



# Report of the Bombay Jail Reforms Committee

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# REPORT OF THE BOMBAY JAIL REFORMS COMMITTEE.

## CHAPTER I.

### INTRODUCTORY.

The resolution of the Government of Bombay constituting this Committee and laying down the terms of reference to it will be found in Appendix I. The important words of this resolution are "Government considers that the reformation of the prisoner is of paramount importance in jail administration and is of opinion that the existing provisions of laws and rules in respect of prisoners should be revised so as to achieve this object in the best manner". The terms of reference are as follows :—

(i) to examine the existing provisions of laws and rules relating to jail administration in the Province and suggest changes with a view to improve the methods of dealing with prisoners in jail, with special reference, among other things, to their training in useful and productive crafts and imparting to them literacy and adult education which will enable them to be useful economically, and be self relying members of the society ;

(ii) to make recommendations which may be germane to the above.

Apart from the general instructions contained in the resolution referred to above, several other matters were referred to the Committee from time to time the list of which is also contained in Appendix II.

2. The Committee held its first meeting on 5th December 1946 in Bombay in the Chambers of the Chairman of the Committee. After discussing general matters with Colonel Advani, Inspector-General of Prisons, who is also the Secretary of the Committee, it was decided that all the four Central Jails in the Province along with a few District Jails and Lockups should be visited by the Committee. Accordingly the Committee visited all the four Central Jails and District Jail of Thana and Visapur and the two Bombay Jails and the Lockup at Kalyan. The system of present administration of Jails in the Province is uniform even in matters of detail. Still, however, we closely studied the peculiar situation, special equipment and other relevant matters in every jail we visited. We examined different buildings, workshops and gardens. We also examined the working from the reception of the prisoner till release and inspected all relevant books and documents. We desire to record our appreciation and gratitude of the officials who were good enough to give us readily whatever information we desired.

3. After visiting the institutions referred to above, the Committee in its meeting at Sabarmati on the 9th February 1947 drew up the questionnaire. It was finalised and then issued to the public by publication in various newspapers and copies of the same were sent to Legislators, public men, several institutions and public bodies, a list of which is contained in Appendix III.

4. The replies to the questionnaire were directed to be submitted before 31st March 1947. The Committee, however, regrets to state that although considerable enthusiasm was shown when the announcement of this Committee was made by the Government, the response to the questionnaire was not in proportion to the same. The Committee in its meeting held on the 19th April 1947 in Bombay drew up a list of witnesses whom the Committee desired to examine and also issued a general invitation to those who desired to be examined orally by the Committee. The replies to the questionnaire and summary of the evidence of the witnesses examined are contained in Appendix IV.

## CHAPTER II.

## PROGRESS OF PRISON REFORMS.

5. The most important question that has been referred to is of re-educating and re-fitting the prisoner into the society. This is a vast problem but fortunately, it has not been raised for the first time in this country. The Committee therefore thinks that a short resume of what has been done by the Government in the past in this Province and generally in all modern countries will not be out of place.

6. As late as the beginning of the 19th Century there were no conscious efforts to effect permanent improvement in the administration of Jails. The prison meant as John Howard described them, "dark, unventilated, over-crowded stronghold of vice and debauchery frequently swept by epidemics where those who had money, spent it in drink and gambling and those who had none were in risk of starvation". There was no separation of the sexes. In many of the prisons there was hardly any attempt at segregation or at the separation of young from old; the under-trial from the convicted, the casual from the habitual prisoner. Conscious efforts for prison reform began from the 1st quarter of the 19th century. The British Parliament passed several Acts, though not in any planned manner, but the net result of these Acts passed in the 19th century was to effect considerable improvement in the jail administration. We can definitely trace three stages in the history of the progress of jail reforms in England as well as in most of the modern countries in Europe.

7. The first period was marked by the acceptance of the doctrine of deterrence and retribution to be the proper object of any jail system. It was an accepted principle that sentences had to be executed in such a way as to deter both actual and potential offenders from committing crimes. Individual treatment of offenders or of a group of offenders was ruled out as being against the principles of law and justice. It was not thought either proper or relevant to take into consideration the previous career and character of the prisoner. These factors made no difference in the punishment to which he was subjected.

8. The second stage was marked with the acceptance of the principle that prison treatment should have as its primary and concurrent objects deterrence and reformation. The whole treatment should be effectively designed to maintain, stimulate and awaken the higher susceptibilities of prisoners and wherever possible to turn them out of prison better men and women, both physically and morally than when they came in (Gladstone Committee pages 155 and 156). This meant recognition that the prisons should exercise a reformatory as well as deterrent and retributory influence. The reformatory function was considered, however, as a secondary feature of the prison system. It was made clear by the Gladstone Committee that the word "retributory" meant not "the vulgar and exploded instinct of vengeance or personal revenge but the determination of the human consciousness that the system of rights shall be maintained and that he who offends against it should be punished and that the punishment should be of such a nature as to deter him and others from anti-social acts". The word "reformatory" meant the accepted axiom of modern penology that a prisoner has reversionary rights of humanity and that these must be respected consistently with the due execution of law. The Committee also emphasised the fact that no effort should be spared to restore the prisoner to society as a better and wiser man and a good citizen. The Committee considered overemphasis on "reformatory" aspect as loose thinking. The Report states "any inversion of these factors of punishment would be fatal; the historic order of the factors of punishment must continue". In other words punishment must be first retributory and deterrent and reformatory only secondarily.



9. With the opening of the 20th Century, there was another change and a radical change in the outlook regarding prison system in England. It was definitely laid down by the Parliamentary Committee in its Report in 1913 that the purpose of the prison system was predominantly reformatory, the chief aim of punishment being to educate delinquents and prepare them for re-entry into social life. Deterrence and retribution for actual, and intimidation of potential offenders is held to be assured by a quick apprehension of the delinquent, infliction of adequate punishment and by a curtailment of his liberty.

10. The logical corollary of this new outlook was the obligation to realise implication of the same. If the offender has to return to ordinary life to take his place as a citizen and earn his living at some time in the future, the object then must be to fit him for those duties. The means to achieve this can be by fairly long hours of hard and steady work at an occupation which shall give such industrial training as will enable him to earn a living. The removal of needless degradation and the encouragement of self-respect are obvious implications of this doctrine. A plan of well considered education suitable for backward or unbalanced adults became relevant. To re-educate the prisoner must mean exercise of personal influence by men of strong character who would do the work of visiting jails and establishing contacts with prisoners. These measures must be designed with a view to awaken a sense of personal responsibility. The life of the prisoner may be hard but severity must not be its object. It may not be pleasant but it must be interesting enough to evoke in him a proper response which will express itself in his physical and mental activities. In short the object of punishment should be altogether reformatory as little as possible deterrent and not at all retributory.

11. As in the several administration of this country British ideals have had considerable influence, the ideals with respect to prison system also did not fail to influence prison administration in this country. The attempts which have been made in this respect in this country are well summarised in the Indian Jails Committee Report (1919-20). It will appear from the same Report that the prison system in India in the 19th century went through practically the same stages through which the British prison reform had to go. The position at the beginning of the present century has been summed up by the Indian Jails Committee in the following words:—

“Indian prison administration has somewhat lagged behind on the reformatory side of prison work. It has lost sight of the fact which humanising and civilising influences might have on the mind of the individual prisoner and has focussed its attention on his material well being, his diet, health and labour. It failed to regard the prisoner as an individual and has conceived of him rather as a unit in the jail administrative machinery. The net result has been that the prison treatment in India was deterrent but was not reformatory”.

12. The first attempt on a large scale to have a plan for the reform of prison system in India was made by the Indian Jails Committee in its Report published in 1919-20.

13. The recommendations of the Indian Jails Committee still hold the field. Whatever progress has been achieved is directly traceable to one or the other recommendations of this Committee. From the year 1920 up to the year 1937, when popular Ministries were installed in office, the progress towards the implementation of the recommendations of the Indian Jails Committee was neither rapid nor vigorous. A description of what has been done up to 1937 in implementing the various recommendations of the Indian Jails Committee is to be

found in the book written by Lt. Colonel Barker, entitled. "The Modern Prison System in India". After 1937 many of the provincial ministries appointed committees with a view to effect further reforms in the jail administration of their respective provinces. As a result of what has been done in course of last 20 years, both under the British Government and under the popular Government, many improvements have been effected in buildings, staff, administration and labour; much has also been done on the reformatory side. Classification, educational facilities, after-care work have been the main features of this progress. It may now be said that as a result of the passing of various Acts such as the Borstal Act, Children and Probation Acts, Probation of Offenders' Act, penal reform has received a great fillip. The Committee appointed by the Punjab Government made, among other recommendations, a recommendation for classification of all prisoners into three classes. The decision of the class into which each prisoner should be placed was to be based on the nature of the crime itself irrespective of motive and the character, status and mode of life of the accused himself. Punjab Government was the first to establish a Penal Colony. The United Provinces Jails Committee also made several recommendations and most of them have now been implemented. So far as this Province is concerned, no jail reform committee as such was appointed in the course of last 20 years but this Province has not been behind other Provinces in the implementation of the recommendations of the Indian Jails Committee. In 1939, a committee was appointed by the Bombay Government to go into the question of whipping as a jail punishment. Its recommendations have been already accepted. Beyond this Committee there has been no attempt to go into this question so far as the Committee is aware of. The aim of the jail administration in this Province is not different from the aim of jail administration in any other province in this country. Already at the time when the Indian Jails Committee made its report certain principles were more or less accepted. That Committee had specifically stated; "There is a very general agreement that crime is an anti-social act and that it is the task of the present administration so to deal with the offender that he and others may be deterred from the commission of such acts in future. It is also generally admitted by modern authorities that the aim of the prison administration should further be to effect such a reformation in the character of the criminal as will fit him again to take his place in society and to become a good citizen". There is a general agreement as to the objects of prison system among all the Penalogists. The broad object of any prison system must be the prevention of further crime and the restoration of the criminal to society as a reformed character and this objective is one from which nobody can differ and this has been the starting point of our enquiry and our recommendations.

### CHAPTER III.

#### SOME GENERAL CONSIDERATIONS.

14. In the last chapter we referred to certain general considerations and we also referred to certain principles on which the modern science of Penalogy is based. With the most speculative aspects of the problem which have been facing penalogists we do not propose to concern ourselves. A discussion of these will naturally involve discussion of Psychology on the one hand and of Sociology on the other and any examination of the theories of crime which have been advanced, analysed, attached, refuted and rejected would carry us beyond the proper sphere of our enquiry. Whether the theory of crime which is accepted in Italy is correct or

whether any other theory is correct is a matter for discussion elsewhere. We do not think that there is any single cause which is responsible for the crime. If crime is to be defined as social mal-adjustment it obviously means that there cannot be one cause but there must be many. It may be the economic circumstances, it may be social environments, it may be some mental weakness or defect or it may possibly be a combination of two or more of these. The broad conclusion we wish to note is that it is wrong to look upon the act without paying any attention to the actor. In other words, we think that the old theory of punishment being based on the nature of crime cannot be accepted. The punishment must not be related so much to crime as to the criminal. We would not go to the extent of absolving the criminal of any responsibility for the crime committed but at the same time we do not think that he should be punished irrespective of the social background in which he has been brought up and which created conditions for the commission of the crime. This will be a relevant factor when the system of punishment is to be considered. Doctor Kumarappa in his evidence placed before us his view point which is in compliance with the most modern theory in the science of Criminology. According to him we must discard all our notions about the criminal being considered a criminal at all. He must be considered a victim of social circumstances, a person requiring treatment rather than punishment. Undoubtedly this view is attractive but we are not prepared to accept this to the extent to which Dr. Kumarappa advocated it. Crime is an anti-social act and that it is the task of prison administration so to deal with the criminal that he and others may be deterred from the commission of such acts, in future. The prevention of further crime and the restoration of the criminal to society as a reformed character must be the aim of prison administration. Lt.-Colonel Sir N. S. Jatar, I.M.S., who was good enough to submit his memorandum stated before us in his evidence that in case a prisoner is sentenced to short term, the treatment that should be given should not be reformatory but deterrent. We are inclined to accept this view.

15. The purpose of confinement in prison is to prevent the offender under sentence from mixing freely and participating in community life. The prison provides for the detention primarily as a measure of security of both casual and habitual offenders. From the social security point of view it is necessary that there must be some element of fear which will prevent recurrence of crime by the individual concerned as well as by others. In other words, there must be an element of deterrence provided for in any system of criminal law.

Having thus defined the object which has got to be achieved, it is essential that the care of a criminal should be entrusted to men who have received adequate training in penological methods and relevant social sciences. From the information that was supplied to us, there are at present very few members of the jail staff who may be considered as properly qualified to manage a prison, the detention in which is to be utilised for the purposes specified heretofore. A trained teacher is any way better than an untrained one. Similarly a trained staff is better than an untrained one. We think that prisons are really correctional institutions where not merely the executive abilities are necessary but in addition to that men incharge should have the same qualifications, the same broad minded sympathy as one expects of a teacher. In fact the Indian Jails Committee had recommended that every prison should be under the superintendence of a trained expert who should devote his whole time and attention to the subject. This involves that the prisoners in charge of a single Superintendent must not exceed a certain maximum, otherwise the task of proper and careful management becomes difficult, if not impossible. We

therefore think that expert superintendence is one of the essentials of modern prison administration.

16. In addition to the expert supervision, it is highly desirable that the whole prison staff should be properly selected and properly trained. The members of the prison staff have to come in contact with men who are under detention and in an atmosphere normally unfavourable to reformation of the individual but calculated to the crushing of self-respect, and starvation of all moral instinct that he may possess. The prisoner must have some opportunity to receive kindness. The continual association with none but criminals, the forced labour and the denial of all liberty are factors with which the members of the staff have to deal day in and day out. It is, therefore, necessary to secure for this work men of more than average intelligence and honesty in the higher subordinate staff. The jail rules confer large powers and throw important responsibilities on the Jailor and his assistants and it is therefore essential, according to us, that these officials should be men of good education and character and with some special training. Whatever we have said with respect to the higher staff applies *mutatis mutandis* to the lower officers of the prison who are generally known as Warders and Head Warders. In this Province they are classed as Guarding staff. While higher officials come in contact with the prisoners once in the course of a day, the members of the Guarding Staff are expected to be with the prisoners throughout the day. We therefore think that even this Guarding Staff should have some minimum education and some training before they are appointed.

17. One of the essentials of successful prison administration laid down by the Indian Jails Committee is classification. The object of classification is to separate the worst from the rest on the one hand and the best from the rest on the other. There are already provisions in the Jail Manual which govern classification in this Province. Classification prevents contamination by eliminating the chances of communication and association between the casual and habitual prisoners. The recommendations made by the Indian Jails Committee in this respect have been substantially implemented in this Province but we think this principle of classification has been carried out in a negative manner. The aim of classification is not only negative, i.e. separation of a certain group of offenders from others so as to reduce or to remove the danger of moral contamination, but also positive. The positive aspect means that the prisoners must be separated and put in conditions which make it possible to subject the offender to suitable reformatory treatment. We therefore feel that this positive aspect is more essential.

18. With a view to create the conditions referred to above, there must be a plan for bringing into operation reformatory influences while the prisoner is in the Prison. The influences contemplated must be such as will not only deter the prisoner from committing further crime but will also have a reforming influence on his character. This is an important aspect. The general tendency of modern thought is that severity alone has little effect in reclaiming and re-educating the criminal. What is necessary is that humanising and improving influences, which will help the prisoner to realise the result of crime on himself and others, will result in reformation of his character. Keeping this in view, we have examined various reforming agencies such as education, moral education, remissions and rewards, furlough, hope of early release, training in industry etc. All these, we think, should occupy a definite place in any scheme of reformation. We will discuss all these in due course.

19. Any good system of prison administration must also tend to regulate the life of the prisoner after he leaves the premises of the jail having duly served the period



of his sentence. This aspect is extremely important. A study of figures of those who are undergoing imprisonment at any time reveals that a considerable portion of them consists of what may be called persistent criminals. Most of these come back to jail like bad coins, for want of employment. It is, therefore, necessary to provide some plan under which it will be possible to find out employment for the released prisoner. The problem of recidivism is an important problem and it has yet to be satisfactorily solved. We will discuss at the proper place what we propose Government should do in connection with this. It is sufficient here to note that there must be some after-care plan which must be worked up either by private benevolence or by the State or by combination of two. The Indian Jails Committee made certain recommendations in this connection and some steps have been taken in this Province. In our opinion what has been done so far is greatly inadequate. In bringing the system of jail administration in line with modern developments in criminal policy, it is necessary that something more vigorous ought to be done. The object of punishment is prevention of further crime by the prisoner and a deterrent influence for others. If this object is to be realised, the State must create conditions for the individual who is released in which he can follow a useful profession or a craft.

20. Another important consideration to which attention must be paid is the system of awarding punishment. However the prison administration may be improved, it must be conceded that imprisonment generally is an evil. If it is possible to avoid imprisonment without prejudice to the public interest, it should be done. The old idea that every anti-social act must be punished in order to vindicate the rights of the State is no more valid. It is, therefore, necessary to find out various alternatives to actual imprisonment which, after all said and done, must have some depraving influence on the prisoners. Enactments have been passed in this Province to deal with the child and youthful offender. An interesting study in criminal statistics has been made by Dr. Sheldon Glueck and Eleanor Glueck in relation to several prisons in America. It reveals that if the problem of child and youthful offender is properly dealt with, the crime in the community gradually decreases. It is wrong to suppose that there is anything like a criminal type. It is equally wrong to suppose that a criminal is born and not made. The main supply of criminals comes from the age group below 25. This also is borne out by such meagre statistics as are available in this country and in this Province. If it is possible to cut off the supply of fresh recruits to the Army of habituals, it should be done. Various methods have been adopted in other countries. Some of them are being tried in this Province also. The Committee, therefore, thinks that adequate measures to prevent imprisonment is one of the important aspects and the Committee therefore has made certain recommendations in due course.

