' for the general public. It has either been encroached upon by the public or there is unrestricted movement of the people. In most of the jails, normally, no guarding arrangements, either through patrolling or posting of sentries outside the
perimeter wall (except the main gate), are made. In the older jails some space has usually been left between the buildings or the enclosure walls of the wards and the perimeter wall. Guarding of this space within the jail along the entire length of the perimeter wall is being done mostly through convict officers due to inadequate strength of the warder staff. In some of the new jail buildings we were surprised to see that segregation walls of the wards had been extended right up to the outer perimeter wall, thereby leaving no space between the two. Such linking of the segregation walls of the wards with the outer perimeter walls is a serious security risk. Lighting arrangements along the perimeter wall in most of the jails are also unsatisfactory and the area both outside and inside the wall remains either in complete darkness or poorly lighted.

4.5. The following are our recommendations for improving the perimeter security of various prisons:

(i) Prisons of all categories, including the sub-jails, should have a secure perimeter wall. The height of this wall should not be less than 18 feet. In special or high security prisons it should be between 18 and 21 feet.

(ii) There should be a well demarcated 'out of bounds' area along the perimeter wall and outside it. No encroachment or movement of unauthorised persons should be permitted. This area should be enclosed by barbed wire.
fencing which should have only one gate in front of the main gate of the jail, but well removed from it. This gate should be called the 'outer gate' of the prison compound.

(iii) A road should be made around the prison in the 'out of bounds' area so that when some high security prisoners are lodged in the jail patrolling by security personnel, either on foot or on vehicles, can be arranged.

(iv) There should be adequate lighting arrangements in the space adjacent to the perimeter wall, both inside and outside. Lights should, however, be not fixed on poles near the wall or on the wall itself.

(v) Guarding of the perimeter wall inside the jail should be done through warder staff and not convict officers. If sufficient number of warders is not available, their strength should be increased.

(vi) For repairs on the perimeter wall, ladders, if necessary, should always be placed against the outside of the wall, and only after obtaining the orders of the jail superintendent. A ladder should normally be not allowed to be placed against the inside of the wall. Persons doing repairs and using ladders or ropes, wires, etc. should throughout be supervised by the jail staff.

(vii) There should be no structure or trees within the jail premises within 10 feet of the perimeter
wall and 15 feet outside it. All such existing structures or trees should be removed.

WATCH TOWERS

4.6. Strategically placed watch towers along the perimeter wall of a prison can be most useful for security of the prison if they are manned by alert and efficient staff all the time and they are provided with some basic equipment and there is a strict adherence to the rules which should be followed for manning these towers. Watch towers along the perimeter wall have been provided only in a few of the jails in the various States and in some States no such towers have been built. We also noticed that the view from some of the towers had become restricted due to unchecked growth of trees or construction of double-storeyed buildings within the jail premises. One warder armed with a .410 musket is usually posted for duty on each tower and we were told that due to shortage of staff it was not possible to always man the perimeter watch towers. Since the warders in most of the places have not had firing practice for many years, they are unlikely to confidently and effectively make use of their muskets in the time of some emergency. At most of the places proper lighting arrangements through flood lights or revolving lights have not been provided at the watch towers. The system of locking of the watch tower, when a sentry is on duty on it, is also not free from risk.
4.7. The following are our recommendations for making use of the watch towers along the perimeter wall for the security of the prison in an effective manner:

(i) Watch towers should be built along the perimeter wall only when adequate staff is available for manning them all the 24 hours. Unmanned watch towers add to the problems of security. Supporters and associates of prisoners and unscrupulous members of the prison staff can use these towers to throw contraband or messages for the prisoners inside the jail.

(ii) Watch towers should be manned only by intelligent, smart, alert and young men who have had good practice in handling the fire-arms issued to them.

(iii) As far as possible, two armed men should be on duty on a watch tower in each shift so that if one of them becomes ineffective or gets immobilised due to some reason, the other sentry can continue to maintain guard.

(iv) The entrance door to the tower should be locked from inside and the key kept by the man on duty in the tower. No person should be allowed entry into the tower by the towerman on duty unless he is absolutely sure of his identity and there is valid reason for his seeking an entry into the tower. This applies
(v) There should be communication arrangements through walkie-talkie between the towerman and the control room at the main gate of the prison.

(vi) When a change in shift is to be made, the towerman on duty shall be notified by his superior officer of the identity of the relieving person.

(vii) It shall be the duty of the towerman to maintain a constant watch in all directions, always being on the alert and observing everything that takes place near the tower. Any unusual activity on any of the two sides of the perimeter wall noticed by him should be promptly reported to the control room on the main gate.

(viii) If an attempt to escape is reported by any tower the control room of the prison should alert the men on duty on all the towers.

(ix) Registration number of vehicles, other details and time of passing close to any tower shall be recorded by the towerman and a report made without any delay to the control room of the prison.

(x) Each tower should be equipped with search lights, a Very Light Pistol, binoculars and a torch.
(xi) The towerman must exercise discretion in the use of emergency equipment like the search lights or Very Light Pistol and these should be used only when absolutely necessary.

(xii) During the hours of darkness the towerman should challenge anybody approaching the tower from either side of the wall by flashing his torch on the approaching person or party. If the approaching person is a supervisory officer or other employee of the jail, the challenge should be answered by returning flash. If for any reason the challenge is not properly answered, the towerman should report to the control room.

(xiii) The towerman should be specially careful in handling the musket issued to him and it should never be placed in such a position from where it can be knocked out or dropped off.

(xiv) The men assigned to tower duty must carry their food and drinking water with them as it may not be possible to supply these from outside when they are on duty in the tower.

(xv) Sleeping, cooking, reading, listening to the radio, writing other than essential reports or doing anything that might distract the attention of the towerman from his duty should
be strictly prohibited. For any such neglect of duty, disciplinary action should be taken against him.

(xvi) If any towerman wants to be relieved from duty because of sickness or some other reason, he should immediately contact the control room and request for relief. At no time he will leave his post without his having been properly relieved.

(xvii) The watch tower should be so designed as to provide maximum possible view and give protection from heavy rain and strong winds to the towerman. Besides roof on the top shutters with transparent material like fibreglass may be provided on the sheds.

CENTRAL CONTROL TOWER OR OBSERVATION TOWER

4.8. Some of the bigger jails in a few States have Observation Towers (also called as Control Towers) at some central places inside the jail. This observation tower is very useful as from there almost all parts of the jail within the perimeter wall are visible and all activities in different open areas of the jail can be seen. At some places we, however, noticed that due security precautions were not being taken in Central Observation Towers. The entrance door to the tower is kept open all the time and there is frequent up and down movement. In some places the ground floor portion of the tower is being
used as an office, library or kitchen. This, too, is against security. The entrance door to the observation tower should be kept closed in the same manner as that for a watch tower on the perimeter and accessibility to it should be limited only to a person who has a valid reason for seeking the entry. In keeping with the general practice that no fire-arm should be taken inside a jail, except when there is some emergency, the men on duty in the central observation tower should be unarmed. Only in special security prisons or in jails where high security prisoners are lodged in addition to other prisoners armed men can be posted in the central observation tower. Most of the recommendations made by us for the perimeter watch towers will apply to the central observation tower. We also make the following recommendations in relation to these towers:

(i) There should always be at least two men on duty in each shift in the tower.

(ii) Adequate number of powerful flood-lights and revolving lights should be fixed on this tower so that the entire jail area can be well illuminated and observed from it during the night.

(iii) An effective communication system should be fixed in this tower.
(iv) There should be effective communication link between the tower and the control room or the main gate of the jail through walkie-talkie as well as intercom. The tower should also have communication links with various wards including those which have hospital, workshops, etc.