21. Intimately connected with this aspect of prison administration is the question of decreasing jail population by a system which will provide for revision of sentences after a certain minimum period of sentence is undergone. The object of detention in prison being the reformation of the criminal, it follows that if it is found that he has definitely turned a corner in his life it will be wrong to make him undergo the entire period of his sentence. Whether we ought to follow what is known as "the plan of indeterminate sentence" or whether we should effect improvements in the present position is a matter to which we will refer in detail later on. One thing that the Committee wants to make clear is that it would be an economic waste to make the prisoner rot when he has shown definite signs of

repentance and regeneration. As the Committee has visualised, the criminal who has entered the jail as illiterate, unskilled industrially, deficient physically, possessed of destructive recreational habits or enslaved by faulty mental attitudes will leave the prison gates a literate man, trained in some skill with a sense of responsibility, in short, a better citizen. It ought to pay prison authorities, in filling up these gaps in the equipment of their charges which have evidently been left by the home, the school, the shop and other social welfare agencies and moulders of conduct. He must, under the scheme the Committee wants the prison administration to adopt, leave the jail gates with mental and moral equipment superior to that with which he entered them. Avoidance of imprisonment and provision for shortening the same are two important aspects of prison administration and the Committee thinks that in respect of both much leeway has to be done and with a view to bring the prison administration in this Province in line with modern ideas, the Committee has made certain recommendations.

22. The Indian Jails Committee considers expert superintendence, properly selected staff, proper classification and separation of prisoners, reformatory influences, after-care, measures to prevent imprisonment and measures to shorten imprisonment as essentials of prison administration. The Committee has given its attention to all these essentials and have made its recommendations. The state of prisons is one of the best indices of the social, moral and legal development of a country. We therefore think that the prison system in this Province must be improved in a manner which will give best social security by reducing the crime by a method of sympathetic and reformatory treatment of the criminal inside the jail and after his release. The real improvement must largely depend on the social circumstances of the community. The causes of crime, according to modern ideas, must be found in the personality of the delinquent and in the conditions of the society in which he is placed and in which he acts. In so far as crime is caused by heredity, bodily abnormality or weakness or in stability of mind, temperament or character, treatment with greater emphasis on psychological aspect becomes a necessity. In so far as the crime is caused on account of social environments, a different treatment with emphasis on training a craft has got to be given. The committee has kept both these aspects in view and have made recommendations accordingly.

23. It is obvious that adoption of our proposals will involve additional expenditure. We have recommended better trained staff, additional technical staff, extensive probation and parole system which also means additional staff. We have also recommended opening of a workshop, setting up a model farm and increased remuneration. All this we know will mean additional expenditure. We, however, think that increased outlay is a necessary condition of reform and progress and both being essential that must be undertaken. If this Province is to keep up even to the minimum standard of jail administration, framed by the International Prison Commission and later on adopted by the League of Nations, such increase in expenditure as is necessary must not be grudged. At the same time we are sure that in the long run there will be a saving to the community to a considerable extent. Adoption of progressive methods in jail administration has resulted in a savings in other countries and we do not think we will have a different experience. Today the average daily population in the jails of this Province is nearly 10,000. The value of the labour of these prisoners when at liberty must be considerable and although the work they turn out in the jails is considerable, yet it cannot be gainsaid that there is a great loss to the community. The Indian Jails Committee in 1919-20 calculated the total loss to the community

at Rs. 20 crores a year. It must be more today. If by adoption of the proposals we have made some reduction in the Jail population results, that will be a gain to the community. Apart from the moral duty of the community to reclaim the prisoner, we think it is in the economic interests of the community to follow a system in which the reformation and regeneration of the criminal is visualise

## CHAPTER IV.

### INSPECTION AND SUPERINTENDENCE OF PRISONS.

24. In this Province there are four Central Jails, 6 District Jails including Borstal School, Dharwar, 184 Sub-jails and 338 Lockups. As things stand at present, lock-ups are not under the supervision of the Jail Department. Out of the four Central Jails, two are situated in one Division and the remaining one in each Division. The Central Jail at Sabarmati accommodates prisoners from Northern Division except Thana. The Central Jail at Yeravda accommodates prisoners from the Central Division excepting Nasik, Sholapur and East and West Khandesh and from Thana and Suburban District of Bombay. The Central Jail at Belgaum accommodates prisoners from the Districts in the Southern Division except Bijapur. The Central Jail at Nasik Road is meant for the habituals. The system of Central Jails has made possible the employment of many methods and it has resulted undoubtedly in greater economy and uniformity in administration. One of the questions that was referred to this Committee was about having a new Central Jail in Greater Bombay. We have stated elsewhere that it is absolutely necessary to have one more Central Jail, preferably at Santacruz where it was planned as part of the post-war development. If the recommendations we have made are to yield some result, it is necessary that this Province should have one more Central Jail. As the Indian Jails Committee has stated, the centralising tendency is a factor which conduces progress. Any outlay on this additional Central Prison will pay in the long run.

25. From the view point of expert management, a Central Jail is decidedly better. At the same time we think that a limit ought to be put on the maximum prisoners that can be housed even in a Central Jail. To secure due attention to the individual prisoner, it is necessary that the number that must be entrusted to the care of a single Superintendent should not be excessive. As things stand at present, the maximum accommodation in each of the four Central Jails is as under :—

(1) Yeravda Central Prison	... 1,553	excluding females (126).
(2) Ahmedabad Central Prison	... 1,764	(includes accommodation in temporary barracks).
(3) Belgaum Central Prison	... 1,004	
(4) Nasik Road Central Prison	... 1,905	(includes accommodation in temporary barracks).

26. We think that in no case the maximum should exceed 1,200. The Indian Jails Committee thought that the maximum should be fixed at 1,000 although for practical reasons it recommended that the maximum accommodation to be provided should not exceed 1,500. A Central Jail with a maximum of 1,200 has much to commend. It is desirable to collect long term prisoners in the better equipped

institutions where their labour can be more usefully employed in organising industries and where also the chances of reformative influences are larger. From the view point of economy also this maximum that we have put is also to be welcomed. To increase the maximum to more than 1,200 means to deprive the whole atmosphere of reformative influences to a large extent. The Central Jail must accommodate long term prisoners as its first charge and this is done at present. The following figures will show the number of long term prisoners and short term prisoners in each of the Central Jails :—

Name of Prison.	Not exceeding 1 month.	Above 1 and not exceeding 3 months.	Above 3 and not exceeding 6 months.	Above 6 months and not exceeding 1 year.	Above 1 year and not exceeding 2 years.	Above 2 and not exceeding 5 years.	Above 5 and not exceeding 10 years.	Exceeding 10 years.	For life.	Sentenced to death.	Total.
Y.C.P.	74	188	534	215	326	296	46	12	87	1	1,779
A. C. P.	37	123	111	100	95	229	126	24	146	1	992
N.R.C.P.	...	8	35	30	163	311	155	66	45	..	813
B. C. P.	35	66	92	75	122	196	143	6	129	11	875
Total	146	385	772	420	706	1,032	470	108	407	13	4,459

The short term prisoners ordinarily should be in the District Jails wherever they are available may in certain circumstances also be accommodated in the Central Jails. At present they are usually employed in jail service as also for extra mural work. As stated above, a Central Jail is better organised for the purpose of expert management. It can be put in charge of a whole time trained expert. At present the Superintendents of all the four Central Jails are undoubtedly experienced administrators but it would be difficult to recognise them as experts in the sense in which the word is ordinarily understood. As we consider expert Superintendence as one of the essentials of jail administration, we recommend that the recruitment of the higher jail staff should be as detailed below :—

(i) *Superintendents.*—The minimum qualification should be that the candidate must be graduate in law and must have a diploma in Social Sciences. One-third of the posts should be filled by direct recruitment.

(ii) *Jailors.*—As the present set-up stands, jailors are divided into three Groups, viz. I, II and III. Our recommendation with respect to the qualifications for recruitment of Jailors is as under :—

*Group III.*—The minimum qualification for a III Group Jailor is Graduation. After selection he should undergo a course of training in penal science for a period not exceeding one year.



*Group II.*—This Group should consist of persons promoted from Group III, on the principle of efficiency.

*Group I.*—25 Per cent of the vacancies in this Group should be filled by direct recruitment. The minimum qualification for the directly recruited jailor should be that he must be a Graduate with a diploma in social science.

For the Matrons we put down the following as minimum qualifications :—

They should be trained teachers and should be given the pay equal to that which is being paid in Education Department or as Jailors, whichever is better. Their status should be that of a Jailor II or III depending on the charge.

27. We have made the above recommendations as we have definitely come to the conclusion that the work of administration should be separated from the work of medical supervision and attendance. In every jail the Superintendent should be entrusted with the administrative side of the work only. That is even the present practice and we recommend that it should continue. It then follows that there should be a separate person incharge of the medical side of the jail administration. At present medical men are drafted from the Bombay Medical Service and they work in the Jail Department for two years. This practice is not conducive to efficiency and is not very satisfactory either. It is common knowledge that those members of the Bombay Medical Service who work in the Jail Department for two years look upon this part of their life as no better than spent in exile. This is probably due to the conditions of service as are obtained today. As we contemplate more duties for the medical men for service in the Jail Department and in view of the fact that service in this Department has to be done under somewhat hard conditions, we recommend that the scale of pay should be considerably liberal. We suggest that it should be 50 per cent above the scale that may be fixed for the men of the Bombay Medical Service. As the Committee also proposes to recommend the appointment of a Psychiatrist for each Central Jail, this post should be opened to members of the proposed cadre on their acquiring the necessary qualification. This will enable them to earn additional allowance.

28. Coming to the lower staff which is known as Guarding staff in this Province. We suggest that the minimum qualification for the ordinary sepoy should be vernacular 4th standard preference being given to those with higher qualification. We also recommend that there should be 3 months' training for the sepoys before they are confirmed. The training should be given at 3 different centres Sabarmati, Yeravda and Belgaum. There is no necessity to engage any additional staff for this purpose. The training should consist of routine of jail administration and other cognate matters. The training should be imparted by the jail staff. At the end of 3 months training period an examination should be held and confirmation should follow only in the case of those who have successfully passed the same.

29. As we have recommended certain educational standards and certain special training in the case of Jailors, we think it is only fair that those who are already in the service but do not possess these should be given an opportunity to acquire the same. As regards the provision for training, the Committee requested the management the Tata Institute of Social Sciences who is opening a Faculty in Criminology. We therefore think that candidates who may be selected and members of the present staff who may be granted study leave should have no difficulty in getting admission to that Faculty.

*Opening of a Training Centre Provincial or All India.*

One of the questions in the questionnaire was whether there should be a psychiatrist in every Jail.

30. The whole approach to the problem under consideration being subjective, it becomes necessary to deal with the criminal and his personality more than the crime and its incidence. In Western countries Psychiatrists are in field even before the sentence is pronounced. In certain countries the Judge when he comes to the conclusion that the crime is proved on facts presented before the Court, he does not proceed immediately to pronounce the sentence. The Psychologist or the Probation Officer or the Psychiatrist is asked to submit the social background of the criminal. This is necessary to determine the quantum of sentence and also the form of punishment which must be meted out to the prisoner concerned. The Indian Jails Committee went into this aspect of jail administration. In a memorandum prepared for the Indian Jails Committee on this problem by two of the members, following recommendation is to be found :—

“ We therefore recommend that psychological and psychiatric methods of examining delinquents be introduced into India gradually and carefully for it was impressed upon us by Psychologists, Psychiatrists and Physiologists alike that in this matter particularly haste did not mean speed. The application of these tests by self-trained amateurs or medical men who had not been through a proper course would be of little use ”.

31. We think that psychological and welfare services should form an integral part of prison administration. The Psychologist, through understanding and penetrating interviews with the inmate, and the analysis of the data which would be supplied by the Probation Officer or the social case worker provides a summary of the inmate's personality, an estimate of his educability in terms of general education and of his trainability in terms of reaching the level of skilled worker, helper, apprentice or trained worker. The psychological service may also be useful in the matter of classification of the prisoners but we will deal with this aspect of the question later on. The background information, including the inmate's place in the family, the essential relationship between the inmate and other members of his family, his social contact outside home and work place, his reaction to authority law and order and the quality of his work will be factors that will go to determine the method with which he is to be dealt with while inside the Jail. This psychological service is also useful for the purpose of planning for conditional release. It will also be of great use for the purpose of after-care plans. The memorandum to which a reference has been made above recommended the medical officers preferably in the prison service should be given opportunity to study psychological and psychiatric methods. If medical men with the requisite qualification are found, they must certainly be preferred.

32. Having once accepted the principle that mental state of the criminal is a relevant consideration not only in the determination of conviction of the criminal but also in the matter of punishment we think different types of mental variations must be properly classified with a definition of each adopted for legal needs. This will be helpful in the selection of sentences for the appropriate treatment of certain groups of delinquents. This is only possible if there is an adequate and properly equipped psychological and welfare service in the jail administration. We are therefore definitely of the opinion that time has now come when something definitely should be done in this respect. We therefore recommend that there should be one Psychiatrist in each of the four Central Jails of this Province. In course of evidence of Dr. Kumarappa, a suggestion was made about compiling statistics with respect to several aspects of criminal's life and conditions in prison. We recommended immediate survey and research in this connection by our letter to

the Government dated 25th June 1947. We here want to note that prison administration is not an administration of inanimate things. If anything, prison administration is far more important from the point of view of community's progress. If there is a necessity for bringing the law in line with public opinion in the ordinary sphere of life it is greater in the case of prison administration. We therefore think that in order to facilitate progress, it is necessary that the Prison Department should have a Research Section which will be entrusted with the work of compiling of statistics and other relevant matters. We cannot emphasize too much the necessity of collecting data, statistical and otherwise, for the purpose of effecting necessary changes in the administration. Unfortunately we have no clinics and no institutions for the scientific treatment of delinquency. We therefore think that at least some steps should be taken in this connection. This work we desire should also be in the charge of Psychrist.

33. Question No. 19 from the Questionnaire specifically refers to Superintendents, Jailors and other lower staff. The Committee, however, in course of discussion considered the question whether the Inspector-General of Prisons should be a medical man. In the new set up, we do not think there is any necessity of having a member of the Indian Medical Service as Inspector-General of Prisons. The Committee has given their best consideration to this problem and the Committee recommends that the Inspector-General of Prisons should be a non-medical administrative head.

34. As regards the medical side of the jail administration, the Committee recommends the appointment of a Deputy Inspector-General of Prisons who will be a medical man recruited from the Bombay Medical Service Class I and who before his appointment will have to undergo some necessary training. This arrangement will secure separation of medical from non-medical duties in the Department. Such a separation has worked well in England and other countries and we see no reason why it should not work well here.

## CHAPTER V.

### CLASSIFICATION AND SEPARATION OF PRISONERS.

35. The importance of proper classification of prisoners and separation of one class from another is an accepted principle of the Jail administration. The method of classifying prisoners solely according to legal and administrative criteria is no longer followed anywhere. The present system of classification in which the degree of social danger that a prisoner presents and his susceptibility to reformative treatment is the result of evolution. This subject of classification was discussed at several inter-national penitentiary conferences. The first stage was when classification was directed towards the isolation of the worst or of the best class of prisoners from the rest. At the conference of 1905 the classification of worst type of criminal was considered to be the most important object and this was to be based either on the prisoner's previous record or on his conduct in the Prison. This view also meant that the treatment of the worst class should be severer than that of the other classes. In the same conference it was agreed that though length of sentence is the only effective cure for recidivism in countries which use the two methods of secular and associated detention, certain distinctions in the way of classification, location, employment and gratuity between a recidivist and others might usefully be resorted to.

36. In India the question of classification of prisoners was considered by the Jail Conference of 1877. It was again taken up by the Government of India in 1884. Finally, in 1886 the Government of India issued orders defining a habitual offender and determining by what authority habituals were to be classed and these orders have been in force in all provinces from that date. The Bombay Jail Manual contains the definition of habitual criminal in Rule 2. It has been the practice to segregate the habitual criminals from the rest but in actual practice it has been found that the separation is very imperfectly carried out. The Nasik Road Central Jail is meant for the habituals. We, however, find that actually it has been used to detain non-habituals on certain occasions. Similarly, we have also found habituals in other Jails of the Province although they are kept separately from other prisoners. In hospitals, however, separation seems to be very imperfectly carried out. The Committee fully realises the practical difficulty which the Jail Department has to face. The Committee, however, thinks that in order to make reformatory training possible in the most favourable atmosphere, the classification of prisoners by suitable differentiation of penal establishment, a differentiation which allocates certain categories of prisoners to certain types of institutions is necessary. Such a division of prisons creates conditions for subjecting any given class of offenders to intensive and homogenous reformatory treatment. With this object in view, the Committee has already recommended the building up of a new Central Jail in Greater Bombay which will enable the Jail Department to use Nasik Road Central Prison exclusively for the habituals.

37. For the due carrying out of the segregation of the habitual, a sound and workable definition of that term is very necessary. The difficulty of framing a satisfactory definition is indeed genuine. At the same time we think the definition contained in the Bombay Jail Manual requires modification. This definition does not consider a person to be a habitual criminal unless it is proved that, by his previous conviction or convictions under certain Chapters of the Indian Penal Code taken by themselves or the facts of the case, he habitually commits an offence or offences punishable under any or all of those chapters. The Committee thinks that the man may have been convicted for the first time but he may have by that time developed the criminal habits and may have many crimes to his credit, although not proved. In such a case the prisoner ought to be classified as a habitual prisoner. Indeed it is very difficult to come to any conclusion in this respect unless the sentencing Court has before it the antecedents and previous history of the prisoner concerned. The Committee thinks that in cases where the prosecution or the Probation Officer of the Court is able to prove not in the strict legal sense of the Evidence Act, but in a moral sense, the Court should have the authority to class him as habitual. The provision for the classification of prisoners in this Province are contained in Chapter XXI of the Jail Manual. These provisions are modelled more or less on the recommendations of the Indian Jails Committee. As we have recommended the appointment of a Psychiatrist in the four Central Jails, the Committee thinks that another principle of classification may also be followed. While classifying prisoners into habituals and non-habituals, the prisoner's previous history, association, environments and present conviction are taken into account an equally necessary step is an exhaustive medical examination and careful determination of the mental condition of the prisoner by modern psychological and psychiatric methods. This procedure will reveal the mind of the prisoner and it may help to secure proper classification and determination of the form of punishment while the prisoner is in prison.

38. Other principles which are followed at present are classification by age groups and classification by the form of punishment given by the Court. The



prisoners sentenced to simple imprisonment are separated from those who are sentenced to rigorous imprisonment. Question No. 7 contemplates classification by age groups.

At present the juvenile prisoners are segregated. The juvenile prisoners are either sent to prison directly or they sometimes come from the Borstal at Dharwar. The age limit is 21. We rather think that this should be raised up to 23. Prisoners below 23 should be grouped separately and should be segregated from other groups.

39. The Indian Jails Committee recommended that even the casuals should be separated into two groups—ordinary and star. This recommendation has not been followed in this Province except to the extent of what is obtained in the Dharwar Borstal School. We think that among the adult prisoners such a classification will yield better results. We have already referred to the recommendations of the Indian Jails Committee with respect to the classification based on the nature of sentence. We have recommended elsewhere complete abolition of sentence of simple imprisonment. From the information we have been able to get from the Department, it is evident that except for the separation of the female from the male prisoners no where separation is really complete. As regards under-trials, we shall deal with them later on. We think that the recommendations about separation of habituals from the casuals must be thorough. The administrative difficulty apart from the lack of accommodation is enhanced by the fact that quite a large number of prisoners consists of people sentenced to simple imprisonment and people sentenced to short terms. As regards short term sentence, we wish to state that no prisoner should be sentenced to less than four weeks. These two recommendations, we hope, will make it easy for the jail administration to secure complete separation of the habitual from the casual. There can be no doubt that one of the best indications as to how far a given prison system is developed is provided by the range and scope of the system of classification of prisoners. In making the above suggestions, we have kept in mind that classification should not be based on administrative and legal criteria but on prisoners' susceptibility to reformative training. The Committee thinks that classification of prisoners on principles above enunciated acquires its full effect only if accompanied by suitable differentiation of penal establishment. The youthful and the adolescent offenders are already provided for in the certified schools and the Borstal School. The habituals are, according to the information supplied to us, to be kept in Nasik Road Central Prison but in actual practice the Committee has found that there has been good deal of mixing of the habituals with the casuals. In one Jail to have separate yards, for the various classes may mean isolation and indeed this has been inspired by the idea of isolation and not of classification of prisoners. Many of the Jails are old and do not come up to the modern standard of hygiene and have no necessary equipment for the establishment of modern system of prison life. We, however, think that as soon as finances permit, necessary arrangements will be made on lines indicated above. If prisoners are to be grouped in certain categories not only in order to isolate them but because each category has to be subjected to a system of training and treatment appropriate to the age, criminal record and mental system of its constituents, appropriate accommodation is a necessity otherwise the danger of moral contamination is not eliminated.

40. So far we have dealt with classification without introducing the principle of motive in it. The Committee was asked by several witnesses to classify prisoners into political and non-politicals. From the evidence which was adduced before the Committee, both oral and written, it seems there is keen difference of opinion.

The difficulties in such a classification are many. In the first place it is difficult to define the term "political prisoner". Those of the witnesses who were keen on having such a classification were not able to give a workable definition of "political prisoners". In this connection, the definition of "political prisoners" which has been accepted by the Central Government was brought to the notice of the Committee. It is as below:—

"All prisoners detained in connection with or convicted of offences connected with political movements will be classified as political prisoners irrespective of the nature of the proceedings taken against them or the provision of law under which they are detained, prosecuted or convicted provided that the offence does not involve violence, personal greed or damage to property or moral turpitude".

41. This definition was not acceptable to some of the witnesses. Some of them definitely suggested that non-violence should not be the basis of the definition. In any way the difficulties of defining a political prisoner are great. The present practice is that there is no such class as "political prisoners" but the Civil Disobedience prisoners were shown as a different category and were segregated from the rest. It is difficult to classify prisoners in terms of motive. The danger of recognising motive political or otherwise as an ingredient in crime are great apart from its validity. Further it is difficult to ascertain the true motive. Mixed motives often occur. Crime remains a crime whatever the motive "In political crimes such as attacks upon the life of the Head of the State or other public officers the use of bombs and dynamite to further revolutionary propaganda, and similar acts of violence, it is of little moment what the political object may be, if the sentiment of humanity is wounded. Has there been killing or an attempt to kill, not in course of war or in the exercise of lawful self-defence? If so the author by that fact alone is a criminal. In such cases the crime exists independently of the passion which has provoked it. It exists because of the wilful intent to destroy human life". (Criminology by Grotalo)—The Committee, therefore, thinks that apart from other things such a classification of prisoner is unnecessary in view of the changed political situation. It is possible that in the future there will be many conscientious objectors but the Committee thinks there is enough power with the Government under which Government can at any time treat any class of prisoners differently if the needs of the situation so require. Colonel Jatar stated that if such a classification is to be made then such political prisoners should not be kept in any ordinary jails but they should be kept in a separate camp altogether. According to him political prisoners are a great strain on the staff and accommodating political prisoners in ordinary jails destroys the whole jail discipline. As the Committee is not recommending any such classification, the Committee does not want to pursue this aspect beyond stating it.

42. At present prisoners are classified into A, B and C for the purposes of diet, dress, interviews, letters and other concessions. This classification has nothing to do with principles of isolation or segregation. Various views were expressed before the Committee in this respect. When India is moving towards democracy there should be at least no inequality shown in places where Government control is complete. Theoretically nobody can take any exception to this proposition. If prison is to be utilised for the reformation of the criminal, appropriate treatment must be given to the prisoners while they are inside. A sudden departure from the normal way of life may cause such mental derangement or disorder that the prisoner may become worse. At the same time to make the prison life to approximate to the life the prisoner is accustomed to live outside would also be wrong. The people naturally object to the position of the delinquents being made

more comfortable than that of law abiding citizens who have to struggle hard for their existence. Either we must follow the principle of non-eligibility i.e. the men be subjected to a regimen distinctly below the standard of living of the social group from which they come or we must remain satisfied with what little progress the prisoner may achieve in the matter of reformation. Taking the society as it is, we think, dealing all the prisoners irrespective of the strata of society from which they come to one class would be very much in advance of public opinion as well as it will do more harm than good. Education and good position constitute an aggravating circumstance in regard to crime. The fact of conviction and the disgrace it brings often mean more than actual harsh treatment in Jail. Jail must not be a health resort, but some equitable considerations must be given due weight. In making our recommendations below, the Committee has kept the principle of fair relativity in mind. The life in jail must not be one of pleasure. At the same time it must not be so hard and harsh that the prisoner may feel depressed throughout. The Committee, therefore, recommends that there should be only two classes; Class I and Class II. This classification is meant for diet, dress, interviews and other concessions. In classifying the prisoner, the convicting Court should take the following factors into consideration:—

(i) Education.

(ii) Heinousness of the crime and the degree of moral turpitude involved.

(iii) Standard of living the prisoner was accustomed to outside.

Classification should be recommended by the convicting Court subject to confirmation by the Government. What should be the diet, and dress and other concessions admissible to each class are recommended under appropriate heads.

## CHAPTER VI.

### SEPARATION AT NIGHT.

43. In the last Chapter we have examined the question of classification of convicts and we have recommended that habituals must be completely segregated from the casual. We have also recommended classification among the non-habituals. As things stand at present, the next question that assumes importance is the degree of association which should be permitted among the classes where it is impossible to keep them cellularly locked at night. At present the cellular accommodation in the several Central and District Jails in the Province is as follows:—

#### Accommodation in

	Cells.	Barracks.	Total.
Arthur Road Prison	24	516	540
H. M.'s House of Correction	33	211	244
Yeravda Central Prison	215	1,462	1,677
Ahmedabad Central Prison	148	1,616	1,764
Nasik Road Central Prison	336	1,194	1,530
Belgaum Central Prison	153	851	1,004
Visapur Temporary Prison	20	1,280	1,300
Dhulia District Prison	26	512	538
Bijapur District Prison	328	17	345
Thana District Prison	118	571	689
Total ..	1,401	8,230	9,631

44. From the figures given above, it will be clear that no where the cellular accommodation exceeds 30 per cent. of the maximum accommodation provided for. In these circumstances, association by night has become inevitable. We have made several recommendations in this report with the object of placing the prisoner under reformatory restraint, discipline and guidance in order to teach him self-control and restore his self-respect. The life of the prisoner during the day is busy with his work, meals and bath. In other words, his day is fully occupied by labour and instructions under strict discipline. This removes to some extent the monotony and the deadening routine which distinguishes a prisoner from a free life. While on work the mind is normally busy in attending the work but the man naturally relaxes when he retires at night. If he is accommodated during night with prisoners, apart from chances of plotting or filthy conversation or degrading practices, some quiet which a man naturally desires is denied. If a man is left alone after hard day's work, it is possible that he becomes introspective and probably through the process makes his way to reformation. From this point of view, if quiet is to be secured to him, exclusive privacy must be there and that is only possible if he is locked in a cell. Cellular accommodation secures absolute separation. It may be argued, as it has been argued by some members of the Indian Jails Committee, that embitterness may follow if a prisoner is locked in a cell. What is contemplated is that throughout the day he has immense opportunities of association with co-workers while on work and during leisure hours. We have also provided that twice a week prisoners should be allowed to come together in small groups so as to make them feel that they are not altogether cut off from the society. It is the experience of some of the members of the Committee that prisoners belonging to the higher classes naturally desire to be locked up in separate cells during night. It should not be assumed that cells are meant for depraved and refractory prisoners only. To the depraved or refractory, locking up in a cell throughout day and night is given as a punishment. We think the methods of discipline must not be based on what is necessary for the insubordinate and evil minded prisoners but it should be based on what is necessary to maintain a reasonable standard of discipline and exaction of labour from the average fairly conducted prisoner. If, as we have stated above, there is association at work, opportunities for reasonable conversation, facilities for reading, education, etc. we do not think there should be any objection to make utmost use of cellular accommodation. Nothing prevents contamination more and nothing creates condition for reformatory and reflective attitude better than cellular locking.

45. As stated above, a majority of the prisoners is locked up during night in what are called "Association Barracks". Many other things have been said about barrack life. We do not want to recapitulate them as they have been sufficiently discussed in the report of the Indian Jails Committee. During our visit, we inspected the barracks and the members of the Committee were impressed that the present practice of accommodating 40 to 70 persons in each barrack during 14 hours of the day was not a very healthy system. To bring together in a barrack some 40 to 70 prisoners even under normal circumstances is not calculated to effect reformation in the prisoner. However classification may be perfect, the people that come together are of different tempers, they come from different classes of society and the mutual influences may not be after all to their advantage. Although discipline is maintained in the barracks by a system of night watch, there are enough opportunities for criminal conversation and contacts. One of the members of the Indian Jails Committee recommended that cellular system was best for habituals and for short-term non-habituals. Association at night is best



for long term non-habituals. Even this is not followed in this Province. Knowing the practical difficulties of administration, we think that the present position must be modified to some extent. We therefore make the following recommendation :—

“That if prisoners are to be kept as they must be in the present circumstances in Association Barracks, no barrack should contain more than 20 prisoners. The various Superintendents and the Inspector-General also pointed out administrative difficulties in this connection. The Committee, however, thinks that this is the minimum that must be done whatever the administrative difficulties”.

## CHAPTER VII.

### PRISON LABOUR AND MANUFACTURES.

46. In the Report of the Commissioner of Prisons in England for the year 1925-26, the following passage occurs :—

“Prisons exist to protect society and they can give only efficient protection in one or two ways :—

either (a) by removing the anti-social person from the community altogether or for a very long period ;

or (b) by bringing about some change in him.

Any general application of the first method would not be supported by public opinion. The prison administration must therefore do its utmost to apply the second, that is to say, to restore the man who has been imprisoned to ordinary standards of citizenship so far as this can be done within the limits of his sentence”.

47. Unless some use can be made of the detention period to change the anti-social outlook of the offender and bring him into a more healthy frame of mind towards his fellow citizens, he will on leaving the prison gates after a few weeks or months once more become a danger or at any rate a nuisance. Perhaps he may become worse than before if the only result has been to make him more vindictive and encourage in his mind a desire for revenge on society. He will have entered the jail because of the selfish carelessness of the rights of others and while leaving the jail, he will not leave that behind but he will in addition take along with him more anti-social attitude. It then becomes clear that a very careful use must be made of the period of detention. In the light of this view, prison system must be more than a mere instrument for ensuring that sentences are carried out according to the provisions of the Jail Manual. It is of the utmost importance that the sentences receives its justification to the extent to which it is carried out in conditions making reformatory treatment possible.

48. Obviously much depends upon the kind of work allotted to the prisoner. Since we have recommended that there would be no simple imprisonment, this aspect becomes much more important. When we look upon prison labour as closely related to a prison system conceived as a reformatory agency, it follows that the form of work cannot be uniform or tedious throughout. In the report of the

Departmental Committee on Employment of Prisoners (1933), the principles which should underlie all prison labour are laid down in the following words:—

“Prisoners should be usefully employed and the choice of employment should not be limited by the old hard labour conception, i.e., the conception that prison labour should have an intentionally primitive character. Useful occupations should not be excluded from consideration merely because they are irksome—but irksomeness should not be regarded as a desirable or indispensable characteristic of prison occupation.”

49. If the work is treated as a form of punishment, the obvious result is that as little as possible will be done and interest and effort will languish. The real point is the spirit in which work is regarded both by the prison officers and by the prisoner and this is more important than the nature of the work. So long as the worker feels that he is doing the job because it serves a useful purpose and does in a spirit of stoicism or service, it is bound to effect his mental outlook and he is sure to profit by experience. If on the other hand, the task is of an artificial character specially invented by prison authorities merely for the purpose of punishing him or for the purpose of merely keeping him occupied, it is not unlikely that he will do it in a resentful or at least in a listless spirit. It will be easily admitted that the effect of such a situation, both on his character and on his usefulness, as an industrial worker, will be bad. It must be the aim in working out the system of prison labour and manufacture that it will mean socially useful employment for that alone is a potent instrument in the treatment to which prisoners are subjected.

50. Having thus dealt with the general principles which ought to govern, we now proceed further. Whatever may be the connotation of “hard labour”, it has not been precisely defined either in the Indian Penal Code or in any of the Jail Manuals. In practice, it has come to mean that the prisoner must be made to work hard at whatever task he is given. This task is allotted after due consideration has been given to his character, length of sentence, the state of his health, both physical and mental, and to his prior knowledge of any trade. Here the Committee once more wants to state that the particular form of labour which is to be allotted to any prisoner must be determined by the jail authorities after consultation with the Psychiatrist. Further, the Committee wants to stress the principle that the prisoner should not be employed for pure Government profit. In every case the aptitude of the prisoner, the social group from which he hails must be taken into consideration. It has been often found that prisoners are taught crafts which they never hope to practise after their release. If the object is to prevent further crime and to secure information of the criminal, the Committee is definitely of the opinion that such craft or such trade should be taught to the prisoner which will secure immediate employment on release! The Committee is definitely of the opinion that power looms should be introduced in the Jails. The Committee asked the Deputy Director of Industries to prepare a scheme for the training of 150 prisoners in several technical lines. Mr. Patel submitted his scheme which is appendix IV. His scheme provides for the training of 150 prisoners as mechanics, turners, fitters, moulders, etc., The training period is round about one year. The Committee has generally accepted this scheme and it recommends that a Central Workshop well equipped, as described in the report, should be set up in the Yeravda Central Prison. The Committee further thinks that as far as possible non-productive labour should be eliminated. The “dull, wearisome and disgusting exertion” is not calculated to bring about

an atmosphere where reformatory influences will work well. The object of any work that may be allotted to the prisoner must be first to train him in some definite craft, reform him and assist him with money which he may use inside the jail or he may take when released.