(v) Central observation towers should be built in all central jails, district jails, special security prisons and maximum security prisons.

(vi) The trees in the compound of the jail should not be allowed to grow very high, and, if necessary, they should be pruned to allow unrestricted view from the central observation tower.

MAIN GATE

4.9. The Main Gate is the most important and sensitive part of the jail. In central and district jails, the Main Gate has usually two gates, viz. the outer gate and the inner gate, each of which has a smaller wicket gate. In many of the jails, the outer gate has only steel frame with iron bars. It is not covered with iron sheet as to obstruct the view from outside. Thus, all activity going on in the main gate area, i.e. the space between the two gates, can be seen from outside. There is also the risk of a possible attack from outside with fire-arms
on the jail staff or other personnel, including the prisoners present in the main gate area. While a solitary armed sentry is posted outside the main gate, his position is often away from the main entry point. He is also not provided cover by any armed guard, in many jails and so there is always the possibility of his being overpowered. In most of the jails the administrative blocks and the interview rooms are located on the two sides of the main gate area and throughout the day it has considerable activity. There is a lot of movement of the staff in this area and also of the prisoners who are taken out of the jail and are brought back or are newly admitted. Searches of the prisoners and in some jails of the lower staff members are done in this area. Articles brought for the prisoners by their relations and friends are kept in this area and are searched and checked there. The vehicles entering and going out of the prison are also required to be searched in this area. Various registers for making entries relating to ingress and egress of staff members, prisoners and other persons, vehicles, etc. are kept in this area. In most of the jails, the key chest and the general telephone are kept in the main gate area. Thus, throughout the day and in jails where there are a large number of undertrials, till late hours in the evening, there is a lot of activity, movement and crowding in the main gate area and the two gates or their wicket gates have to be frequently opened and closed.
During our visits to the jails we were surprised
to see that the staff provided for duties in this highly
sensitive part of the jail is very inadequate and of quite
a low level. In most of the jails a warder works as the
gate man and he performs all the duties in this key area
single-handedly. In some of the bigger jails two persons
from the warder staff are posted during daytime in the
main gate area. They are responsible for counting, checking
and searches of all prisoners who pass through the main
gate and searches of other personnel, including the junior
members of the staff, who come for duty in the jail and
who go out after completing their work. They also attend
to the telephone calls and are responsible for security
of all the keys, opening and losing of the gate and
other miscellaneous duties which arise from time to time
in the main gate area. It is obvious that such a small
staff can hardly do all these duties in a thorough manner.
Our impression is that searches of vehicles and the
prisoners and checking of the articles which are brought
for them are generally done by the main gate staff in a
casual and superficial manner. Due to heavy work they do
not often take all the security precautions, as laid down
in the jail manuals, for opening and closing the two gates
or for custody of the keys. Many escapes have taken place
from the jails because of non-compliance of the rules and
regulations and non-adherence to security instructions,
either due to overwork or negligence or connivance by
the main gate staff.
4.10. The following are our recommendations for the security of the main gate:-

(i) All instructions in the jail manuals should be strictly followed.

(ii) Both the gates, including the outer gate, should be fully covered by steel sheets. It should normally be not possible for people standing outside the main gate to see the activities going on in the area between the two gates. Peep windows and wicket gates should be provided in the both gates.

(iii) There should be as little activity in the main gate area (i.e., in the space between the two gates) as possible. Separate rooms should be provided for searches of the prisoners, staff members and various other articles.

(iv) No crowding should be permitted in the main gate area. Prisoners who have to be taken out for appearance in courts or for some other purpose should not be made to collect and wait in large numbers in the main gate area. There should be a separate shed or room for this purpose, near the gate, and inside the jail. Adequate security staff to keep watch over the prisoners in this shed/room should be provided.
(v) Convict officers should not be allowed to come for any work in the main gate area.

(vi) The main gate area should be well lighted. Emergency lights should be provided for use in the event of power failure.

(vii) If there is no control room in the jail then the switch of the jail alarm system should be in the main gate area and the gate keeper should check every morning and evening that the switch is in working order.

(viii) The gate keeper in a district or central jails should be of the rank of at least Head Warder. The main gate area should be under the supervision of an officer of the rank of Deputy Jailor or Assistant Jailor. He should be on duty all the 24 hours in eight-hourly shifts. In Special Security prisons the supervisory officer for the main gate area should be of the rank of Deputy Superintendent.

(ix) Outside professional men like mechanics, plumbers, technicians or anyone carrying tools/instruments should not be permitted to enter the main gate and the prison unless permitted by the jail superintendent and accompanied by a jail official. A list of tools will be made at the time of the entry. When the party leaves the jail, the tools will be checked with the list.
(x) No one wearing a mask or sun glasses should be permitted to enter or leave the main gate without removing them, unless the staff is fully satisfied about his identity.

(xi) No person under the influence of liquor should be allowed to pass through the main gate.

(xii) No reading material, radio, T.V. or anything which may serve to take off the attention of the gate staff from its duties should be permitted in the main gate area.

(xiii) The strength of the warden staff at a time in the main gate area should be at least three, including the gate keeper. In Special Security prisons more staff will be required.

(xiv) The strength of the armed guard outside the main gate should be augmented and the armed sentry should be properly located so as to prevent attacks or storming of the gates. In Special Security prisons there should be an armed guard of a para military force or police armed battalion at the main gate.

(xv) The entry to the prison should be only through a single point, that is the main gate, and all other entry points, if existing, should be closed permanently.
(xvi) In special security prisons and central and district jails metal detectors and other sophisticated gadgets for searches should be provided in the main gate area.

(xvii) There should be an enquiry office outside the jail near the main gate and separate warder staff posted there.

LIGHTING ARRANGEMENTS

4.11. Proper lighting of all parts of the jail is very important from the point of view of security. Almost all the jails and sub-jails in the various States have now been electrified but the lighting arrangements in most of them are not satisfactory in following respects:

(a) The number of light points fixed in the various portions of the jail like barracks/wards, open spaces and in the area near the perimeter wall are inadequate. Many portions of the jail, thus, remain in darkness or have inadequate lighting.

(b) There are no satisfactory arrangements for repairs of electrical fittings. The jail authorities have to depend entirely on the state P.W.D., who take long even to remove minor defects.

(c) Due to voltage fluctuation, the bulbs get fused frequently and they cannot be replaced quickly as the financial powers of the jail superintendent are very limited.

(d) The power supply at most of the places is very erratic and sometimes it goes off for many hours and frequently.
4.12. The following recommendations are made to improve the lighting arrangements in various jails:

(i) The light points in the barracks, wards and cells should be increased and bulbs of higher power fixed in them.

(ii) Open spaces and areas on the two sides of the perimeter walls should be well lighted with flood lights.

(iii) Each central or district prison should have a separate power feeder.

(iv) There should be a stand by generator in each prison.

(v) In the interest of security there should not be any restriction on purchases of bulbs or any other electrical item for minor repairs of the existing fittings by the Jail Superintendent.

(vi) There should be a qualified electrician in each jail.

(vii) Emergency lighting equipment should be provided to all the jails.

(viii) The members of the jail staff who remain on duty during night should be provided with torches.

SECURITY OF WARDS

4.13. A ward usually comprises the following:

(i) A building block consisting of one or more barracks/dormitories, each with a capacity of 50 to 100 prisoners. In some wards the cell blocks are located.
(ii) A block of lavatories/bathrooms located slightly away from the building block.

(iii) Some open space, usually known as the yard, around the building block.

(iv) A segregation wall, usually about 8 feet high, surrounding the entire yard. This wall has normally one gate of steel grating.