The Committee finds from the figures supplied to it for the year 1946 that the position with respect to prisoners who hail from urban areas and from rural areas is as below:—

Agriculturists	6,150
Non-Agriculturists	15,119
Total	21,269

51. This classification is somewhat rough and is made on the assumption that those who follow agriculture and that those who describe themselves as peasants come from the mofussil. The rest are considered to have come from the urban areas. So far as the prisoners from urban areas are concerned, they must be taught in crafts and trades which, as stated above, will secure them easy employment after release. Towards that objective we have already proposed the opening of a Central Workshop in Yeravda Central Jail. As regards prisoners from the mofussil area who we assume will be peasants, we propose that a model farm should be set up at Visapur Prison. A scheme has been prepared by the Inspector-General of Prisons and it is in Appendix V. That scheme will have to be examined by expert authorities but we generally think that the establishment of a model farm is a necessity and the Committee thinks that Visapur Jail is the best place for it. Necessary land is available, there is ample water supply and all other conditions necessary for such a model farm exist there. The Committee definitely lays down as a principle that no peasant who enters the jail as a prisoner should leave the jail gates without knowing something of improved methods in agriculture. If he is a long term prisoner, he should be sent to work in the model farm and if he is a short-term prisoner, the Committee proposes that he should be employed in the extramural gardens of each Jail. For this purpose, there must be some one from the staff who knows improved agriculture methods fairly well. If it is possible for the Government, there should be one Graduate in Agriculture in each District Jail and one or more in each Central Jail.

52. In most of the Jail factories the Committee has found that old fashion implements are used. It is high time that attempts must be made to teach jail labour the use of modern methods. Although it is not the object of turning the jail into a huge factory with the object of making utmost profit and to compete with privately conducted industry, it is still necessary that these old methods should discontinue if only for the purpose of securing easy employment for the prisoners on their release, if for nothing else. This country is on the verge of a great industrial development. We see no reason why Jails should not be turned into a training school for technicians so that after release they will be well equipped to take their part in the industrial development of the country. Such a training under modern conditions has even a greater instructional value than a period passed in breaking stones or in turning the handle of oil press or in working the simple primitive mechanism of handloom. We think he must be so trained in up to date methods of labour that he may be able to command a living wage on release from prison.

53. The internal organisation of various forms of labour in the Jail and the necessity of keeping a balance are matters which we do not propose to deal beyond saying that whatever may be done, the object of prison labour as defined and detailed above should not be lost sight of.

54. Before allotting any particular task, we have already stated that the prisoner, wherever it is possible, should be examined by a Psychiatrist with a view to determine the nature of extent of the task the prisoner should be asked to do. The chances of his train ability must be ascertained in order to eliminate the chances of futile effort to train him up. As we have already stated, the social background often supplies a good guide. We think that prisoners coming from industrial and urban areas stand to profit if they are absorbed in tasks in which power driven machinery is used. Familiarity with power driven machinery is not only instructive, but is also mind-awakening and we think the provision of such machinery sub-serves the true functions of jail administration. In course of our evidence, an argument was advanced that it would be better to concentrate more on cottage industries of a type which could cater mainly for Government Departments but which would interest and train a prisoner for a future honest form of livelihood. While we are not against cottage industries as such, the question is how and in what to train the prisoner so that after his release easy employment may be secured. To train him in cottage industries or industries which can be run on a small scale, is to raise some difficulties for the prisoner after release to find out immediate employment. He might come out of jail with a natural aspiration to start some concern of his own which must require some capital. If he does not get it, we do not think the results will be desirable. It was pointed out to us that Government should step in and give financial help. This is part of a very great problem and cannot be adequately dealt with here. One of the frequent objections to liberalising prison system is that it will make the position of the criminal more comfortable while in jail and more promising when released than the position of a law-abiding citizen. We think that the proper range of reformatory prison activity should end with training in a useful craft while in jail and reasonable help to secure employment after release. Beyond this the prisoner must take his chance in the struggle of life with others in the society. To secure a sort of guaranteed post because he has undergone jail or provide him capital for those very reasons is an argument which does not appeal to a sense of fairplay nor are we sure will be accepted by the community at large. We therefore think, as we have already stated, that the criterion should be that he should be trained with a view to secure easy employment after release.

55. As visualised by the Committee, there will be many crafts that will be taught in the jails and it becomes necessary to have expert direction in order to carry out the whole plan successfully. We understand that there are already in this Province the following officers who are in charge of the direction in the matter of jail manufacture :—

*Inspector-General of Prisons' Office—*

1 Superintendent of Jail Industries.

1 Weaving Assistant.

*Yeravda Central Prison—*

- 1 Leather Instructor.
- 1 Carpenter.
- 1 Agricultural Assistant.

*Ahmedabad Central Prison—*

- 1 Tailor Master.
- 1 Assistant Tailor Master.
- 1 Agricultural Instructor.

*Nasik Road Central Prison—*

- 1 Agricultural Assistant.

*Borstal School, Dharwar—*

- 3 Carpentry Instructors.
- 2 Agricultural Instructors.
- 2 Malies.
- 1 Tailor Master.
- 1 Weaving Assistant.
- 1 Button Instructor.

To put a well thought out plan in action on the lines suggested by us, additional employment of hands, both technical and otherwise will become necessary and Government should not grudge finances.

56. A question was raised as to the policy which should guide the Jail Department in fixing the prices of the articles manufactured by the Jails. This question has been sufficiently discussed by the Indian Jails Committee in Chapter IX and we accept their suggestion that jail-made articles should follow as closely as possible the market rate. This will avoid jail manufactures competing with outside ones in any unfair way. We do not propose to go into the question of costing because it is very difficult in the first place and depends on a variety of factors which cannot be adequately discussed here. We, however, think that the retention of a charge for labour and profit is only fair.

57. Tasks are allotted at present after the prisoner is examined by the Medical Officer. The Medical Officer classifies the prisoner as under :—

(a) Hard labour, (b) Medium labour, (c) Light labour.

58. Naturally a heavier task is allotted to a person with good health. We think there is nothing wrong in this principle and when it is pressed that task should be uniform, we think uniformity must be interpreted relatively. We understand uniformity to mean that the prisoner should be made to work a fair measure consistent with the state of his health. In allotting tasks one cannot avoid the initial difficulties which the jail staff has to face. A prisoner may be dull of intellect, there may be any inherent inability to pick up trade and yet his health may be good. He may not be able to perform the task allotted or come up to the standard of work prescribed in the rules. We think these are factors which will be taken into consideration by the jail authorities in consultation with the Psychiatrist. This will avoid wastage of human labour and also bitterness.

59. So far we have dealt with intra-mural work. The extra-mural work mainly consists of work in the jail gardens. We understand that there are practically very few occasions when prison labour is sent out for public works. As we do not propose extra-mural work except in jail gardens, we do not propose to go into the general question of employment of prisoners on large public works. That problem has been dealt with at length by the Indian Jails Committee but even the recommendation of that Jail Committee is that such work should be avoided as far as possible. The extra-mural work today is confined practically as stated above to jail gardens and dairies which are housed usually within the jail area although outside the walls. We have already made recommendations about the object that should be kept in view for training of peasant prisoners in agriculture. The model farm we have recommended at Visapur should, in our opinion, constitute a good nucleus for the purposes of training. We may also stress that long-term prisoners from the peasant class when they have undergone a substantial portion of their sentence should, as far as possible, be taken to work in the model farm so that before they are released, they will be trained over and above the training they have already obtained, in the methods of improved agriculture also.

60. We have seen the Visapur Farm as it stands at present. We have seen all the jail gardens of the jails we visited and it is a common feature that those who work outside the jail walls seem to be more cheerful and one is often tempted to prescribe extra-mural labour all along but we are definitely of the opinion that as things stand, employment of a substantial number of prisoners on intra-mural industries must continue.

## CHAPTER VIII.

### PRISON DISCIPLINE.

61. The Prison Act of 1894 defines what are prison offences and makes provision for punishments. The effect of these provisions is the establishment of the principle that every offence committed by a prisoner must be dealt with by the highest authority of the prison, namely, the Superintendent. They also provide that every punishment must be recorded in the punishment book. A uniform law relating to prison offences and punishment throughout the provinces in India is also recommended. One of the questions in the questionnaire issued by the Committee refers to the punishment for prison offences. The general trend of evidence recorded by us is towards the desirability of adopting a more liberal policy in this connection. The Committee is in agreement generally with this. The Committee believes that as a result of implementation of the various recommendations it has made, there will be a definite decrease in prison offences and on this assumption the Committee has proceeded to lay down its recommendations.

62. Taking first corporal punishment the Committee finds that opinion is divided. The Bombay Government had appointed a Committee in 1938 to consider this question. The Government policy is contained in Government Notification, Home Department, No. 5066/4, dated 27th July 1942. We have carefully considered whether it would be possible to recommend the entire abolition of corporal punishment but we have found that it will be not in the

best interests of prison administration. The prison officers whom we examined were unanimous that it should be retained. In fact they differed even from the present policy which has been laid down in the Notification referred to above. The Inspector-General of Prisons gave us instances in which if corporal punishment was not carried on the spot and immediately it would lose all its efficacy and good results. According to information supplied the number of cases in which whipping was ordered since 1938 were 11 but there is no doubt that flogging when kept in reserve as the last resort of authority has far greater moral effect than when it is cheapened by frequent use. We agree that whipping should not be inflicted for offences in connection with labour but it must be confined to the gravest classes of offences. We therefore recommend:—

(a) in case of serious assault on the Superintendent or on any other jail official and mutiny. The Superintendent may be empowered to award and execute punishment of whipping immediately.

(b) in case of assault on fellow prisoners, previous sanction of Government should be obtained as at present.

63. We next deal with the subject of handcuffs and fetters. Here again there is a certain amount of opinion against the retention of these forms of punishment. We think, on the information supplied by the Department, that no change is necessary in the present practice. It is absolutely necessary to have some punishment of this character when a prisoner absolutely refuses to work or persistently neglects to do more than an insufficient amount of work.

64. As regards penal diet and gunny clothing, we have been told by the Inspector-General of Prisons that they really do not give the results desired. They do not act as deterrent agencies. We therefore recommend that penal diet and gunny clothing should be abolished as forms of punishment. We also think that by giving a prisoner penal diet you make him less fit for hard work.

We now deal with other forms of punishment. The Jail offences committed in course of the year 1945-46 are given below with the nature of punishment awarded:—

Nature of offence	1945		1946		Punishments awarded	
	1945	1946	1945	1946	1945	1946
(1) Relating to work ...	610	596	(1) Warning ...	464	310	
(2) Prohibited articles ...	813	807	(2) Penal diet ...	238	267	
(3) Assaults etc. ...	315	332	(3) Separate confinement ...	75	141	
(4) Other breaches of rules	942	961	(4) Fetters ...	827	867	
			(5) Flogging ...	...	1	
			(6) Other ...	1,177	1,188	

65. Undoubtedly there must be some means of compulsion, some sanction to secure steady, continuous, discipline in the Jail. As there is a general desire to liberalise jail punishment and as we also agree that it is desirable to do so,



we further recommend that bar and chain fetters should be given by the Superintendent for serious offences for a period of 15 days. If he thinks that the offence is one that needs a longer period of punishment, he should report the matter to Inspector-General of Prisons for sanction.

66. Use of fetters, as laid down in paragraph 1063 of the Jail Manual, for security purposes should not usually exceed three months. If the Superintendent thinks that there is a necessity to continue it beyond that period, he should get the previous sanction of the Inspector-General of Prisons.

As regards other forms of jail punishments, we make no recommendation for none is called for.

67. As regards the use of fetters in the case of prisoners employed outside the main gate but on jail premises such as the garden gang, the sweeper gang and the like, we consider that the practice of imposing fetters is quite unnecessary. In the case of prisoners who are sent beyond the jail premises even it is unnecessary. The Committee had detailed discussion in this matter with the Inspector-General and other jail officials and they also agree that time has come when there should be change in the present practice of imposing mechanical restraint on extra-mural jail labour. The number of escapes and re-arrests in course of last three years is as follows :—

	Escapes	Re-arrests	
1944	12	13	Include prisoners escaped in previous years.
1945	13	15	
1946	10	14	

We, therefore recommend that a prisoner working outside the Jail walls, whether within the jail premises or outside, should carry no mechanical restraint—

(a) if his unexpired sentence is less than six months ;

(b) if it is six months or over but less than a year, the restraint should be a mere ring. There should be no mechanical restraint in the shape of chain ;

(c) if a person whose unexpired sentence is more than a year and if he is to be sent out for extra-mural work, the case should be referred to the Inspector General of Prisons for sanction but in no case a prisoner should carry any mechanical restraint beyond what we have recommended when he works outside the Jail walls.

## CHAPTER IX.

68. It has been the experience of Western countries that the policy of deterrence and retribution towards prisoners in jails is of little value either to the prisoner or to the State. As we have already stated the result of such a policy is that the prisoner leaves the jail more embittered and anti-social than ever before with the result that recidivism increases. A policy of human and reformatory treatment coupled even with strict discipline results in a higher percentage of released prisoners becoming law abiding. There is no necessary co-relation between the severity of punishment and the incidence of crime. On the other hand, the policy of liberal treatment of prisoners has given good results from social security point of view. If crime decreases, it

is not only a gain to the individual but also to the State. More crimes mean more expense in further disciplinary measures against criminals and incidentally less social security. It is, therefore not only a proposition morally good, but even economically paying to follow a well thought out policy of reformation and re-education while the prisoner is in custody. The reformatory influences which are usually visualised can be classified under five main heads, namely (i) physical; (ii) educational (iii) moral; (iv) industries and labour; and (v) punishment; and reward.

69. In Jail the physical improvement of the prisoner must be a matter of continual care as are also measures for the prevention of disease and measures for the prevention of bad sanitation. At present, in spite of rationing, the average health of the prisoners is satisfactory. The following figures will show the number of inpatients in the jail hospitals during the period 1946 also the figures to show increase or decrease in weights:—

Inpatients:—1946—7,940

Number who neither lost or gained	Number who gained weight	Number who lost weight	Total
13,141	10,557	4,392	28,090

70. In order to keep the prisoners fit, two things are necessary (i) good diet, and (ii) proper exercise. As regards physical exercise, the present position, we are told, is that prisoners are free to take such exercises off work hours either inside their cells or barracks or in the open yard. In the juvenile section there is regular drill and physical exercises under the supervision of jail authorities. The Committee considered the question of providing compulsory drill subject of course to medical fitness but the Committee considers that compulsory physical training is not necessary, nor even feasible. The Committee, however, recommends that wherever it is possible opportunities should be provided for playing such Indian games as Atyapatya, Hututu and Khokho. The Committee has considered other games also but they are costly. Already facilities are provided for wrestling and other Indian games. The Committee appreciates that team plays are decidedly reformatory in influence and are sure to give the necessary mental relaxation to the players; but to provide cricket or volley ball or such as other costly games will be very difficult apart from the cost it may involve. We understand that volley ball and such other English games are allowed to be played by "B" class prisoners. They should continue to enjoy that concession.

71. There has been a considerable advance on the educational side in recent years. The percentage of literacy has gone up in the country and to that extent it must have gone up in the Jail. The Committee understands that the Government of Bombay has accepted the obligation to introduce compulsory primary education. The Committee thinks that here is a sphere in which the policy should be implemented forthwith. We therefore recommend that any prisoner who enters the Jail as illiterate and who is sentenced to more than 3 months must be educated in 3 Rs. in the initial period of his sentence. This should be considered as a first charge on jail authorities. In the Jails which the Committee visited, it was found that the adult education classes are conducted by convicts who happen to be literate, under the supervision of a paid teacher. The Committee thinks that this is not enough. Moreover the classes are conducted when prisoners are locked up for the night in the Association Barracks. The Committee recommends that there should be sufficient number of paid teachers in all the jails who should undertake the work of educating the illiterate prisoners. Considerable

administrative difficulties were pointed out to us by the jail officials. We appreciate that if the educational activities are to be undertaken during work hours, there may be some difficulty in arranging the hours of work. We however think that in the matter of teaching the 3 Rs. in the initial period of the prisoner's sentence, these difficulties must be brushed aside.

72. It was pointed out by some of the witnesses that merely imparting simple primary education was not good in the absence of any provision for continuing the same after release. We think that the object of the jail should be to impart simple primary education to as many as possible. As regards continuation, so long as the prisoners are in jail, libraries and newspapers will serve the purpose. We may also suggest that wherever it is possible lectures by outsiders on non-controversial subjects but of instructive types should be arranged. The Committee also thinks that it is possible to instruct the prisoners in first-aid, simple hygiene and sanitation. The Jail libraries must be re-arranged. At present they seem to be almost neglected. As regards newspapers and periodicals the Committee recommends that over and above the newspapers supplied at Government cost, prisoners may be allowed to purchase at their expense any other newspapers or periodicals out of authorised list. The prisoners should also be allowed to have a reasonable number of books with them; writing materials at prisoners' expense should be provided. All these concessions should be available to all prisoners whether they belong to class I or class II. The Committee was told by some of the witnesses that what preyed on the minds of the prisoners is the intellectual starvation he is subjected to, while in detention. We think the recommendations we have made above will eliminate this complaint. The prisoner will have enough to read during his leisure hours.

73. As regards moral and religious instructions in the jail, the Committee is told that nothing very important is at present done in this respect. Once a week the preachers belonging to different sects come and they give discourses on moral or religious subjects. We think that this has more of a mechanical aspect about it than a real educative influence. Attendance at these meetings, so to say, becomes merely a part of jail discipline. The Committee thinks that the whole problem must be approached from an altogether different point of view. For the purpose of clearer approach, moral aspect must be distinctly discussed from that of religious. So far as the religious aspect is concerned, the Committee thinks that congregational prayers of the type that are at present followed are hardly efficacious. A suggestion was made that there should be periodic Bhajans either accompanied or unaccompanied by musical instruments. The Committee thinks that this is impracticable. The Committee is definitely of the opinion that no musical instruments should be allowed to accompany congregational prayers. On religious holidays the Committee thinks prisoners of the particular community may be allowed to gather subject to order and safety for the purpose of prayers or listen to some discourse. At present the practice is only to allow the Christians and Mohammadans to come together on religious occasions. We think that there should be no differentiation in this respect and on specified religious occasions the above recommendation should be carried out.

74. As regards moral instructions, the Committee thinks that this is a problem essentially of individual approach. The prisoners are there apparently because they are social misfits. It is not suggested by this that the criminal has no free will of his own, he indeed has some choice, some free will otherwise he would

not do the act that has been prohibited. Temptation and opportunity are the two factors. One can be removed by social circumstances; the other only by inculcation of self-restraint. To develop a sense of self-restraint requires association with men of character, men who by their personal contact attract smaller men and influence others to better ways of life. This influence is a produce of gradual process. It is somewhat ludicrous to suppose that a preacher coming once a week lecturing to some 100 or 200 convicts will yield anything like good results. The Committee, therefore, thinks that responsible citizens should be induced to undertake the task of giving moral instructions to prisoners. The work should be done on a systematic plan. With the help of a Psychiatrist whose appointment we have already recommended, it should be possible for any responsible citizen who undertakes this work to know the background of the particular prisoner. A small group of prisoners should be put in charge of one responsible citizen. He may be allowed to visit the Jails as frequently as possible. It should be his concern to get into confidence of the prisoners and gradually to impress on them the desirability to come to the right path. The Committee appreciates the difficulty in finding such responsible citizens in a large number, but if the society is anxious to reclaim these social misfits, whose criminal careers are partly due to social circumstances, this is a moral obligation which the society cannot avoid.

75. Another important reformatory agency is the system of work which obtains in a jail. Part of this has already been discussed in one of the previous Chapters. The Committee wants to state that the nature of the work to which the prisoner would be subjected to, should be interesting although not pleasant.

76. One of the witnesses suggested that if basic education as understood at present by its leading authorities is followed then both the problem of education and of work in the prison would be solved in a more satisfactory manner. As the Committee is not in full possession of the latest theories about basic education, the Committee is not able to say anything one way or the other. In so far as basic education means learning by doing, the Committee endorses this view. The Committee thinks that just as learning is concurrent with doing, reformation must be concurrent with work while in prison. In other words, the best in the prisoner must be invoked by the subtle processes of creating interest in the work itself, either by the character of the work or by the sympathetic nature of the superintendence or by the associatory conditions in which the work is done.

77. One of the greatest factors which has worked in bringing good results in prison administration is the system of punishment and reward. Sir John Salmond once said, "That punishment can only be justified as a means of attaining a greater good and that retribution in itself is not a remedy for the mischief of an offence, but an aggravation of it". The only consideration which should weigh with the State in inflicting punishment is the well-being of society. This well-being does not exclude the well-being of those who are inside the prison. The second International Congress of Comparative Law held at Hague in 1937, passed the following resolution:—

"Although punishment and protective measures with restricted liberty should primarily correspond with the exigencies of social defence against crime. The Congress nevertheless believes that such measures are likely to ensure in many cases the re-education and social adaptation of delinquents. In other words, it is clear that repression is not useful". The actual treatment inside prison walls should correspond with the exigencies of social defence against crime."

All punishments for jail offences must therefore be worked up from this point of view. In so far as punishments inside the jail are concerned, the matter has been already dealt by us.

78. We now proceed to the other aspect, namely, reward and privileges. The report of the Commissioner of Prisons, 1936, says:—"There has been a reversal of the system which had obtained for so long under which a man could only obtain privileges after a slow process through various grades, e.g., he could only smoke after four years; now if he earns the money he may purchase at the canteen tobacco and other small comforts from the beginning of his term in the convict prison. The effect on prisoners has been remarkable. Reports for miscellaneous offences have well nigh vanished the Doctor's parades has diminished to almost nothing and a general air of interest and liveliness exists even in a prison like Park Hurst, which no one can remember before. Formerly many prisoners preferred to pass the time on simple unskilled trades. Now the positions are reverse, since the skilled trades command higher pay. Most remarkable of all one Gover reports the rare sight of a man who had to be checked for not downing tools promptly"! This experience accorded with similar experience of jail officials who were examined by us. Some years ago in this Province the experiment of supplying tobacco to prisoners was tried, but it was tried in a half-hearted manner. The Committee ascertained the views of the jail officials about this particular point and they were all unanimous in saying that the supply of tobacco to the prisoners would result in satisfaction all round, would decrease petty crimes and above all, it would reduce corruption to a substantial extent in jail staff which serves as the agency of bringing in contra-band tobacco. The Committee therefore recommends that prisoners should be allowed to buy Bidis out of their earnings from the work they have done in the Jail or at their cost to the extent of Re. 1 per month. The Committee also recommends that prisoners should be allowed to purchase soap, tooth-paste at their own expense. As regards hair oil, the committee gave great consideration to this and having been convinced of the difficulties came to the conclusion that Class II prisoners should not be allowed to have hair oil at their own expense, but the Committee recommends that once in a week a reasonable quantity of any good oil should be issued to each prisoner at Government expense.

79. Another reward which works very well from the point of reformation lies in the system of remuneration and remission. At present remuneration is given in the following manner:—

Monetary award to prisoners can be granted at the rate of 3 pies per day of remission earned after 1st April 1939, and one anna per prisoner per day of remission earned with effect from 1st April 1945. Any remission granted by Government under 401, Criminal Procedure Code, is not to be taken into account for the purposes of monetary award.

Convict overseers are credited with annas eight and convict night-watchmen with annas four per mensem as deferred pay.

For doing the task and for doing extra task, remission is given by the jail authorities as below:—

Ordinary remission shall be awarded on the following scale:—

(a) Two days per month for good conduct and scrupulous attention to all prison regulations;

(b) Three days per month for industry and the due performance of the daily task imposed.

In lieu of the remission allowed under Rule 758, convict overseers receive seven days ordinary remission per month and convict night watchmen six days per month.

Prisoners employed on prison services, viz. cooks, sweepers, hospital attendants, barbers, those employed in gardens and in cattle sheds, who work on Sundays and holidays, may be awarded three days' additional ordinary remission per quarter.

Special remission may be given to any prisoner whether entitled to ordinary remission or not other than a prisoner undergoing a sentence referred to in rule 756 for special services, as for example :—

- (a) assisting in detecting or preventing breaches of prison discipline or regulations ;
- (b) Success in teaching handicrafts.
- (c) special excellence in, or greatly increased outturn of work of good quality,
- (d) Protecting an officer of the prison from attack ;
- (e) assisting an officer of the prison in the case of out-break, fire or similar emergency ;
- (f) economy in wearing clothes.

Special remission may be awarded :—

- (1) by the Superintendent to an amount not exceeding 30 days in one year,
- (2) by the Inspector-General of Prisons or the Local Government to an amount not exceeding 60 days in one year.

For the purpose of this rule years shall be reckoned from the date of sentence, and any fraction of a year shall be reckoned as a complete year.

The total ordinary and special remission awarded to a prisoner under all these rules shall not, without the special sanction of the Provincial Government, exceed one-third part of his sentence.

For every day remission the prisoner gets anna one. All this amount is credited to his account and he gets it at the time of his release. The Committee heard the jail authorities and the Inspector-General at great length of this subject and the Committee makes the following recommendations :—

No remuneration should be paid for the performance by the prisoner of the task allotted to him. For the work done by him over and above the task allotted to him, he should be remunerated at a fair rate. The remission that is now granted for satisfactorily doing the work should continue. All that the Committee desires is not to link up the question of remuneration with remission. In this connection some administrative difficulties were pointed out by the Inspector-General of Prisons. It is very easy to fix up the proper rate if the work is capable of measurement. This is possible when work is done by an individual alone. In many cases work is done in association. It is extremely difficult to measure what is over and above the task allotted and to determine exactly by whom the surplus work was done. We appreciate the difficulties but we recommend that some working principles should be framed whereby this can be ascertained with a fair measure of justice. The remuneration earned by the prisoner should be credited to his account and he should be allowed to purchase admissible articles as also he should be permitted to remit out of this amount some portion to his relations subject to the approval of the Superintendent.

80. The existing scale of remission may stand as the Committee proposes occasional release on parole. One recommendation however the Committee wants to make is that prisoners sentenced to 3 months and over, should also be entitled to get remission. The present rule is that a prisoner sentenced to less than six months is not entitled to get remission.

81. As regards forfeiture of remission by way of punishment, we do not want to disturb the present rules. As we have recommended either abolition or modification of several jail punishments we think that the power to forfeit remission should be there.

82. Another concession which we propose to be extended to prisoners is the concession of furlough. In question No. 10, this question of parole is raised. The Committee gave a good deal of consideration to this question. At present a prisoner is paroled only if some of his near relation is dead or is dying or any other sufficient cause. What constitutes sufficient cause depends upon the circumstances of each case and the Government is the final authority. This provision is to continue and the Committee does not want to make any change in this. What the Committee proposes is that a long term prisoner should as a matter of right have a spell of freedom occasionally in course of the term of his sentence. After all said and done to remain within a jail year in and year out has a depressing influence. Howsoever conditions may be improved, howsoever liberal concessions as regards interviews and letters may be, the fact remains that the elimination of the company of the near and dear is a depressing factor. The Committee therefore thinks that something must be done with a view to modify this situation. After all the aim of the prison administration is to re-fit the individual criminal in the society after his release. It is therefore necessary that the prisoner should not feel that he is completely out of, completely uprooted from his social bases and this is possible if he is allowed occasionally, even for short periods, during the long term of his imprisonment to come back in the society and stay with his near and dear. The Committee having given its best consideration to all the objections raised makes the following recommendations:—

(a) A prisoner who is sentenced to more than one year, but less than 5 years and who has actually undergone a year's imprisonment should be entitled to be released on furlough or on parole.

(b) A prisoner who is sentenced to more than 5 years should be entitled to be released on furlough or parole provided he has actually undergone two years of sentence.

(c) This concession is conditional on good behaviour on the part of the prisoner for a period of one or two years as stated in (a) and (b) above.

(d) This furlough is admissible to the prisoner at the rate of two weeks a year and this period will be counted as part of his sentence.

(e) The cost of journey both to and from the jail to be borne by the prisoner concerned.

83. This concession, however, is not admissible to habituals and prisoners convicted of robbery, dacoity or to such convicts whose presence is considered as highly dangerous or prejudicial to public peace and tranquility by the District Magistrate concerned. This concession is not admissible to any prisoner sentenced to a year or less. The prisoner who is entitled to this concession must make an application to the Superintendent who will forward it to the District Magistrate concerned in whose jurisdiction the convict wants to spend the period of furlough.



If the District Magistrate raises no objection to the prisoner being let on furlough, the prisoner may be released on such condition as the District Magistrate may direct.

84. A prisoner may be released more than once during the term of his imprisonment. In the case of prisoners in (a), furlough for the second time may be granted after the prisoner has completed another 12 months of imprisonment on return from his first furlough. In the case of prisoners in (b), it may be granted as often as he completes two years of imprisonment from the date of his last return from furlough.

85. Another concession which goes to give satisfaction to the prisoner is the concession of interviews and letters. Nothing produces a worse effect on a prisoner than to feel that his near and dear have cast him off and the Committee therefore thinks that no difficulty should be placed in the way of communications between a prisoner and his family. We therefore recommend the following concessions in respect of interviews and letters:—

*Upper class.*—2 Letters to be sent in a month as at present 1 at Government cost and 1 at his own cost, but allowed to receive 4 letters.

No change in the interviews.

*Lower Class.*—On letter at Government cost and one at his own cost in two months time, and one letter to be received every fortnight.

One interview in two months time.

86. An important question with respect to the grant of interviews was the condition in which it should be granted. So far as Class I prisoners are concerned, there is no difficulty, for the relatives are allowed entrance inside the jail gates, and the interviews usually take place in the sales room or the Jailors room. As regards interviews of Class II prisoners, the present practice is to divide the prisoner and interviewers by an expanded metal mesh. This is done with a view to avoid passing of prohibited articles from the outsiders to the prisoner. Undoubtedly it is true that this fear is not unfounded. It is also true that such a method of interview is rather shocking to the self-respect of both the prisoner and his interviewing relations and friends. We inspected all the interview arrangements in the Jails we visited. To remove the present system altogether undoubtedly means considerable increase in the staff and also undertaking a great risk. We therefore are not prepared to recommend abolition right away. We, however, desire that the Jail authorities should use discretion and in suitable cases allow Class II prisoners to be interviewed inside the jail gate.

## CHAPTER X.

### PRISON HYGIENE AND MEDICAL EXAMINATION.

87. The diet scale in force in several provinces leaving out of consideration the present abnormal state of affairs has been arrived at after great experience and after due enquiries and examination. We do not think that it is necessary to go into this

question in detail. We recommend that the present diet for "B" Class prisoners should be allowed to Class I prisoners. A question of great importance, namely, whether a prisoner should be allowed the concession of supplementing his diet at his own cost was raised in course of evidence. We have already stated that the case for democratic treatment which means equality all round is what has been greatly emphasised before us. We have allowed two classes because the social circumstances justify it. At the same time we think it would be unfair to permit prisoners or detainees to supplement diet at their own cost. This advantage will further augment inequalities. We, therefore, recommend that no prisoner or detainees should be allowed to supplement his diet even at his own cost.

88. In so far as detainees are concerned, we recommend that they should be classified into two classes, Class I and Class II, but in no case they should be allowed to supplement their diet even at their own cost. As regards diet of Class II prisoners which will now correspond to Class C should be as follows. The present scale of diet should continue subject to the additions noted below:—

(a) 8 Ozs. of molasses per prisoner per week and 10 dms. of oil per day throughout the year.

(b) 6 ozs. of vegetables and 2 ozs. of raw onion daily per prisoner. Out of the 6 ozs. of vegetables, 3 ozs. should be the fruit vegetable and the remaining 3 leafy.

(c) Rice in combination with chapati should be given at one meal a day at the option of the prisoner.

(d) Tea may be allowed out of earnings if the prisoner desires to have it.

89. Apart from the constituents of the dietary, it is important to introduce as much variety as possible into the food provided for the prisoners. We do not recommend anything in detail in this connection, but we desire to emphasise this view that the sameness in diet has a bad effect. We, however, want to make it clear that within the monetary value admissible, the medical officer or the Superintendent should have some discretion to recommend the modification of diet, both in the case of an individual prisoner or generally. In course of evidence it was pointed out that the cooking is rarely satisfactory and the service leaves much to be desired. It is necessary for the jail officials to recognise that the cooking of the prisoners food is almost as important for the maintenance of good standard of health as the composition of the dietary. Numerous complaints were made to us during the round of our visits to several jails about cooking and other connected matters. We know that there is always an element of exaggeration in this. After hearing the jail authorities and after giving our best consideration to this, we propose to recommend as below:—

(i) Cooking should be done in one Central kitchen but it should be divided into suitable sections. Each section should normally cook for 300 prisoners, but in no case it should cook for more than 500. Each section should be in charge of some prisoner, who should be held responsible for the proper cooking. This prisoner may be changed from time to time after giving due regard to the wishes of prisoners constituting that section.

(ii) There must be one Group III Jailer in charge of rations and distribution arrangements. We are convinced that satisfactory distribution is not possible within the scale of staff now working. Provision should be made for recruiting one more Group III Jailer in each jail.

90. These recommendations, we hope, will secure concentrated supervision over the entire cooking and distribution. Association of responsible prisoners in the management of the kitchen will also result in the elimination of many a complaint.

91. As regards clothing, the Committee thinks that the present provisions are satisfactory. The Committee, however, suggests following additional concessions :—

(a) Under-wears at prisoners' cost may be allowed with prison marks to Class I prisoners.

(b) Class II prisoners should be supplied with shorts during Summer and pyjamas during Winter.

(c) At present Class II prisoners are supplied with one bed-sheet each only during Summer. We recommend that the bed-sheet should be supplied throughout the year.

(d) A pillow of suitable size should be supplied to each prisoner of Class II.

(e) We also recommend that in addition to the pots and utensils that are supplied to Class II prisoners at present, a Katora with the capacity of holding 16 ozs. liquid should also be given.

92. As regards sanitary arrangements, we do not propose any great change. The general plan is satisfactory, but an important point has been specifically referred to us and it is about the conservancy work. At present conservancy work is given to persons belonging to particular communities. This is indeed unjust and unfair. The jail officials have warned the Committee of the consequences that might follow if the present system is given up. The Committee gave its best consideration to all aspects and to all objections raised and it has come to the following conclusions :—

(a) The Committee accepts the principle that conservancy work should not be given to any prisoner because he belongs to any particular community. The Committee recommends that it should be given :—

(a) to those who have followed that profession outside ;

(b) to those who volunteer to do this work. These volunteer workers should be given additional remission and special monetary remuneration. The rate we recommend is that it should not be less than four annas and not more than six annas per prisoner per day as an experimental measure. Every prisoner who is already doing conservancy work should be remunerated at the above rate.

(c) If what is recommended in (a) and (b) above does not give sufficient number for the purpose of discharging conservancy work in jails, the Committee suggests that prisoners convicted of offences punishable under Sections 216-A, 310, 354, 366, 366-A, 370, 371, 376, 377, 392, 395, 396 and 397, Indian Penal Code should be given this work for a period not exceeding three months.