4.14. The total capacity of prisoners in the wards which have barracks/dormitories varies from 100 to 300 prisoners. Usually, one warder is placed in charge of each ward and he is helped by one or two convict officers. In most of the jails, the warders in charge of the wards work in 8-hourly shifts, during day time, and during the night the personnel of each shift are changed every 3 hours. The responsibilities and duties of the warder in charge of a ward include the safety and security of the prisoners, their counting, searches, locking and unlocking of the barracks/cells. He is also responsible for the welfare of the prisoners in the ward and for their discipline. Thus, the duties of a warder in charge of a ward are quite heavy, difficult and sensitive. He is the main prison official who comes in maximum direct contact with the prisoners and the security, discipline and control over the prisoners depend primarily on his efficiency, alertness, work attitude and behavior. On the basis of our visits to the jails in different States and study of the reports of important cases of escapes we feel that:

(a) the warder staff assigned for duty in the wards is usually very slack;

(b) the supervision over these warders is generally casual and superficial;
(c) the warders on duty in the wards often pass on
their responsibilities to the convict officers
who are attached with them; at some places even
the keys of wards and of the gates of the yards
are left with the convict officers;

(d) The warders make no efforts, either due to lack
of training or orientation or interest, to know
and understand the prisoners individually;

(e) The daily searches of the prisoners, at the
time of unlocking or lock-up and of the barracks
and cells in which the prisoners live are done
in a superficial and casual manner.

4.15. We have examined elsewhere the issues relating to
training, orientation and improvement of calibre of the
warders but, in our view, it is wrong to expect one warder
alone to manage all matters relating to custody, security
control, welfare, etc. of a batch of 100 or more prisoners
lodged in a ward. We are strongly of the view that at least
two warders should be assigned for duty in each ward, in every
shift, and if the number of prisoners in a ward is more than
100, then an extra-hand (either a warder or a head warder)
should be provided, in each shift, for every 50 additional
prisoners. There is also need for more frequent visits by
middle level executive officers to the wards to supervise
and guide the work of warders and also for personal
participation in it.
4.16. The following are our recommendations:

(i) For better security and control the prisoners instead of being kept together in big groups in large barracks in a ward should be segregated into smaller groups. The existing barracks in each ward should be divided by raising partition walls into smaller rooms, each to accommodate 10 to 12 prisoners. Each room should have toilet and bathing facilities with flush system. Searches of prisoners and their living premises can be done thoroughly and effectively only if they are segregated into small groups and made to live in rooms which are not big.

(ii) For every group of 100 prisoners in a ward at least two warders should be on duty, at a time, in each shift. An extra hand should be provided, in each shift, for every additional 50 prisoners.

(iii) The warders should be briefed and trained so that their main endeavour should be to know each prisoner as thoroughly as possible. They should report to their superiors each and every bit of new information which comes to their knowledge not only about the current activities of a prisoner but also about his earlier life, social background, profession, personal interests, etc. Personal and detailed knowledge about each prisoner will help a lot in assessing the safety, security and control requirements for him and in devising correctional and reformative programme for him.
(iv) A list of prisoners in each barrack should be maintained in each ward. Besides counting, daily roll call should also be held and there should be a system of physical verification of inmates through proper identification.

(v) The warder staff should do daily and thorough checking of grills, grating, doors and locks. At the same time, one or two special teams, each under an Assistant Jailor, should be detailed for this purpose by the Jail Superintendent every day.

(vi) The warder staff should remain alert and watchful about signs of any unusual activity or change in behaviour on the part of prisoners, either individually or by groups of them. Avoidance to take food, sudden quietness on the arrival of a jail official, refusal to go for work, etc. are all significant signals and they should be recorded and reported by the warder staff.

(vii) Even minor incidents of indiscipline by prisoners or of quarrels among them or of threats to the staff, though sorted out by persuasion and intervention of the staff, should be noted and reported to the senior officers.

(viii) Behaviour towards the prisoners should be of politeness, human sympathetic but firm. It should, at the same time, be made clear to them that all incidents of violation of rules and regulations by them will be strictly dealt with.
(ix) Warders and head warders posted in a ward should perform all their duties personally. Convict officers can be used to assist them in some of these duties. Convict officers under no circumstances should be made to perform any of these duties independently and on their own. Convict officers should also not be assigned duties connected with safety, security and supervision of the prisoners. No assignment or operation in the prison should ever be put under the direct charge or in the hands of a prisoner or group of them, including the convict officers.

(x) In each ward a ward diary will be kept in which the warder in-charge will record all incidents and also the results of roll calls, verification, etc. Handing over and taking over of the charge of the ward will also be entered in this diary.

ARMS AND AMMUNITION

4.17. In a central or a district jail the fire-arms and ammunition are kept in a special room which is also called armoury in some States. Most of the jails have been provided .410 muskets. A few revolvers have also been issued to some jails. In the States which are affected by terrorist activity some .303 rifles have also been issued to the jails. We noticed that racks had been provided for keeping the muskets, but they were not being kept locked even though arrangements for the same were available.
At most of the places the maintenance of the fire-arms was unsatisfactory and we found them in quite a dirty state. The general complaint of the jail officials was that .410 musket was an obsolete and ineffective weapon and the supply of its ammunition had almost stopped and so it could hardly be of any use to the jail staff. The .410 ammunition, at present, available in the jails is of very old vintage. Almost everywhere there was a demand for replacement of the .410 muskets by .303 rifles. The most surprising part was that in most of the States a major percentage of jail officials, specially warders and head warders, had never done any firing with the .410 muskets, but they had been performing sentry duties armed with them. There has been so much loss of faith in the efficiency and utility of .410 musket that the jail superintendents have generally not taken any action to organise periodical firing practice by the staff. At some places it was mentioned that the police firing range, where jail officials were supposed to do their annual firing practice, was not being made available to them. This problem, we felt, could have been easily sorted out if the jail superintendent had maintained liaison with district superintendent of police. The number of jail officials doing annual firing practice at a time would not be very large and it should normally be not difficult for the local police to help in the matter. The Government of India should take some steps to ensure regular supply of .410 ammunition to the jail departments in the States so long as the muskets of this bore continue to be
issued to them. In many of the States the police also holds a good number of .410 muskets. The concerned ordnance factories may be asked to specially manufacture this ammunition, from time to time, to meet the needs of the jails and the police.

4.18. We agree with the suggestion that since .410 muskets has become an obsolete weapon, it should be replaced by a more suitable and modern weapon for which ammunition may be available in adequate quantities. In normal conditions the jail staff may be required to use a fire-arm in any of the following situations:

(i) in the event of serious disturbance and violence in the jail;
(ii) in the event of an escape when the concerned prisoners are seen escaping;
(iii) to counteract any external armed attack.

In the first two situations the use of firearms by the jail staff should, as far as possible, be for the purpose of deterrence and to immobilise the prisoners who indulge in serious violence or who are trying to escape. We recommend that the following type of fire-arms may be issued to the jails:
I. For use inside the jail

1. **Riot Gun**
   
   This has been developed by the BSF. It is a modified version of .303 rifle. It has a shorter barrel than the normal .303 rifle. It uses plastic pellets which have been developed by the BSF. The range is 48 to 50 yds. The plastic pellet normally immobilises a person unless he is hit in some vital part.

2. **Stun Grenade**
   or
   **Stun Shells**
   (a type of tear gas shell)

II. For use outside the jail

1. **7.62 mm S.L.R.**
   (Self Loading Rifle)

   i) .410 muskets should be replaced by SLRs and not .303 rifles.

   ii) .303 rifle is a bolt action weapon and so some time is lost between two consecutive shots, thereby giving advantage to an escaping prisoner. No such loss of time with an S.L.R. rifle as it is semi-automatic. At the same time, the firing is controlled as only one /

   iii) Most of the Central Police Organisations and some armed battalions are using S.L.R. rifles.

   iv) Army is now discarding them and so these rifles should be available in good numbers.
v) Repair facility for .303 rifles is now not adequate and spare components are not available. SLR can be repaired easily.

vi) Ammunition is easily available.

vii) This weapon can be given to the sentry outside the jail and to armed men on duty in the towers or the perimeter.