93. The Committee made it a point to visit every hospital in the jail with particular care. Many complaints were made about lack of sufficient equipment and also insufficient staff. The Committee gave due consideration to all these complaints and the Committee thinks that on the whole the present arrangement is good. Some minor changes are necessary. At present persons suffering from skin disease are separated but kept in a barrack, but while on work, they come in contact with other prisoners. We think that prisoners suffering from such diseases and other contagious diseases should be kept in the hospital. Although there are a few leper prisoners, the Committee thinks that it is desirable that they should be sent to leper asylums outside the Jails. As there are no leper yards in most of the Jails and precaution is taken to see that leper prisoners remain within limit, yet the Committee thinks that it would be better to send them to asylums outside as stated above.

94. As regards adequate supply of medicines, there were many complaints as stated above. It is not expected that the Jail hospital should be as well equipped as any modern clinic or an up-to-date hospital. We think the standard of medical equipment and treatment in the jails should not lag behind that of other civil hospitals. It is possible that costly equipment may not be available in every jail hospital. The present practice is that any serious case requiring special attention for which no provision exists in the jail hospital is sent to the District Civil Hospital. If the prisoner desires to have more medical facilities than are provided for in the jail he may be permitted to buy them at his cost but the Committee thinks that this must not be a general rule. This concession should be admissible provided the medical officer thinks that it is a fit case.

95. The present rule as regards dental treatment is satisfactory. As stated above, if better dental treatment is available in the adjoining civil hospital, the prisoner should be transferred there to have the same. If the prisoner wants any special treatment in this connection over and above what is available in the adjacent civil hospital, he can have it at his own cost.

96. Closely connected with the question of prison hygiene is the question of over-crowding. The serious effects of over-crowding are not sufficiently recognised. There is hardly any branch of administration which does not suffer when over-crowding is allowed to continue and to become chronic. The officers are over-tasked and are unable to give sufficient time and attention to all the details of their duty. The work of guarding staff becomes excessive with the result that laxness and inefficiency follow. The kitchen is over-loaded. The bathing platform and the latrine accommodation become insufficient and the prisoners are often forced to cut short their ablution to hurry through the latrine parade. The factories also become inadequate. There cannot be proper enforcement of work. Prisoners often are kept in shades during night or in tents or unhealthy and unsafe sheds. In one word, over-crowding produces bad results in all directions. "It upsets discipline", to quote the words of the Indian Jails Committee "breaks down classification makes the rules of the Jail Code impossible of observance". This is not an exaggerated picture as some of the members of this Committee have ample experience. Such a state of affairs is bound to increase the liability of pneumonia, dysentery and other diseases. There is a clear case to avoid overcrowding even to the smallest extent.

97. The Committee thinks that the Government ought to take prompt measures to prevent its occurrence or to remove it quickly when it occurs. The following figures will show the state in the Central and District Jails of this Province :—

Year	Total accommodation.	Total average population.	Total accommodation exclusive of Hospital.	Total accommodation excluding sick in the Hospital.	Total maximum population on any single day.
1	2	3	4	5	6
1942	12,431	10,432	11,247	12,431	16,911
1943	12,431	13,810	11,637	12,431	19,106
1944	11,840	10,622	10,250	11,840	13,453
1945	10,710	11,195	10,031	10,710	11,236
1946	10,614	11,598	9,956	10,614	15,204

The above figures tell their own tale. We think that it should be regarded as a fixed principle of jail management that there should be enough space and this standard has been laid down in the report of the Indian Jails Committee as follows :—

“The standard space to be allowed per prisoner in any barrack should not be less than 45 sq. ft.”

With a view to permanently reduce the chances of overcrowding in the Jails, the Committee has recommended building of a Central Jail in Greater Bombay.

## CHAPTER XI.

### AID TO PRISONERS ON RELEASE.

98. Before the present century opened there was very little done in this country to help released prisoners, to start a new and honest life. In fact the Indian Jails Conference, towards the end of the 19th Century, decided not to create a discharged prisoners aid society. Whatever little was done was done by private efforts. Government grants were small; there was nothing like an organised effort to tackle this aspect of prison policy. From 1907 and onwards, various societies were formed with a view to help discharged prisoners. The Chief Inspector of Certified Schools and Secretary, Bombay Province, Probation and After-Care Association was asked to submit a memorandum detailing the present machinery to deal with this problem. It seems that the Central Organisation called the Bombay Provincial Probation and After-care Association was reconstituted in the year 1941. One of the objects of the Association is to assist prisoners generally on their release from prison with the object of enabling them to live honest and respectable lives. The actual work is usually carried out in the District by the District Probation and After-care Association. There are twelve full-fledged Associations and at present 26 officers are working in the field. They have to look after not only the released prisoners but to look after persons licensed out under the Borstal Act, as also persons released on probation under the Probation of Offenders Act. To assist these 16 Probation Officers, there are about 126 volunteer Probation Officers appointed from within the Province. The jail authorities are expected to supply the Probation Officer with a list of prisoners due for release in the following month. The Probation Officers interview the prisoners with a view to rendering them assistance mainly in finding employment. In suitable cases prisoners are also helped with clothing.

bedding, lodging, etc. Only in Ahmedabad a Home for released prisoners is run by the Released Prisoners Aid Society. The Chief Inspector of Certified Schools was examined and he confessed that the Society was not taking sufficient care in the matter of discharged prisoners. According to him a good deal of educative propaganda is necessary in order to wake up the social conscience.

99. The moment of release puts a great mental strain on the prisoner. Those who have their homes mostly return there. Many, however, who are ashamed to move about because of the social stigma which the conviction and the stay in jail must carry, prefer to stay away from their homes. In the case of these, the problem is of utmost importance and if this class of discharged prisoners is not tactfully handled, it goes deeper and deeper in the paths of crime. As the period of detention in the prison is to be utilised for the purpose of training the prisoner in some useful craft, it is hoped that finding a job for the discharged prisoner will not be difficult. The Committee, however, is conscious of the fact that there is always a prejudice against the convicted and it becomes increasingly difficult for the ex-prisoner to get a job. The Committee thinks that Government should do whatever possible to find out employment for the released prisoners where they need it. In fact, if this obligation is not accepted, much of the reformatory work that may have been done during detention will disappear. Both private agencies and Government must co-operate in this matter. The Committee, therefore, recommends that a special agency should be created with Branches all over the Province, if it is found that this work of finding out employment cannot be adequately discharged by the After-Care Association. This agency should co-operate with private employers and try to fix up the released prisoners in suitable places. Those of the prisoners who are trained in industrial crafts or as technicians should be absorbed wherever possible in Government concerns. Those who are trained in improved methods of agriculture should be absorbed in Government agriculture farms as far as possible. Private employers, if they are properly approached, may employ a large number of them. The Committee also recommends revision of present rules which bar the re-employment of a Government servant who has been convicted. If the society is to avoid recidivism, it can be done substantially by following a thorough policy under which employment of the released prisoners will be assured.

## CHAPTER XII.

### ALTERNATIVES TO IMPRISONMENT.

100. The Resolution appointing this Committee states that the Committee is "to examine the existing provisions of law and rules relating to the jail administration in the Province and also to make recommendations which may be germane to the above". Although in the questionnaire no specific question is included with respect to the treatment of adult adolescent criminal, the work of the Committee will not be complete if no attention is paid to this aspect of the problem. We have already stated that if it is possible to curtail the supply of criminals, it will naturally reduce the actual jail population and incidentally secure greater social security. The best way to reform the jail would be to secure conditions in which the actual number of prisoners will be reduced to the minimum.

101. This aspect of the problem has received greatest attention at the hands of social thinkers and workers and also various modern Governments. America was as usual the first country to initiate reform in this direction. It was in that country that the first Juvenile Court was called into existence and it was there

that the State responsibility towards the child had been most fully accepted. It is now generally recognised that the ordinary healthy child takes to criminal tendencies because of the unfavourable environment, and it is only proper that he should have fresh chance of beginning his life under better superintendence. It is indeed an accepted proposition that youth is the time when habits have not been fixed and consequently the prospects of reformation are many and hopeful. It is obvious that the treatment that is to be given to a child offender must be different from the one to be given to the adult. The Bombay Jail Manual defines child as any a person under the age of 16. It defines youthful offender as any child who has been found to have committed an offence punishable with transportation or imprisonment. An adolescent offender is defined as a person who is 16 years old or more, but less than 21.

102. This Province has at present the Children Act of 1924. Under this Act Juveniles aged less than 16 years are tried by Juvenile Courts. The machinery under the Bombay Children Act starts to move with the arrest of a child either by the Police or by a Probation Officer. Actually children are released on bail and in such cases it often happens that the child is deprived of the benefit of proper observation in a Remand Home by a trained Probation Officer. This also negatives the chance for the Probation Officer to help and guide the child which would have been there if the child had been in the Remand Home. The pre-committal enquiries regarding home conditions, environments, etc. cannot be satisfactorily completed if the child is released on bail. Once the imprisonment is made out of question and is rejected as a method of dealing with the child offender, the question of how the Courts are to dispose of criminal charges against children and young persons assumes great importance and also difficulty.

103. The imposition of a week's or a month's imprisonment involves little amount of thought or consideration of the needs of the case, but when the Magistrate realises that he cannot send the person to jail but has at the same time the responsibility of finding out what is a proper treatment for the person, it becomes imperative on his part that he must collect such information about the child offender as would help him in disposing of the case in the best possible manner. The case can be disposed of by releasing the child on probation or sending him in approved institutions. In suitable cases the child offender is released on his own recognition or on the recognition of a relative or some other person. It is often beneficial to join the parents with the Probation Officer as surety and bringing home to the former their responsibility regarding the child. The idea of requiring young offender of his parents or guardian to make some retribution by payment of fine or damages has been accepted and is now a recognised method and in fact is resorted to greatly in other countries. Where the parents are unwilling or do not exist, the probation system is resorted to. Instead of whipping or sending the boy to a prolonged period of reformatory or other school, it is often desirable to put the child under the direct personal supervision of some person chosen for strength of character and personal influence who will watch over the offender's future conduct, give him help in procuring work, advise him on occasions of difficulty, disassociate him from associating with unsuitable friends and generally direct, and influence his conduct for good. This person may be a paid official or may be a private individual interested in social work. At present there are 25 Probation Officers of the Government cadre. The Chief Inspector of Certified Schools admits that this is an entirely insufficient number for the proper working of the 3 Acts with which he is at present charged. According to him the work turned out by a volunteer Probation Officer is not of a high standard.



104. In many cases it is found that probation is of no use. In such cases the Indian Jails Committee recommended whipping. There are undoubtedly different opinions as regards the value and efficiency of this form of punishment. According to some authorities flogging has a marked effect in putting down juvenile crime. Others take a different view. It often happens that this sort of punishment makes the boy hero among his fellows and he thereafter becomes more difficult to manage. Severity of sentence in many cases acts as a challenge to the physical stamina and the self-respect of the person with the result that the element of fear instead of acting as a deterrent factor in crime gives way to bitterness and ends in a crystallised mood in which resentment against society gains in emphasis. Repeated whippings also do no good and if the first fails, there is little choice open to the Magistrate but to commit the boy to an Institution. In view of what we have stated above, the Committee thinks that the sentence of whipping should be avoided as much as possible.

105. Another method in which the child offender can be treated is to send him to some approved institution. The Children's Act caters for only certain categories of boys between 12 to 16 years old. The Borstal Act caters for lads from 16 to 21. The Certified Schools in this Province are under the supervision and control of the Chief Inspector of Certified Schools. The boys in these schools are taught both literary and industrial education. While the Committee did not visit any of the certified Schools, the Committee is in a position to say from the information supplied that the work in these schools is carried on in a fairly satisfactory way. The Committee wants to state that the industrial training that is imparted in these schools may be improved on the lines suggested by the Committee in respect of adult prisoners who are in detention. Industrial training must be the sheet anchor of prison policy. If this is realised in the institutions which provide alternatives to imprisonment, it will be better from every point of view.

106. Another line of work whereby detention or imprisonment is avoided is the acceptance of Borstal principles. The Borstal Schools Act of 1929 provides that boys between the age of 16 and 21 may be detained in the Borstal School if it is found by the Magistrate that it is in the interests of the boy that he should be detained there. The Borstal system stimulates the reform of the prison system in regard to adult offenders and provides most valuable information and experience for that work. The principles on which this system is based may be defined as "thorough examination of the personality of the offender, appropriate classification based upon this examination, segregation of groups into suitably differentiated institutions forming a net work of specialist establishment, introduction of intensive reformative action adjusted to the particular group of offenders and carried out by specialist staff, an organisation of a highly developed system of extra mural supervision which would keep in touch with the offender while he is detained and help him when he is released conditionally". (English Prison System by Radzinowicz). The Committee spent one full day in studying the conditions in the Borstal School at Dharwar. The Committee also examined the Governor of the Borstal School in great length. This experiment has been very recently started and from the information supplied to us by the Governor and such statistics about the careers of ex-Borstal inmates placed before it, the Committee thinks that although what has been done is little, there are immense possibilities of great and good work. There is indeed more in promise than in performance.

Year.	Admissions.	Discharged on license.	Re-admissions of borstal failures.	
			License revoked.	Re-admitted on conviction.
1934	211	90	9	1
1935	212	120	10	1
1936	181	123	16	.....
1937	168	143	10	.....
1938	181	100	22	.....
1939	230	96	1	.....
1940	228	109	.....	.....
1941	232	138	.....	1
1942	188	160	.....	3
1943	255	137	16	.....
1944	202	127	1	.....
1945	175	126	1	.....
1946	95	125	1	.....
Total ...	2,558	1,594	87	6

107. It is generally recognised in all the Western countries that endeavour should be made to keep in touch with pupils discharged, both from certified schools as well as from the Borstal Schools. This record of the result of the Schools working is valuable to those who direct the policy and control the working of the schools and should be available to them. In this connection the Committee would invite the attention of the Government once more to the desirability of having a section in the prison administration which will look after what are known as "Follow-up Studies." These studies should embrace the three stages of the young and adult offender, namely (i) prereformatory period; (ii) parole period and (iii) five-year post parole period. This is very necessary to frame up the policy in connection with the reformation and prevention of crime. The characteristic of law in a progressive society is an adjustment between continuity and change and this only possible where the factors that justify that changes are studied, analysed and collated. The major value to be derived from "follow up" investigation is the construction of prognostic instruments for use in the administration of criminal justice. The Committee thinks that the collection of this information and relevant statistics is not a measure in abstract, it is far

more vital than anything else. It is a serious and practical business of designing and planning new instruments and new approaches for the control of human behaviour. Having accepted the proposition that crime is substantially social mal-adjustment, it becomes necessary that a planned approach to this problem is the right way of dealing with it. In this connection the Committee would invite the attention of the jail authorities to the studies made by Dr. Glueck.

108. One important question that was referred to the Committee in connection with the Borstal School at Dharwar was whether it should still be allowed to be under the control and direction of the Prison Department or whether it should be handed over to the control of the Chief Inspector of Certified Schools. This question was gone into by the Starke Committee Report which was appointed by the Government of Bombay in the year 1933. That Committee in its report stated that this question should be reviewed after five years. In this connection, the Committee heard both the Chief Inspector of Certified Schools and the Governor of the Borstal School. The Committee has noted the arguments for and against contained in paragraphs 51 and 55 of the Starke Committee's Report. The type that is sent to the Borstal School is definitely the type in which the criminal's mentality is in the stage of formation. The boy before he can be admitted must be proved to have committed more than one crime, although not detected and punished. It is for the Magistrate to decide whether a treatment in the Borstal School will be able to reclaim him. The boy is in the critical age of his life where reformatory influences work for good or evil. The aim of the Borstal School is not merely to educate him. It is also to do something more. The boy has definitely developed a criminal tendency but has not yet become a perfect full grown criminal. Therefore it is difficult to accept the argument that the Borstal School has more in common with an educational institution than with jail. It may be noted that when boys in the Borstal School are found to be incorrigible or undesirable to be kept, they are sent to the Juvenile Section of the Prison. Similarly, if the Inspector-General thinks that any prisoner in the Juvenile Section would be better treated to his advantage if he is sent to the Borstal School, he is transferred. It means that the Borstal School contains a mixture of the above character. The Committee therefore thinks that to run an institution of this type, the members of the staff must have not only the physical ability to command obedience and to inspire confidence, but they must have also the ability to counsel, to guide and to teach. This standard is not expected in the staff of any certified School. The Committee therefore thinks that in view of the radical changes the Committee has suggested in the policy to be followed in jails, it is better to allow the present arrangement to continue.

109. Another line by which imprisonment is avoided is the use of the provisions of the Bombay Probation of Offenders Act. This Act was passed by the Bombay Legislature in 1938. From the information supplied to the Committee, it is clear that liberal use of the provisions of this Act is not made. It will appear that in the year 1945-46, only 305 cases were referred for preliminary enquiry. Only 3 cases were dealt with under Section 486; under Section 5 (i) 79; under Section 5 (ii) 23 were sent to the Borstal and 114 were disposed of in other ways.

110. In his evidence the Chief Inspector of Certified Schools said that in many cases even the Magistrates are not aware of the provisions of this Act. Prisoners can be released on probation under section 562, of the Criminal Procedure Code. Even this provision is not liberally used. It is true that in many cases instead of awarding substantial punishment, fine is inflicted and further concession is

given to pay the fine by instalments. While this is good to avoid sending people for petty offences to jail, the Committee is definitely of the opinion that more liberal use ought to be made of the provisions of the Probation of Offenders Act. While the Children Act and the Borstal School Act are worked to a fair extent, that cannot be said about the Bombay Probation of Offenders Act. In this connection the Committee would like to state that apart from legal knowledge, the Magistracy should know something about prison system and criminology. A high judicial officer who was good enough to submit replies to the questionnaire has made a suggestion that no person should be appointed to the post of a Magistrate unless he has spent at least a week in jail. The Committee thinks that there is something to be said about this suggestion although the Committee is not prepared to recommend it but it speaks volumes for the indifferent manner in which substantive punishments are awarded by the Magistracy. Every progressive penal system has been developing probation system with a view to reduce prison population. Prisoners on first conviction and particularly those who are in the early twenties are released on bonds of good behaviour for certain periods. This is indeed an attempt at rehabilitation of the wrong doer in ordinary society and it has attained a fair measure of success. The Committee therefore thinks that a liberal use of the Probation of Offenders' Act, 1938, will further minimise the dangers of mixing up this class of offenders which consists of those with little or no previous criminal record but have favourable family or school or work and residence background, with the so called habitual criminals.

III. So far we have considered generally the working of the three Acts, namely the Bombay Children Act, Bombay Borstal School Act and Bombay Probation of Offenders Act. There is another aspect which is extremely important and that relate to after-care work. This work consists of—

(a) looking after juveniles aged about 16, released on license from certified schools where they have been committed by juvenile courts under the Bombay Children Act of 1924 ;

(b) Young offenders of average age of 20 or so who have been released on license from the Dharwar Borstal School where they were committed by Courts under the Borstal Schools Act, 1929 ; and

(c) Adult and adolescent offenders released on probation under the provisions of the Probation of Offenders Act, 1938. This work is discharged by the Probation Officer either paid or voluntary.

After-Care is that protective attention which should be afforded to young persons discharged from reformatory institutions either on license or on expiry of the term of commitment according to the definition given by the Starte Committee Report. The purpose of after-care is to secure rehabilitation in ordinary life and its importance rests on the fact that upon it largely depends the success of institutional treatment. Success in after-care depends on right kind of institutional training and an efficient probation system. The Committee has carefully gone into the memorandum submitted by the Chief Inspector of Certified Schools and Secretary, Bombay Province, Probation and After-Care Association. The Committee is definitely of the opinion that the probation system as seen working to-day leaves much to be desired. The Committee has not before it sufficient material to make definite recommendations in this connection but the Committee desires to record that this question should receive the urgent attention of the Government so that the probation work, the importance of which cannot be exaggerated, may be put on a sounder basis.

112. A question was raised as to the desirability of opening a Borstal School for the girls. The Committee heard the views of Dr. Iravati Karve and other lady witnesses and the Committee thinks that there should be no Borstal School for girls. The Committee came to this conclusion, among other grounds, on account of the fact that stay in any such school carries a social stigma on the girl with the result that her chances of re-establishment in the society with bright prospects are prejudiced. The Committee thinks that any such cases which may be described as of Borstal type should be dealt with in a different manner. There are already a number of institutions educational and rescue type run by private individuals and public associations. Arrangements should be made with them to receive such girls on conditions that may be determined between them and the Government.

113. By putting an end to sentence of imprisonment on child offenders, by providing special institutions for the adolescent offender and by the more extensive use of probation both for adult and juvenile criminals, some reduction is bound to be effected in the number of persons committed to prison. There are other directions in which action may be taken to achieve the same objective. There are certain provisions in the Indian Penal Code under which it is obligatory to award imprisonment. If the punishment is to have some relation with the criminal, then an attempt to lay down any hard and fast rule that a particular form of punishment must attach to a particular crime, runs counter to this principle. If it is admitted that the circumstances and the background connected and incidental to the crime are to be taken into consideration, then even serious offences sometimes can be best dealt with by placing the criminal on probation. Similarly another point that may be remembered is that in many cases short sentences are given either as substantial sentence or ~~in~~ lieu of fine. We think that a short sentence of a week or two is no good. It has no reformative value in terms of treatment. On the other hand it increases administrative work in the jail and the jail authorities find it very difficult to get enough economic return from the labour of prisoners sentenced to short term. We have already recommended the abolition of simple imprisonment sentence. We now recommend that in no case a prisoner should be sentenced to less than four weeks. The Committee may state here that this was one of the recommendations made by the Indian Jails Committee. Such a provision, we believe, would be in the interests both of jail administration and of the general criminal administration of the Province. In view of our recommendations on probation, we think there should be no objection to accept this.

### CHAPTER XIII.

#### MEASURES TO SHORTEN IMPRISONMENT.

114. The number of convicted persons during the years 1945 and 1946 in this Province is 37,298 and 42,182 respectively. The population of the Province according to 1941 census is 2,99,98,129. Evidently this is a fairly large number and it has not only to be housed and guarded but also to be fed, clothed, provided with medical attendance and otherwise cared for at the expense of the community. The net expenditure per prisoner in 1946 in this Province is Rs. 284, where as the income in 1946 from the labour he does on an average is Rs. 56. It is clear that detention of such a large number of persons involves a serious economic loss to the State. In addition to the expenditure which the State

has to incur upon these persons, there is a loss which has to be sustained because of the withdrawal of these men from the producing rank of the community. In these circumstances, any methods calculated to reduce this economic waste consistent with consideration of social security are welcome.

115. The causes of crime are many and multiple. We cannot share the confidence of those who regard it easy to discover the causes of crime. The conception of crime that "it is not an entity in fact but an entity in law, it is not action but infraction" is no longer valid. The personality of the delinquent, the nature of crime, the nature and efficiency of punishment, the relationship between society and criminal are factors which now constitute an important part of criminalology. There has been definitely, what is called, "individualisation" of the crime. In other words, every offender must be given appropriate treatment in the light of his social background. In the last chapter we dealt with the avoidance and punishment by giving different treatments to youthful, adolescent and adult offenders. Avoidance of punishment is one aspect of the problem. The other aspect is the desirability of keeping the person for as short a time in jail as possible. From the figures given above, the methods so far followed in respect of the second aspect of the problem do not seem to have given good results. By spread of education and by various means undertaken for the prevention of recidivism, some reduction has no doubt taken place. The Committee, however, thinks that more should be done in this connection.

116. In Western countries, principal methods to shorten the stay of prisoners in jail are—

- (a) conditional release of prisoners after they have served a minimum period of sentence ;
- (b) application of the principle of indeterminate sentence ;
- (c) conditional suspension of execution or conditional sentence ;
- (d) remission of sentence on good conduct record.

In our recommendations we have recommended abolition of very short sentences. This we did because if a prisoner has got to be reformed and re-educated, there must be enough time spent in jail. Imprisonment normally seldom beneficial in its effect on the individual and it is probable that the longer the sentence, the less likely it is of benefit. Removal from the community and freedom and subjection to monotonous and depressing influence of jail discipline tend more and more to destroy the prisoners power of initiative, his vigour of mind and his capacity for any action. To neutralise these effects, two factors must be in operation. One is the cumulative effect of the reformatory agencies provided for by the jail administration and secondly the opportunity for any prisoner that he may be released earlier if he behaves well. It would, therefore, we think, be legitimate to adopt measures for the realisation of the above objective on condition that there should be no injury to the community. It must be borne in mind that the effect which the punishment and its mitigation may have on potential criminals in the community is a relevant consideration. It is true that the original sentence through loss and disgrace caused by conviction normally works out the factor of deterrence. The offender who is a hardened habitual is never afraid of a long term of punishment. As has been well said by one of the criminalologists "certainty of detection is a more important factor in the prevention of crime, than severity of punishment."

117. The various methods by which sentence may be shortened with same are enumerated above. We do not propose to discuss them in detail. Most of them are discussed in the report of the Indian Jails Committee. The Committee is convinced that time has come when something ought to be done to go ahead in this sphere of criminalology here. In so far as the cases of non-habituals concerned, there is not much difficulty. Most of the witnesses that the Committee examined were definitely of the opinion that it was cruel to make the prisoner undergo years of imprisonment when the crime was committed on provocation or in other mitigating circumstances. At present in every jail there is an Advisory Board. Cases are placed before the Advisory Board. Recommendations are made and the Government remits the sentences under section 401 of the Criminal Procedure Code. How inadequate this method will be seen from the following figures. It should be borne in mind that the Board only considers the cases of those prisoners who are sentenced to long terms of imprisonment, five years and above :—

Year.	Number of prisoners whose cases were placed before Board.	Number of recommendations made by the Board.	Number of recommendations accepted by the Government
1944	251	24	15
1945	300	38	28
1946	457	43	32

118. At present the Committee understands that cases of prisoners sentenced to five years and upwards who have undergone three and half years or half sentence whichever is greater go before the Board. Although the Committee has recommended the concession of periodic furlough for prisoners, the Committee still thinks that this rule is not sufficiently liberal. The Committee in this connection recommends that in the case of non-habitual prisoners the following procedure should be adopted.

119. Any prisoner sentenced to five years or more who has actually spent two years or one half of his sentence, whichever is less, should be considered eligible for early release. This release may be absolute or conditional according to the circumstances in which the crime was committed. The behaviour of a prisoner while undergoing imprisonment should also be taken into consideration. In so far as absolute release is concerned nothing need be said except that a prisoner leaves the jail without any conditions. In the case of conditional release, Government imposes such conditions as to residence and reporting to the Police. In respect of conditional releases, the Committee makes the following recommendations :—

120. Where the Board finds that the prisoner may not be released straight away, it should recommend that the prisoner should be released but he should work and live in places approved by the Government and under Government supervision. The Committee divides such cases into two categories; persons who have acquired certain amount of industrial training should be released



condition that they work anywhere during the day and in the evening return to places specially provided for by the Government. This will mean that the prisoner is gradually being re-fitted into society. If during the period for which he is to remain under supervision, he behaves well, absolute release should follow. In this connection the Committee thinks that the After-Care Organisation, which the Committee desires to be put on a sounder basis, should have the responsibility of finding out employment. Government offices, private firms and factories may be approached to give employment to such prisoners during the period for which they are conditionally released.

121. In the case of prisoners with agricultural background and bias, we propose that an agricultural colony should be established at Visapur. This colony should have about 600 acres of land and should accommodate 150 persons conditionally released. This colony should be run on co-operative principles. The whole concern should be run by the prisoners themselves. The only condition should be that they are not to leave the colony without the permission of the Supervisor or Superintendent who may be in charge of the colony. In suitable cases the prisoners may be allowed to bring their families and if they prove of good conduct during this period, absolute release should follow.

122. The Committee thinks that on an average per year there should be 300 prisoners entitled to be released under the above scheme; 150 industrially trained and 150 trained in methods of improved agriculture. This is a new experiment in this Province and the Committee thinks that it is worth trying.

123. There now remains the problem of the persistent criminal. The following figures will show the position of habituals in the Province :—

Year.	Total admission.	Habituals.	Number of prisoners having 3 or more previous convictions.	Percentage of habituals to the total population.
1944	22,432	3,383	2,080	15%
1945	19,794	2,934	1,924	15%
1946	21,990	2,830	1,682	13%

This is a very great problem and it has been solved no where with complete success. In the absence of "follow up" studies and the collection of necessary statistics, nobody knows what happens to hundreds of offenders, men, women and children, adolescent and adults, first offenders and those far advanced on the road of crime, petty offenders or dangerous criminals who are brought each year before the Courts and subjected to one of the punishments provided for the Penal Code. One may ask what is the effect of these penal measures and in what way they influence the future conduct of individuals? What percentage of offenders did not revert to criminal activity after being at large for a certain time and how does this quotient of success evolved in relation to a particular kind of punishment to a given age group, the previous criminal record or to certain types of offences. It is very difficult to establish with any amount of certainty that particular factors are responsible for the resumption of criminal activity. In spite of what has been done in England for the reclamation of the criminal, the

fact remains that 75 per cent. of all the prisoners have already been in prison before and that an exceedingly high percentage have more than five previous proved offences to their credit.

124. An interesting study has been made of this problem by Mr. Radzinowic in his paper "After conduct of discharged offenders in England." It appears from his study that the highest percentage of recidivism is among men up to the age of 21. In that age group nearly every third offender became a recidivist within a period of five years from the date of his first offence. Another important fact which appears from the same is that the percentage of recidivism is less when the first offence is committed by the man who is 40 and above.

125. Mr. Radzinowic expresses the view from the facts he collected that "when women once start upon the road of crime, they commit further offences more often and at shorter intervals than men." These studies and other studies which have been carried in other countries also show that the problem of the persistent offender is important, and perplexing and so far no effective solution has been found. The method of punishment based only on the particular offence under consideration has evidently failed. It has now been accepted that punishment of the persistent offender should be based not on the objective criterion, i.e. on the gravity of his last offence only, but on the subjective criterion, i.e. on the degree of probability of his committing further crimes as inferred from his personality and his criminal record. What has got to be punished is not the offence which is detected but his "wilful persistency in the deliberately acquired habit of crime." In England the method of preventive detention is followed in order to tackle this problem. After the prisoner is sentenced for the particular offence, he is sentenced in addition to preventive detention with a minimum and maximum duration fixed. In each particular case the Court determines for how long the given offender is to be detained. This in fact is an indeterminate sentence. In America the Court determines the guilt and then hands over such a person to an expert body of Physiologists to be detained and dealt with in accordance with his subsequent conduct, the fuller information which it can obtain regarding his previous history and a careful study of mental and physical characteristics. The adoption of this procedure here may not be found feasible at this stage. What is done in this country is that under section 75 of the Indian Penal Code habitual prisoner is regularly tried and given heavier sentence and he has to undergo the whole of it unless his sentence is remitted under section 401 of the Criminal Procedure Code. The Indian Jails Committee recommended that the sentence of the habitual convict should come in for review by the Board when he has undergone two-thirds of his sentence. The Committee thinks that this recommendation should be followed.

126. The recommendations that have been made above are calculated to reduce the prison population without danger to society and the Committee hopes that acceptance of these recommendations would result in economy and better moral results.

## CHAPTER XIV.

### MISCELLANEOUS.

127. Under this Head, we propose to deal with minor matters. While discussing the new industries that should be started by the Government, in the Jails, a proposal was made that a leather factory equipped with modern machinery

and which will combine manufacture and training should be erected at a suitable place. The Committee welcomes this suggestion. As things stand today none of the Central Jails are capable of having a factory of this type. We have already recommended that the Central Workshop should be located in Yeravda. The proposed Central Jail in Greater Bombay, the Committee thinks, should be reserved for running Government Central Press. We have not before us details of the scheme about the proposed leather factory. We therefore cannot say more than what we have stated above. When the finances of the Province permit, it should be undertaken.

128. In course of their round, the members of the Committee were impressed with the administrative difficulties in separating undesirable prisoners from casual ones in the female yards. Similarly it has been found to be very difficult to make long term female prisoners to the female jail in Yeravda. It has been found in several jails that long and short term female prisoners are kept together. With a view to avoid this as much as possible, we have recommended already that females should not be sentenced to imprisonment as far as possible. Secondly, we recommend that most liberal use of the provisions of the two Acts (the Children Act and the Bombay Probation of Offenders' Act) should be made in the case of female prisoners.

129. We were told that there happen many cases mostly from criminal tribes in which the expectant mother gets herself arrested for the purpose of maternity treatment in the Prison. We think this is due more to poverty than perversity. In female wards, suitable arrangements are made for such prisoners. Even otherwise there are cases in which the prisoner delivers in the Jail or is taken to the nearest civil hospital. A question connected with this is upto what age limit children should be allowed to stay with their mothers in jail. At present the limit is two years. The Committee thinks it should be raised to three years. The Committee was told by some witnesses that there are cases in which even if the child is beyond three years, it stay would be justified on ground that there is nobody to look after it. The Committee appreciates this but to raise the limit beyond three years may mean something to the mother but it will definitely affect the child's mentality. It is not fair to the child that it should grow in jail atmosphere. Such children should be taken care of by private institutions wherever they exist and the Committee understands that there are a few institutions who look after abandoned and uncared for children.

130. As regards work for female prisoners, the present arrangement is satisfactory. The Committee only wants to make the following recommendations in this connection :—

(1) They may be trained as 'Dais', which course can be completed in six months.

(2) They should also be given some training in mother craft and personal hygiene.

131. The question of conservancy work was specially referred to this Committee and we have already dealt with it. Wherever possible, flush system should be introduced otherwise the recommendations we have already made should be followed.

132. In course of evidence a suggestion was made that classification of a prisoner as habitual, casual or dangerous should be made by the Magistrate. We have

fully dealt with this question already. In this connection we will state what should be the minimum features of a good system:—

(i) the sentence imposing feature of criminal proceedings needs to be differentate from the guilt-finding phase in method and, to a large extent, in personnel.

(ii) Decision regarding the treatment necessary for each offender needs to be left to a tribunal or board specially qualified in interpretation and evaluation of sociologic, psychiatric and psychologic, as well as legal data.

(iii) the treatment programme arrived at by study of each case in the light of hundreds of similar cases, needs to be modifiable as indicated by periodic checkups on the offenders' progress submitted to the tribunal by the various experts entrusted with carrying out its corrective mandate.

(iv) the rights of the individual must be safeguarded against possible arbitrariness or other unlawful or unfair action on the part of the special sentencing and treatment tribunal.

These are the features which have been emphasised by Dr. Sheldon G'ueck in his well known book "After-Conduct of Discharged Offenders." We do not think that any such change is likely to be adopted in the near future in this Province or even in this country but we have already recommended appointment of Psychiatrists and the Committee thinks that this steps enough for the time being.