(2) Carbine (9 mm 7.62)

i) Effective range 50 yds; automatic weapon; 29 rounds in the magazine;

ii) In special security prisons this weapon can be issued to one or two members of the armed guard.

4.19. The above suggestions have been made by us as an ad-hoc measure. We would, at the same time, recommend that a research project should be undertaken by the Central Government for selecting suitable firearms for issue to various types of prisons for their normal security and for dealing with special security situations.

4.20. It was also represented to us by the officers of some jails that some of them had often been receiving threats from supporters and associates of dangerous prisoners lodged in their jails. Their families were also getting such threats. These officers wanted that the Government should issue revolvers to them for personal safety who were receiving the threats. It was also stated that they would not take these weapons inside the jails.
but would carry them when they visit places outside the jails either for official or personal work. Carrying of revolvers on their person by jail officials will, no doubt, give them confidence, but there will always be the risk of the weapons being seized from them through surprise attacks. Such incidents are not uncommon. In balance, we feel that where the jail officials have been constantly receiving threats from the supporters of dangerous/influential prisoners it would be advisable to issue them revolvers provided they have had good training in handling them and they do firing practice periodically. It should also be ensured that the concerned jail officials would be in a position to make adequate arrangements for the security of revolvers issued to them. The revolvers should, however, be not issued to jail officials below the rank of assistant superintendent of jail.

4.21. We also noticed in some of the States that the firearms issued to the jails were not being maintained properly. Most of them were in quite a dirty state and no action for their oiling and cleaning was taken. Some States have regular armourers who visit the various jails for periodical cleaning and oiling of firearms. Other States should make similar arrangements. Even if the firearms available at present are obsolete these should be maintained properly.

4.22. The following are our recommendations:

(i) Greater interest should be taken by the staff in the jails to maintain properly the firearms issued to them.
(ii) Although the .410 muskets which have been supplied to the jails have become obsolete, best possible use should be made of them as long as a better weapon is not available.

(iii) Regular firing practice by the jail staff should be done with the muskets and other fire-arms provided to them.

(iv) The Government of India should take steps to arrange supply of ammunition of these muskets to the jail department in adequate quantities.

(v) A suitable fire-arm, which is not lethal, yet has a good range and is capable of immobilising the victim should be found for the jail department.

(vi) .410 muskets should be replaced by 7.62 mm SLRs. In normal times there will be for use mostly outside the jails. For use inside the jails riot guns, which use plastic pellets, and stun grenades, which are fired by a gas gun, should be issued. In special security prisons, carbines (.9 mm 1A) may be issued to one or two members of the armed guard posted at the jail.

(vii) Some revolvers may be supplied to those jails where the jail officials have been receiving threats from supporters of dangerous and influential prisoners. These can be issued to the jail officials for their personal safety after they have been given adequate
training in handling and firing of revolvers and concerned officials are capable of ensuring their security. These jail officials should not take the revolvers inside the jail except in situations of serious emergency and that, too, after obtaining permission from the jail superintendent.

(viii) The locations of quarter guard and armed sentry should be such that these are not only close to the main gate but also sufficiently near to the armoury so that the guard can also keep proper vigil over the armoury.

(ix) Regular standing orders for the security of arms and ammunition, including their locking in racks as exist for police armories and quarter guards should be drawn up and kept for guidance and compliance. Necessary racks, chains, locks, etc. should be provided.

(x) If in any situation arms and ammunition are to be taken to some place inside the jail then they should be carried by different persons moving at a distance from each other so as to reduce the possibility of both articles being seized from the carriers after a surprise attack.

SEARCHES

4.23. The importance of searches in the security scheme of a prison cannot be over emphasised. The purpose of searches is to prevent smuggling of contraband such as
weapons, messages, drugs, intoxicants, money, implements which can be used for escape etc. into the prison; to detect manufacture of some contraband articles within the prison; to discourage petty thefts in the prison, and to enforce prison security rules. Searches of prisoners and the visitors who come to meet them are absolutely essential. Sometimes, it may be necessary to search even some of the jail officials in view of the increasing complaints of malpractices and corruption against them. Laxity in these searches will jeopardise the security of prison.

According to the prison regulations all inmates, articles and vehicles passing through the main gate are required to be regularly checked at the time of entry and exit by the jail guards between the double gates. The regulations lay down systems of daily/surprise searches and checks of barracks, cells, workshops, factories and other parts of jail premises. The prisoners are required to be thoroughly searched before they are locked up in the wards/cells. The jail staff is also allotted different wards/yards for surprise and random checks. During our visits to the prisons in various States we got the impression that searches, which are so vital for the security of a prison, are generally being done in a casual, superficial and routine manner. The following are the main reasons for this:

(i) Non-availability of staff for searches.

(ii) Lack of training in proper technique of searches.
(iii) General complacency and lack of realization by the staff about the importance of searches.

(iv) Use of convict officers for searches.

(v) Non-availability of executive jail officers to supervise the searches or lack of interest on the part of such officers.

(vi) Intimidation of the search staff by some of the prisoners or corruption among the staff.

4.23. Riots in the prisons and escapes take place mostly because of the failure of the staff in doing the searches of the prisoners and of the places where they are lodged, in an effective, patient and thorough manner.

4.24. The following are our recommendations for doing searches in the prisons in a proper and effective manner:

(i) The jail officials should have knowledge of all the articles which can be kept by the prisoners or allowed to be brought in for them. All other articles should be treated as contraband as far as possession by prisoners is concerned. An illustrative list of contraband items for the knowledge of the staff should be prepared and revised from time to time. However, no such list can be complete.

(ii) The jail staff should have knowledge of most of the likely or unlikely places of concealment of contraband in cells, barracks, lavatories, workshops etc. A list of such places should be got prepared by the jail superintendent after doing thorough survey of all parts of the jails. Such a list can, however, be not complete.
(iii) At the time of starting the searches of a barrack or a cell all prisoners should be brought out of the barrack/cell and subjected to thorough body search. They should be made to stand outside the cell/barrack and an eye kept on them to see that nothing is passed on from one prisoner to another while search is going on in the barrack/cell.

(iv) It should be remembered while making searches that even the most obvious things are not overlooked. There should never be an impression that since an article or an object is right in front of you (like a calendar or picture) it might be having nothing hidden behind it. Things like clothes, blankets, bed sheets and even pages of books can be used for concealment.

(v) While doing the searches the staff should proceed in an intelligent and systematic manner. Each article can be examined and searched thoroughly without turning everything upside down. Personal articles of the prisoner should be handled with care.

(vi) In searching an individual a lot of care is to be exercised. It should be ensured that the searcher is not in a vulnerable position vis-a-vis the person being searched. Those who are waiting to be searched should be made to stand at sufficient distance from each other to prevent contraband being passed. Contraband can be concealed on the person or in the clothes put
on by him or within the body of the person.  
Often contraband is concealed between the legs,  
in shoes (heels and soles), hems of trousers,  
around the waist or under the arms.

(vii) When a large group of persons are to be searched  
they should be ordered to line up and present  
themselves one at a time with their arms  
extended and their backs towards the searcher.  
After a man has been searched he must be made  
to stand at a distance from those who are still  
to be searched. After all the persons in the  
line have been searched the area where they  
were standing should be locked over as some  
article which was concealed by a person might  
have been dropped or thrown away.

(viii) When packets, bundles, boxes, etc. are being  
searched it should be remembered that the  
container as well as contents need to be  
examined. Contraband may be concealed within  
liquids and bulk materials like milk, ghee,  
flour, paint etc. can be used for concealment  
of articles.

(ix) When checking vehicles, the entire vehicle  
should be searched thoroughly. A person may  
conceal himself in a vehicle or a dangerous  
contraband may be concealed in some very small
place in it. The underside of the vehicle and the engine compartment should also be searched as they offer the possibility of concealment. A systematic approach is required so that nothing is missed. The searcher should start at one end and work towards the other and not allow himself to be distracted away. Especially designed mirrors can be useful for search of underside of a vehicle.

(x) While searching living quarters (cells and dormitories), the staff should check walls with cracks where contraband can be concealed, lighting fixtures, ventilating shafts, night toilets, clothes hanging or stacked together, bed sheets, pillows, blankets, books, magazines, newspapers etc. Medicine bottles should also be checked. Window bars, window frames and overhead ventilators should be thoroughly examined.

(xi) While routine searches are absolutely necessary for safety and security the jail staff should not fall into the habit of searching cells, dormitories or work places at regular intervals or timings. This would allow the prisoners to observe the pattern of searching and to conceal smuggled articles from one place to another and
back again. Frequent irregular and surprise searches are essential. The same staff should not be used for searches of a set of prisoners or buildings again and again.

(xii) While random and surprise searches are essential it is not necessary to completely 'tear up' an area. An article belonging to a prisoner should be returned to its original position after it has been examined. The personal property which a prisoner is allowed to keep in his possession under the rules is of special value to him. These items should not be thrown about by the searching staff. Such action by the staff will only cause friction and resentment among the prisoners and will encourage indiscipline.

(xiii) The technique and method in doing the searches should be such that the prisoners may come to realise that only those who possess contraband or are planning escapes or are trouble makers have a reason to fear from searches.

(xiv) All officials of each rank in the jail should be made to understand the importance of searches in prison security and should be thoroughly briefed and trained in their technique.

(xv) Sophisticated gadgets to help in searches like metal detectors and explosive detectors should be provided to the prisons.
SECURITY AND CONTROL OF TOOLS

4.25. Tools and various other implements are required to be used by the prisoners assigned for various tasks, not only in workshops and factories, but also in gardens, repair assignments, chopping of firewood, etc. Many tools and implements are of common use but in a prison they all acquire a special significance. Some of them can be of serious threat to security of the prison. Even a common tool like a screwdriver or a wrench can be used in an escape attempt. It is, therefore, essential that all members of the jail staff should regard tools not just as a normal complement of every work assignment for the prisoners but also a potential weapon against the safety and security of the institution, individual jail officials and the prisoners. Hence, control and supervision of all tools and other allied implements is of vital importance from the point of view of security of a prison. All jail officials irrespective of their ranks should exercise extreme vigilance and care in this connection. The following steps are recommended:

(i) A central inventory of all the tools and implements in the prison should be made. The preparation of the inventory should be supervised by an officer of the rank of Deputy Superintendent of jails.

(ii) The officer in charge of each work unit should keep a separate inventory of the tools issued to him and under his charge.

(iii) There should be an annual review and check of the central tool inventory for each prison. In addition, there should be verification and check of the tool count at least twice every month.
A bi-weekly report should be sent by the officer in charge of each work assignment unit to the officer under whose control the central inventory of tools is kept.

Although every tool given to work assignment unit (factory/workshop) must be controlled and accounted for, some tools are more dangerous than others. Such tools include welding torches, hack-saws, pipe-cutters, bolt-cutters, etc. Tools of this type should be allowed to be used under maximum watch.

Precautions must be observed not only with workable tools but with broken ones as well. For example, if a saw blade breaks, then all its pieces must be collected, since one or two broken pieces of the blade could be used to cut a steel bar.

All tools must have code mark of the work assignment unit (workshop, factory etc.) stamped on them.

A list of the tools and implements maintained by each assignment unit should accurately describe details like the kind, type and size.

Whenever a tool is issued to anyone, the officer in-charge should secure a signed receipt from the person drawing the tool.

CUSTODY OF LADDERS

4.26. For obvious reasons ladders should be kept under strict supervision in every jail. Smaller ladders under five feet in height should be kept securely chained to a post or column so that they cannot be moved or carried away easily. Longer ladders should not be kept at any place enclosed by the outer perimeter wall of the jail. They should be kept in
some store room in the administrative block. When the ladder is to be taken to any point of work within the prison it should constantly be under the observation and watch of a jail official. This official should give a written receipt for the ladder at the time it is issued to him and also indicate in writing the route in the jail through which it is to be taken to the place of work. After the work is over he will bring back the ladder to the place of storage and ensure that it is kept in secure custody and he will also report in writing to the officer who had issued the ladder to him.

FACTORIES AND WORKSHOPS

4.27. During our visits to the jails we found that in the factories and workshops of the prisons arrangements for security were not adequate. One warder is usually made responsible for the security and control of the gang of prisoners working in a factory or workshop. In factories and workshops the prisoners usually have to use a number of tools and implements. We found that these tools and implements were being kept either in the open in one corner of the factory/workshop or in the so-called tool box, but it appeared that no systematic method for keeping count of these articles was being followed. Although we were told that every member of a gang of prisoners when brought to the workshop or a factory was thoroughly searched and the same action was taken every time he left the place we were not convinced about this as thorough search of all the prisoners in a gang after their work in the factory or workshop by a single warder would take considerable time. The workshops/factories are usually closed in the afternoon and the prisoners are in a hurry to return to their barracks for their evening tea, wash, etc. and it is
unlikely that each of them would be subjected to thorough
search at that time by a single warder.

4.28. The following are our recommendations:

(i) Maintenance of discipline and taking of all
security precautions is extremely essential in the
factory or workshop of a prison. Prisoners working
at these places should be constantly kept under
watch not only by the warder staff, but also
by the technical hands meant to give guidance and
training to the prisoners.

(ii) A very strict check/scrutiny and accounting of all
the tools and implements which are used in the
workshop by the prisoners is essential. A separate
room or cubicle should be made in the factory/
workshop for keeping tools. It should always
be kept locked. Accurate record of the tools
which are issued to the prisoners must be kept and
when they finish their work, the tools should be
checked and returned to the tool room every day.
Under no circumstances should anyone except the
man in charge of the tool room or senior officials
be permitted to enter it.

(iii) In the tool room the tools should be kept on a
'shadow board' - a board or section of the wall
on which the outline of the tool is painted in
the position that it rests and in a contrasting
colour to the background. With such an arrangement
it is possible to see at a glance whether any tool
is missing from its usual place. The 'shadow board',
however, is no substitute for alertness and
carefulness by the staff in checking the tools
...but does provide a quick method of detecting and identifying the missing tools.

(iv)

At no time any rod, wire or ladder should be left under the charge of any prisoner. If and when any of these articles is required for any assignment it will be taken by a member of the jail staff to the place of assignment and will remain throughout under his charge. The prisoners will make use of it under his observation and supervision. These articles will be brought back by the staff members to the place where they are to be kept.

(v)

Inflammable articles required for use in any workshop/factory should never be permitted to be carried or given to the charge of a prisoner unless he is working directly under the supervision and observation of a member of the jail staff.

(vi)

In searching of the workshops/factories or other places or work assignment the same procedure will be followed as that in case of living quarters of prisoners.

(vii)

Lockers, tool chests, pipes, bolts and tools, tables, inside of chairs and stools, in short, any place where tools or any other contraband can be hidden should be thoroughly searched.

(viii)

The prisoners should be searched very thoroughly upon entering and leaving the factory/workshop or any other place or work.
(ix) Since constant and thorough supervision and watch over prisoners is required when they are put on some assignment in a factory/workshop or some other place, the strength of the warder staff detailed for duty at each place should be adequate. At least two warders/head warders should be constantly on duty with each gang of prisoners detailed for an assignment. Convict officers should never be used for control, supervision and watch in factories/workshops.

(x) The industrial/workshop blocks or yards should be located sufficiently away from the residential blocks so that there is no possibility of clandestine transfer of tools from the former to the latter.

MOVEMENT INSIDE THE PRISON

4.29. The prisoners have to be often moved from their wards to other places in the prison like the industrial wards/workshops for work assignments, to hospital for treatment, to the main gate for interviews or for being taken to courts or to work in the jail farm. We were informed by the prison officials in various States that no gang of prisoners could be moved from any place to another inside the prison or from the main gate to the jail farm without being put under the charge of a warder who is usually assisted by a convict officer. It was stated that individual prisoners within the jail premises were usually escorted by convict officers. In some jails we noticed that prisoners were
moving about freely without any escort. We were told that individual prisoners who wanted to go to the hospital for treatment were allowed to visit the hospital unescorted. The claim that gangs of prisoners were escorted by warders did not appear to be correct. In many jails the gangs for work are taken from one part of the prison to another under the control and supervision of convict officers. Thus, our overall impression was that during movements of prisoners from one place to another in the jails adequate security precautions were not being taken and there was over dependence on convict officers. The convict officers were being given independent control of gangs of prisoners.

4.30. The following are our recommendations:

(i) No prisoner should be allowed to move from his ward or cell to any other part of the prison unless he is escorted by a prison official.

(ii) Convict officers should never be given independent charge of security/control of any group of prisoners or individual prisoner. They should be used only to assist the jail officials.

(iii) When a group of prisoners has to move from one part of the prison to another, they should be asked to move in a line. The jail official escorting the line should be on one side of it and maintain the position so that about two-thirds of the line is ahead of him. In this position the jail official can readily see the majority of the members of the line ahead of him and by turning his head occasionally can observe the remainder. If necessary, the prisoners can
be made to move in two lines parallel to each other.

(iv) The jail officials must ensure that the prisoners moving in the line remain quiet and orderly. Talking or smoking in the line should be prohibited.

(v) If the number of prisoners in a line is large, it might be a problem for the jail official to maintain discipline among them. In every group of prisoners there are a few non-conformists, who persist in violating the rules. Sometimes, halting the line and verbally reprimanding the offenders may be effective as many of them are petty violators or 'show-offs'. They think that they are capable of doing something which other prisoners are afraid to do or are not clever enough to do. When reprimanded the loss of face may hurt them and they may become quiet. Sometimes, it may be advisable to talk to the prisoner privately and try to enlist his cooperation. With some prisoners persuasion works better than threats.

(vi) When an individual prisoner is being escorted, the jail official should be at about an arm's length behind and slightly to one side. This puts the official out of range of sudden attack by the prisoner and he is in a position to act quickly if there is need to do so.
HOSPITALS

4.31. The central jails and most of the district jails in various States have hospitals located within the jail premises. In each jail there is a separate ward for the hospital. The hospital is managed by a medical officer, who is usually from the State medical service. Normally, the medical officers posted in the prison hospitals do not have background of the prison rules and regulations and the requirements of discipline and safe custody. The responsibility for maintenance of order and discipline in the prison hospitals is that of the medical officer. He is provided some custodial staff (warders/head warders) by the jail superintendent for safe custody and security of the prisoners. In a number of jails we got the impression that adequate liaison and coordination between the executive officers of the jail and the medical officers working in the jail hospitals was lacking. The general feeling among the executive officers was that the medical officers did not normally appreciate the problems of discipline and security and were inclined to liberally recommend special diet to the prisoners or taking them to the hospitals outside the prisons for specialist treatment. At some places it was even hinted that the medical officers did this in consideration of some gratification from influential or well-to-do prisoners or their supporters.

4.32. During our visits to the jails we found that like other buildings, those of the hospital wards were in equally bad state. Conditions of sanitation and cleanliness in the
hospitals of a number of jails were found poor. In some jails we were told that the roofs of the hospital wards leaked a lot during the rains but no action had been taken to repair them either because of lack of funds or the buildings, being too old, were beyond repairs. The hospital kitchens, where food for patients was cooked separately, were in a number of jails found in a dirty state. They did not seem to have been white-washed and painted for years and no wire gauge shutters had been provided on the kitchen doors and windows to prevent flies. Such bad living conditions in the jail hospitals are bound to create dissatisfaction and resentment among the prisoners.

4.33. In most of the jails the prisoners who need medical consultation are taken from the various wards/cells to the jail hospital for examination and check by the medical officers. Those prisoners who require hospitalisation are admitted in the hospital and others are sent back to their wards after prescribing necessary treatment. All this involves considerable movement of prisoners between the wards and the hospital everyday.

4.34. The medical officer of the jail hospital also attends to all members of the prison staff and their families. In a number of jails rooms outside the prisons have been earmarked where jail medical officers come for fixed hours and attend to the members of the staff families and those staff personnel who are not on duty. Medicines are also distributed in these consultation rooms. We are, however,
surprised to know that in the jails of some States, the family members of the staff and the jail officials, not on duty, were permitted to enter the jails almost throughout the day to go to the hospital ward for consultation with the medical officer. In one State we were told that these persons were not even required to make any entry in the register maintained in the main gate. This was indeed against all norms of security.

4.35. A number of smaller district jails and the various sub-jails do not have hospitals/ dispensaries and the sick prisoners have to be taken by the jail staff to the local government hospital/ dispensary. Since police escort is usually not available, these prisoners are escorted by warders. As no vehicles have been provided to these jails the prisoners are taken to the hospital/ dispensary either on foot or on a hired rickshaw/ tonga and the strength of the escorting warder staff is usually inadequate. Considerable difficulty is experienced if during night a prisoner suddenly falls ill and requires immediate medical attention since in small towns it is usually not possible to arrange any transport and hardly any jail staff is available at the prison. All this creates problems in relation to safety and security of prisoners.

4.36. When a prisoner is admitted for specialist treatment in any hospital outside the prison serious problems in regard to his custody and security in that hospital are
faced. Usually the police is required to provide a guard to keep a watch over such a prisoner but sometimes when such a guard is not available the jail staff has to perform this duty. In most of the hospitals separate wards or rooms have not been earmarked for the prisoners and they are generally kept in general wards. The police or the jail warders find it extremely difficult to ensure security in these wards and their presence is objected by other patients.

4.37. The following are our recommendations:

(i) The doctors and other members of the hospital staff should work under the administrative control of the jail superintendent and he should write their confidential reports.

(ii) The medical officers and other medical staff should be made to undergo a short-term (two or three weeks) orientation course organised by the I.G. Prisons, immediately before or soon after joining the prison. During this course they should be specially briefed about the requirements of safety, security and discipline.

(iii) As far as possible, a prison hospital should be situated near the main gate of the prison.

(iv) Instead of all sick prisoners going from the wards to the hospital, wherever possible, a medical officer with a compounding and some medicines in a trolley should take a round of all the wards and cells. After examining the sick patients he should distribute medicines
to those who are suffering from minor ailments. Only those prisoners who require hospitalisation should be sent to the jail hospital. This will reduce considerably the movement of prisoners from their wards to the prison hospital.

(v)
A room at some convenient place outside the main gate should be earmarked for consultation with the medical officer by the families of the prison staff and those personnel of the staff who are not on duty. They should not be allowed to go, at all, inside the prison.

(vi)
Visiting specialists from local hospitals should be appointed to attend to such ailments of prisoners where specialist treatment is required. Only for major surgical treatment and investigations the prisoners should be sent to the hospitals outside the prison. Facilities for pathological tests should be provided in all the jail hospitals. The jail superintendent may at his discretion ask for a second medical opinion before sending a prisoner to any outside hospital for treatment on the recommendation of the jail Medical Officer.

(vii)
The hospitals outside the prisons where sick prisoners are required to be admitted should have separate wards or rooms with doors and windows duly fortified from security angle, for keeping the jail patients. The patients should not be taken to the rooms of different specialists in the hospital for consultation and check, but the doctors should visit the jail patients in their
wards to examine them. The custody of the patient prisoners lodged in these wards in the hospitals should be of the jail staff, but in case of dangerous prisoners police help should be taken. All rules and regulations for interviews, communications etc. as provided in jail manuals should be followed for these patient prisoners.

(viii) Every central jail or district jail hospital should be provided with an ambulance and this vehicle should be used only for medical purposes.

(ix) Adequate staff for custodial duties should be deputed in the jail hospital. In the special security prisons or maximum security prisons the officer in-charge of the custodial staff in each shift in the hospital ward should be at least a Deputy Jailor. A minimum of one head warder and a warder should be on duty in each shift. They should be responsible for security and discipline among the prisoners and they should work in cooperation with the hospital staff. There should also be full cooperation and coordination between the executive staff and the medical staff of the jail.

(x) The same convict officers should not be detailed for duty in the jail hospital for a long period and they should be changed frequently. Special watch should be maintained about the possibility of close contacts between the convict officers.
(xi) Convict officers who perform the duty of male nurses should never be permitted to prescribe medication or perform any sort of operation regardless of how well-trained they may be.

(xii) No prisoner or jail official should be permitted to enter the hospital without proper authority.

(xiii) The medical officer should ensure that an accurate account of all tools and instruments is maintained.

(xiv) At frequent intervals inspections and searches should be done of each bed, ward, corridor, bathroom, office and dispensary in the jail hospital by the staff deputed by the jail superintendent.

(xv) Prisoners admitted to the hospital should not be permitted to loiter around or congregate at any point.

(xvi) The warder staff on duty in the hospital should make detailed inspections and checks of all windows, doors and gratings of hospital wards.

WOMEN'S WARD

4.39. Almost each district or central prison has a separate ward for women prisoners. Under the rules, a women's ward should be under the charge of women warders. Hence, at least one woman warder should be on duty in each shift of 8 hours. Thus, a minimum number of 3 women warders would be needed, excluding the requirement of leave reserve. We, however, saw that in a very large number of jails not even this number of
women warders has been provided. For some jails, only one
to woman warder has been sanctioned and she is supposed to
remain on duty all the 24 hours. At some places no woman
warder has been provided at all, and the jail superintendent
has been authorised to engage women from outside, on daily
wages, to work as warders. Engaging of women warders in
this manner is a serious security risk. No disciplinary
control can be exercise over them and such ad hoc employees
would hardly be conversant with prison rules and regulations.

We recommend that a regular cadre of women warder staff should
be developed for posting in district/central prisons and
exclusive women's prisons. The pay and allowances of the
women warders should be the same as those of male warders
and they should be made to undergo regular training. It should
be possible to arrange their training in the institutions meant
for training of women police constables. In our view, at least
two women warders should be on duty in the women's ward, in
each shift, whether during day or night. Thus, there should
be at least six women warders sanctioned for each central and
district jail which has a women's ward. For every three women
warders there should be one woman head warder. In district
jails or sub-jails where the average daily population of
female inmates does not justify the employment of female staff
on permanent basis, such staff may be arranged on daily wage
basis. A panel of suitable women volunteers should be
maintained in each district/sub-jail after their security
verification. Training in rules and regulations of the district
jails and sub-jails and in security precautions of the women
volunteers on these panels should be arranged like the
personnel of the civil defence or home guards.
JAIL KITCHEN

4.39. The kitchens in the jails are located mostly either in separate blocks or wards. In the sub-jails one of the rooms is converted into the kitchen. The cooking in all the jails is done by the prisoners and they usually work in two shifts. The morning shift starts at about 2 A.M. and they finish the cooking for all the prisoners by about 8 or 9 A.M. and the second shift starts at about 12 noon. The prisoners selected for cooking are usually provided living accommodation in a barrack located adjoining to the kitchen and having a passage connected to it. In some of the jails the living accommodation for cook prisoners and the kitchen form one block which is kept locked during night. The duties assigned to the prisoners for cooking are strenuous and hard and especially during the summers the working conditions are quite difficult. Compensation in the form of remissions and wages is given to the prisoners who work in the kitchen. At the same time, constant vigilance from the security point of view in the kitchen block is necessary. The jail officials start relying too much on the prisoners who volunteer for cooking and the same prisoners are often kept on this assignment continuously for long periods. Some of them after gaining confidence of the jail staff conspire and manage to escape.

4.40. The following are our recommendations:

(i) As far as possible the same prisoners should not be put on the kitchen duty for long.

(ii) The warder staff entrusted with supervisory and custodial responsibilities in the kitchen should remain alert constantly and there should be no complacency merely because the prisoners
are doing a difficult job. At least two warders should be on duty in the kitchen ward in each shift. Supervisory jail officials should keep visiting the kitchen frequently.

(iii) It is important that sufficient food should be prepared and it should be properly cooked. There should be no shortage of food when it is served among the prisoners and each should be given his full share.

(iv) Knives, tools or other articles used in the kitchen and which could be used as a weapon for escape should be kept under lock and key. These should be issued to the convict cooks only when they are under watch of the warder staff.

(v) All prisoners leaving and entering the kitchen should be thoroughly searched.

(vi) When a group of prisoners is passing the kitchen, where knives or other implements are being used, its doors should be kept locked.

(vii) At present in district jails and sub-jails which are being exclusively used for keeping undertrials some convicts are kept as a matter of policy for maintenance services including cooking, as the undertrials cannot be forced to work and very few of them volunteer for the same. Whole-time cooks should be engaged for such jails.
ARMED GUARDS

4.41. In most of the districts and central jails in various States an armed sentry remains on guard duty in front of the jail gate. He forms part of an armed guard, also known as the reserve guard, stationed outside the main gate and close to it. This guard stays in a guard room which is usually located quite near the main gate. In some jails the armoury, where all the arms on charge of the jail are kept, is in one of the rooms of the building where the reserve guard stays. In some other jails, the armoury is in the main administrative block and it is located near the outer gate of the main gate. The armoury has a door which opens outside and it has another door which opens inside the jail. The inner gate is used to take out arms in the event of an attack from outside. In some other jails, the armoury is in the main administrative block, inside the jail, and it has no door opening outside.

4.42. The overall position of security in regard to the armed sentry, who is posted outside the main gate, is quite vulnerable. There have been some instances of overpowering these sentries and attacks on the prisons. If the location of the guard room, where the remaining members of the armed guard rest is at some distance from the main gate, they are usually not in a position to quickly come to the support of the sentry. At present, most of the guarding staff in the jails is not given training in handling and firing with .410 Musket, which is provided to them.
4.43. The following are our recommendations to improve the security of the armed guard stationed at the jails and to make it more effective:

(i) The strength of the armed guard should be at least of two head warders and 8 warders and it should perform duty for 8 hour's shift. There should be two armed sentries on duty at one time. One of these sentries should be posted in front of the main gate. The other sentry should be on duty at a point slightly away from the first sentry, preferably near the building of the guard room (also called quarter guard). The second sentry will provide cover to the sentry on duty at the main gate and he will also be responsible for the security of the fire-arms kept in the guard room. All the members of the guard who are not performing sentry duty will remain present in the guard room (i.e. the quarter guard) throughout the period of eight hour shift. All the members of the guard i.e. head warders and warders will turn out together and disperse simultaneously when relieved by a new guard at 8 hourly shifts. Proper quarter guard instructions and drill should be worked out for each jail as is done in police lines.
(ii) The armed sentry on duty near the main gate should instead of standing on the ground have his post either at a watch tower close to the main gate or on the first floor, right above the main gate, from where he can have a good view of the area in front of the main gate and outside it. He will be less vulnerable to attack from outside and he can provide security cover to sentry posted near the guard room. If a watch tower is provided near the main gate all the security precautions in regard to it as explained earlier should be observed.

(iii) The armoury of the jail should not be located too far from the main gate of the jail building and it should be adequately guarded round the clock.

(iv) Only such men should be posted in the armed guard who have had training in handling and firing the fire-arms issued to them. In special security prisons maximum security prisons or in prisons where very dangerous and maximum security prisoners are lodged the armed guards outside the jails should be armed with 7.62 mm SLRs.

(v) The duty of the armed sentry and the armed guard of which he is a member posted at the main gate should be entirely to guard the jail. The sentry and the other members of the guard should not be
required to do miscellaneous duties like opening the gate, meeting the visitors coming up to the jail gate and conveying their messages to the gateman inside, searches of visitors, etc.

A separate jail official should be deputed for all such miscellaneous duties.

CANTEENS

4.40. Canteens exist within the jail premises in several States from where items of daily use can be purchased at reasonable rates by jail inmates against coupons. In some jails facilities for tea and refreshments also exist. While it cannot be denied that the institution of canteen is necessary as without this facility the urge to smuggle in items and even contraband would be heightened, the need for proper checking of items available for supply in the canteens and control over the activities of inmates in the canteen cannot be overlooked.

4.45. Our recommendations are:

(i) The need for setting up canteens in all jails, of and above the level of district jails, should be considered.

(ii) Access to the canteen should be restricted to fixed hours during the day.

(iii) All items finding their way to the canteen should be properly searched. Special precautions should be taken in high security prisons.

(iv) Guards should be located in the canteens during the period these are kept open to keep a watch over the activities of inmates.
COMMUNICATIONS AND TRANSPORT

4.46. The communication system between different sections of the jail and between the jail and offices of the District Magistrate, Superintendent of Jail, local police stations and police lines, in almost all the States is inadequate and uncertain. While telephones exist at the residences and offices of most jail superintendents, the vagaries and erratic functioning of the telephone system render communication unreliable to meet emergency situations. The communication arrangements between the peripheral towers and central observation towers and different parts of jail are also largely obsolete. Whistles, gong soundings or shouting still constitute the mainstay of the system. These cannot be considered foolproof and reliable.

4.47. We, therefore, make the following recommendations:

(i) Telephones should be installed in all the prisons.
(ii) Intercom system should be installed in all special security, Central and district prisons.
(iii) Walkie-talkie sets should be provided to special security prisons and to prisons where high security prisoners are lodged.
(iv) Electric alarm system should be installed in all important jails.
(v) An electronic system for checking patrolling of warders may be introduced in all important prisons like in the Bangalore Central Jail.
(vi) Proper communication system between the peripheral towers, the control tower and jail office as also some important district offices should be provided. There should be W/T communication link with the police.
(vii) Prison officers designated as security officers should be provided with telephones at their residences.

(viii) For coordination and liaison with other agencies/officials and to meet emergency situations each central or district prison should be provided with a vehicle.

VISITS OF OUTSIDE CONSTRUCTION EMPLOYEES

4.48 At present, outside construction employees, engaged by the PWD and other agencies for various requirements inside by the jails, are required to be searched at the main gate both at the times of entry and exit. In some States, a system exists for entering their names and particulars in the entry register at the main gate. Their activities inside the jails are required to be supervised by the jail warders. The jail inmates are not normally allowed to be employed on such contract jobs. Problems, however, arise due to improper identification of such contract employees and inadequate watch and control over such personnel, which enable interaction of such contract employees with the inmates.

Our recommendations are:

(i) Thorough searches should be carried out at the main gate at the time of entry and exit of such contract employees.

(ii) A system of identification through badges carrying photographs should be introduced and these identity cards should be displayed by all such contract employees.
(iii) At no point of time should such employees be allowed access to the inmates or freedom of movement inside the jail. For this purpose, it is essential that sufficient guards are deployed at the places where such employees work to prevent such interaction.

(iv) As far as possible the same precautions as for construction employees should be followed for all persons who are required to visit the jail for maintenance and repair work.

PLACES OF WORSHIP

4.49. The location of places of worship in the jails should be sufficiently away from the perimeter walls. Visits to such places should be properly regulated under escort and in small batches so that all activities/movements can be closely monitored.

EMERGENCIES

4.50. The jail manuals of some of the States contain general guidelines and instructions for dealing with some of the emergency situations which may arise in prisons. The Jail Manual Committee in Chapter LIII of the Model Prison Manual has explained, in detail, various types of emergencies which may arise in a prison and what measures should be taken to prevent such situations and to equip the prisons to meet the various types of emergencies. We agree with all the recommendations and suggestions of the Jail Manual Committee and we strongly recommend that for each jail a scheme for dealing with every conceivable type of major emergency should be prepared. Although it can be envisaged from as to what type of emergency situations can arise in prisons the handling of any
such situation will vary from prison to prison, depending on its location, the staff strength, communication facilities, the type of inmates, etc. Emergency/Contingency scheme for each prison for dealing with various types of emergencies such as riots, escapes, attacks, fires, political agitations etc. should be prepared and practised at fixed intervals and an analytical report on each such practice exercise should be submitted to the I.G. Prisons.

SOME GENERAL MEASURES FOR SECURITY:

4.51 In the foregoing paras we have examined the present security arrangements in some of the important areas of the prisons and have made recommendations for improving them. The following are our recommendations in regard to certain points affecting the overall security of the prisons:

(i) There should be a whole-time security officer for each jail. These security officers should work in 8-hourly shifts. In special and maximum security prisons the security officer should be at least of the rank of Deputy Superintendent of Prisons. In medium security prisons he should be at least a Deputy Jailor. For more details about the prison security officer, please see Chapter V.

(ii) At present only warders and head warders are present in most of the jails during night. It is necessary that an officer of higher rank should be present in the jail throughout night. In special and maximum security prisons this officer should be at least of Deputy Superintendent of Prisons and in medium security prisons and sub-jails he should be of the rank of Deputy Jailor.
(iii) The jail officials of various ranks who are on duty inside the prison during night, change their shifts every three hours. The jail gate is, therefore, opened frequently during the night for their ingress and egress. This is not advisable from the point of view of security. The jail gate should be opened during night only in some emergency or for entry and exit of officers who come for inspections. All jail officials on duty inside the prison during night should remain there till the time of opening of the jail. They can change their shifts after every three hours but they should stay in rest rooms provided for them inside the prisons. In the event of some emergency these personnel would be available quickly for dealing with the situation.

(iv) All members of the staff of each and every rank working in a prison should be issued photo identity cards and they should display them on the left side of their chests all the time when they are on duty in a prison. No one, including the jail superintendent and the medical officer, should be exempted from this. The I.G. Prisons and the DIG Prisons should also display their photo identity cards whenever they visit any jail.

(v) For each jail a booklet containing various rules, regulations and instructions relating to security and discipline, both of general and prison nature as well as specific for that jail,
should be prepared for the guidance of the staff. A copy of this booklet should be provided to each member of the staff when he newly joins the jail.

(vi) The prison staff should never lull itself into the belief that "it cannot happen here". There should be never a let-up in vigilance and alertness on the part of any member of the staff.

(vii) The prison staff should never make the same mistake twice. This can be ensured only by strict compliance of all rules, regulations and orders and strict supervision.