133. The undertrials in the jails are locked up day and night except for occasional periods necessary for ablution. We think that this practice is extremely bad and the unnerving effect of this virtual confinement of 24 hours results in depressing the undertrial very much. We therefore recommend that the undertrials should be allowed to work at their option and the Committee thinks that most of them will agree. It means not merely work but some interest which will sustain them in undergoing the period as an undertrial. The Courts are not known for quick disposals. In this context the recommendations that Committee has made is thoroughly justified.

134. In the Questionnaire, question No. 18 refers to lockups. The Committee visited a few lockups but some of the members of the Committee have ample experience of life in the lockups. The present arrangements in lockups and sub-jails are highly unsatisfactory. District Sub-jails must be improved and extended, must be brought up in line with modern requirements in respect of space, and provision of other facilities. As regards Taluka lockups, the Committee thinks that every Taluka must have a Sub-jail. It should not be located as it is done at present in the compound in which the Mamlatdar's Kutchery and the office of the Sub-Inspector of Police are housed. It may be away from it and under the supervision of a full time Group III Jailer. Till this is done, the Committee suggests that facilities which are admissible to undertrials in the main jails should be made available to undertrials in lockups as far as possible. The Committee therefore recommends that the undertrials must be taken out during the day two hours in the morning and two hours in the afternoon. At present there are no latrines provided in most of the lockups. The prisoners are bound in ropes and taken in the morning for easing purposes. This is most uncivilised and disgraceful. Latrine arrangements must be made in every lockup. There are no bathing arrangements also in subjails and lockups. The Committee recommends that these must be provided for without delay.

135. The letter from the Government of India regarding the desirability of opening a central training school for training the jail staff was placed before the Committee. The Committee has come to the following conclusion :—

The Committee is definitely of the opinion that without adequate training in criminology and allied sciences, no appointment of any officer of the rank of jailor and above should be made. From facts supplied to the Committee, it appears that the annual intake at the lowest level would be round about three in this Province. On that basis if the annual intake of all the Province is taken, into consideration, it would come to about 30 a year. That would be a working unit for one central institute only. In this connection the Committee had some correspondence with the management of the Tata School of Social Sciences. This question was further discussed with Dr. Kumarappa, the Head of the School. The Directors of the Tata Institute have agreed to open a Faculty in their school in criminology and have also agreed to the training of Government selectees. The Committee therefore thinks that this should form the nucleus of the proposed central training school for jail staff.

136. One of the witnesses suggested to the Committee that spinning should be introduced as one of the jail industries. We think wherever it is possible, it should be done consistent with the objective we have defined. We further recommend that prisoners may be permitted to ply charka or tukli outside the task hours if they so desire.

137. The question of Visapur Temporary Prison was also referred to the Committee. The Committee has recommended that the proposed model agricultural farm should be located at Visapur to train 300 persons in methods of improved agriculture. In view of this recommendation, it is obvious that the temporary character of the Visapur Jail must cease. The Committee had also recommended that when the model farm is in working order, a prisoners' colony should be established at Visapur in proximity to the jail with a view to giving work for 150 prisoners to be conditionally released. This practically determines the character of the Visapur Jail. It must be put on a permanent basis and all changes necessary in the matter of structure, staff and other equipment should be made.

138. The question of having a Central Jail at Santacruz was referred to the Committee by the Government. In connection with this, the Committee considered the possibility of improving the Thana Jail. A suggestion was made by the Executive Engineer, Thana, after surveying the position to the effect that an addition could be made (i) by adding a storey to the existing structure and (ii) by having an annexure built on the space now used as jail garden.

The Committee discussed the whole question in all its aspects and in view of the general trend of the recommendations made so far, the Committee thinks that the case for a new Central Jail built on a model style is overwhelming. The Committee therefore wants the Government to consider the whole position and proceed to implement its original programme of having a Central Jail at Santacruz. In this connection the Committee wants to state that the House of Correction at Byculla must be abandoned but the Thana District Prison has to remain in some form or another. As things stand to-day there is a necessity for having accommodation for at least 200 undertrial prisoners. For that purpose Thana District Prison will be useful. As no open space is available near the Thana Jail, any idea of its expansion is not feasible. The Committee therefore thinks that the recommendation it has made above is the best in the circumstances.

139. The Committee has received representations from the staff about their grievances. As regards the pay and prospects, the Committee thinks that this is beyond the terms of its reference. As regards accommodation, facilities for education of children or conveyance allowance for children in case school facilities are not available near the jail premises, we recommend that these are just grievances and they should be sympathetically considered and removed. As regards recognition of Unions of the staff, the Committee thinks that this is too important question to be decided by the Committee. Policy in this connection must be determined by the Government. Jail Department being one of the security departments, unionism naturally is not welcome to authorities. We, however have suggested to the Superintendents of the various Jails who appeared before the Committee the desirability of having fortnightly or monthly conferences between the members of the staff and the Head of the Jail. If this is worked in the proper spirit, the Committee believes it will give good results.

140. We have now concluded our report and made the recommendations. We hope that the Government will give due consideration to these and will bring the prison administration in this Province in line with modern ideas. The prison system in any country is one of the best indices as to its progress.

141. In the end the Committee wants to thank all those gentlemen and institutions who were good enough to submit replies to the questionnaire. The Committee also thanks those ladies and gentlemen who undertook the trouble of appearing before the Committee and helped the Committee with their experience and knowledge in arriving at various recommendations. The Committee wants to put on record its appreciation of the prompt help it received from the various Superintendents, Jailors and above all the Inspector-General of Prisons who also acted as the Secretary of this Committee. The Committee records that Mr. R. G. Chakranarayan and Mr. C. K. Dixit were very helpful to the Committee in collecting and arranging papers and also arranging the itinerary of the Committee.

(Signed) M. M. PARVASA,

(Signed) N. V. GADGIL.

(Signed) R. B. GHORPADE.

(Signed) INDUMATI C. SETH.

Poona, 5th August 1947.

## SUMMARY OF REPORT AND RECOMMENDATIONS

### *Chapter I—Paragraphs 1 to 4.*

Paragraphs 1 to 4 give the resolution appointing the Committee and substance of preliminary meetings of the Committee.

### *Chapter II—Paragraphs 5 to 13.*

Paragraphs 5, 6, 7, 8, 9 and 10 deal with the three stages through which the progress of criminology went.

Paragraphs 11 and 12 sum up the position of Indian Jails at the opening of the century.

Paragraph 13 deals with what has been done by the provinces to implement the recommendations of the Indian Jails Committee of 1913-20.

### *Chapter III—Paragraphs 14 to 23.*

*Paragraph 14.*—Social responsibility for crime. Committee's view about crime and its causes.

*Paragraph 15.*—Prison must provide for detention as a measure of security as well as a place where, by training, prisoner may be reclaimed back to society.

*Paragraph 16.*—Expert supervision is an essential element in prison administration. The staff must possess good qualifications with some special training and character.

*Paragraph 17.*—Classification of prisoners is an essential condition to achieve the object of prison reform. The best and worst prisoners must be separated. Classification is meant to avoid danger of moral contamination. The present aspect is merely negative. The positive aspect is the creation of condition which will make reform easily possible. This aspect is emphasized.

*Paragraph 18.*—Reformatory influences are necessary and must be integrated.

*Paragraph 19.*—After-Care is one of the most important aspects of any good prison policy. It should be the aim of Government to find out employment for discharged prisoner. A plan in that behalf is a necessity.

*Paragraph 20.*—Repressive jail punishments have proved useless. Every alternative to punishment should be exhausted before punishment is awarded.

*Paragraph 21.*—More people in jail means more economic wastage for the community. Reduction of jail population consistent with social security is the objective that should be kept in view.

*Paragraph 22.*—The multi-causal nature of crime requires a different approach from what has been followed so far. This is appreciated and generally accepted.

*Paragraph 23.*—The recommendations made mean financial outlay, but in the long run it pays more to the community than spending money over prisoners. It is in the economic interest of society to liberalise prison administration, apart from the moral duty the community owes.

Chapter IV—Paragraphs 24 to 34.

*Paragraph 24.*—Deals with the necessity of having one more Central Jail for the greater Bombay.

*Paragraphs 25 and 26.*—Minimum qualifications laid down for the higher staff, including Superintendents and Jailors.

*Paragraph 27.*—Medical Service in jail should be constituted separately with better prospects as the service conditions justify the same. Fifty per cent. increase above the scale that may be fixed for the personnel of the Bombay Medical Service is recommended.

*Paragraph 28.*—Minimum qualification for the guarding staff and the period of training. Training should be imparted at three centres, namely, Sabarmati, Yeravda and Belgaum.

*Paragraph 29.*—Staff to be trained in criminology and other social sciences in the Tata School of Social Sciences.

*Paragraph 30.*—Need for psychological and psychiatric service for proper classification and appropriate treatment discussed. Appointment of a psychiatrist in each Central Jail recommended.

*Paragraphs 31 and 32.*—In order to keep prison reform up to date and in order to verify results from time to time of principles already adopted, research section to deal with the work of compiling statistics and other relevant matters suggested.

*Paragraph 33.*—In the new set-up, the Inspector-General of Prisons need not be a medical man. He should be in charge of non-medical administration of jails.

*Paragraph 34.*—Medical side of the jail administration should be in the charge of a Deputy Inspector-General of Prisons, who must be a medical man of class I status.

Chapter V—Paragraphs 35 to 42.

*Paragraph 35.*—Principles of classification discussed.

*Paragraph 36.*—Present position with respect to classification in the province analysed.

*Paragraph 37.*—The present definition of "habitual" given in the Bombay Jail Manual is not enough. A new definition is suggested.

*Paragraph 38.*—Classification by age group discussed. Persons up to 23 years should be segregated from the rest. The present age limit is 21. 23 is now suggested.

*Paragraph 39.*—Administrative difficulties in carrying out segregation and separation of the habitual from the rest discussed. Committee recommends the abolition of simple imprisonment and recommends that no person should be sentenced to less than four weeks. This will solve administrative difficulty to some extent. Present arrangement about separating different categories of prisoners is unsatisfactory. Appropriate accommodation is a necessity; otherwise, danger of moral contamination cannot be eliminated.



*Paragraphs 40 and 41.*—Prisoners should not be classified as political and non-politicals. View point discussed. Committee recommends that classification on the principle of motive is a dangerous thing, apart from administrative difficulties. There are enough powers with the Government if they choose to treat any particular class differently.

*Paragraph 42.*—Claim for equality of treatment in jail theoretically correct, but to put it into practice would be considerably in advance of public opinion. Committee recommends the abolition of 'A' class and the maintaining of only two classes, namely, class I and class II prisoners. Classification should be made after taking into consideration the education, nature of the crime and the standard of living prisoner was accustomed to outside.

#### *Chapter VI—Paragraphs 43 to 45.*

*Paragraph 43.*—Question of complete segregation discussed.

*Paragraph 44.*—Conditions of segregating prisoners in cells by night. In the absence of sufficient cellular accommodation, the present barrack system must be modified to a great extent.

*Paragraph 45.*—Present barracks are thoroughly unsuitable. Committee recommends that no barrack should contain more than 20 prisoners.

#### *Chapter VII—Paragraphs 46 to 60.*

*Paragraphs 46 and 47.*—Detention in prison must be used for the purpose of teaching some trade or craft to the prisoner.

*Paragraph 48.*—Principles which should guide in fixing the form of work. Useful occupation must be the aim. Work must be interesting but not pleasant.

*Paragraph 49.*—Task allotted must not be of an artificial character specially invented by prison authorities. Prisoner must feel in doing his job that he is doing something useful, and this knowledge will effect a change in his mental outlook.

*Paragraph 50.*—The task must be decided by the jail authorities in consultation with the psychiatrist. Such training as would secure easy employment after release should be given. Industrial training should be the sheet anchor of prison policy.

*Paragraph 51.*—Training should consist of two categories, viz. industrial and agricultural. For the first category, a central workshop should be opened at Yeravda to train 150 prisoners. For the second category a well-equipped model farm should be opened at Visapur for giving agricultural training.

*Paragraph 52.*—Training given must be in modern tools. It has an instructional value. Committee recommends employment of modern tools and power looms in jail factories.

*Paragraphs 53 and 54.*—Balance between the various activities in the jail must be integrated with a view to securing the object of prison labour as already defined. The disadvantages of teaching a job which the prisoner is least likely to follow after release discussed. The principal aim should be that prisoner should be trained with a view to securing easy employment after his release.

*Paragraph 55.*—Employment of additional staff for technical and other activities which will have to be undertaken as a result of the recommendations. Any outlay on this is worth undertaking.

*Paragraph 56.*—The policy underlying the fixing of prices for jail articles discussed. There should be no attempt to compete with outside manufacture.

*Paragraphs 57 and 58.*—Classification by the prison medical man as at present done should continue.

*Paragraph 59.*—Extra-mural work and principles connected therewith discussed. Model farm at Visapur recommended.

*Paragraph 60.*—Extra-mural work keeps prisoner more cheerful.

#### *Chapter VIII—Paragraphs 61 to 67.*

*Paragraph 61.*—Desirability of liberalising jail punishment accepted.

*Paragraph 62.*—Whipping should be resorted to in cases of gravest offences such as assault on Superintendent or any other jail official or mutiny. In these cases, punishment must be promptly carried out. In all other cases, sanction of Government should be obtained as at present.

*Paragraphs 63 to 67.*—Deal with jail punishment. While handcuffs may be retained, penal diet and gunny clothing must be abolished. Fetters should be given for 15 days only; for further period, sanction of the Inspector-General of Prisons should be necessary. Prisoners working outside the jail should have no mechanical restraint. Recommendations made to this effect.

#### *Chapter IX—Paragraphs 68 to 86.*

*Paragraphs 68 and 69.*—Five reformatory agencies laid down.

*Paragraph 70.*—Good diet and proper exercise constitute two factors which go to make for physical fitness. Opportunities for physical exercises should be provided on a more liberal scale than at present.

*Paragraph 71.*—There must be compulsory primary education introduced in jail. No person who enters as illiterate should leave jail without learning the three Rs. There must be paid teachers engaged to do this work.

*Paragraph 72.*—To secure the benefit of primary education, further lectures on non-controversial subjects should be arranged; opportunities for prisoners to associate with one another, supply of newspapers and books, re-organisation of libraries recommended.

*Paragraphs 73 and 74.*—Religious instruction should continue as at present. As regards moral instruction, a new approach is suggested. This consists of personal influence of outsider who should be put in charge of a small group of prisoners. He should be allowed to see the group frequently.

*Paragraph 75.*—The nature of work must not be irksome but interesting.

*Paragraph 76.*—As in basic education, reformatory influences must concur with the work done by the prisoner.

*Paragraph 77.*—Punishment in jail must have relation to the exigencies of the situation. Mere repression has already failed.

*Paragraph 78.*—Prisoners should be allowed to purchase certain amenities. Committee recommends the supply of tobacco to prisoners under certain conditions.

*Paragraph 79.*—Prisoners should be paid at proper rate when they do work more than their allotted task. This will create interest in the work and prove conducive to better discipline.

*Paragraph 80.*—The present scale of remission is good. Committee recommends that a person sentenced to three months and above should be admissible to remission.

*Paragraph 81.*—Power of forfeiture of remission must be retained.

*Paragraph 82.*—Prisoner who has done one year's good work in prison should be entitled to a fortnight's furlough which he can spend at his place. Conditions under which furlough can be granted stated.

*Paragraph 83.*—Concession of furlough is not admissible to habituals and other prisoners who may be dangerous or whose presence outside will be prejudicial to public safety.

*Paragraph 84.*—Deals with the procedure for application of furlough.

*Paragraphs 85 and 86.*—Relate to interview. Additional letters recommended. The present method of interviewing C class prisoners discussed. Superintendent should use discretion in suitable cases to relax the strict rigour of the rule.

#### *Chapter X—Paragraphs 87 to 97.*

*Paragraph 87.*—No prisoner or detenu should be allowed to supplement his diet at his own cost.

*Paragraph 88.*—Lays down diet for Class I and Class II prisoners.

*Paragraphs 89 and 90.*—Cooking arrangement should be put under the supervision of a separate Jailor. There should be one sub-kitchen for every 300 prisoners.

*Paragraph 91.*—Clothing: Under-wears should be allowed to prisoners. Clothing for Class II prisoners laid down. Bed sheet and pillow provided for each prisoner. Additional not provided.

*Paragraph 92.*—No prisoner should be given conservancy work because he belongs to any particular community. Principles on which this work should be allotted laid down.

*Paragraph 93.*—Lepers should be removed to Civil Hospitals.

*Paragraph 94.*—In special circumstances, prisoners may be allowed to buy medicine at their own cost.

*Paragraph 95.*—Special treatment for dental troubles at prisoner's cost may be allowed.

*Paragraphs 96 and 97.*—Over-crowding is responsible for bad health. The standard space that must be allowed per prisoner in any barrack should not be less than 45 square feet. To remove over-crowding a Central Jail for Greater Bombay needed.

*Chapter XI—Paragraphs 98 and 99.*

*Paragraphs 98 to 99.*—The present position summarised. There is a necessity for re-organising the whole after-care machinery in the province. This is necessary in order to avoid recidivism.

*Chapter XII—Paragraphs 100 to 113.*

*Paragraphs 100 and 101.*—Necessity to deal with the problem of child delinquency on a separate footing discussed.

*Paragraph 102.*—The present unsatisfactory position is dealt with.

*Paragraphs 103, 104 and 105.*—The working of the Children's Act, the Borstal Schools Act and the Probation of Offenders Act reviewed.

*Paragraphs 106 and 107.*—Borstal School activities reviewed. Committee recommends the necessity of having follow-up studies.

*Paragraph 108.*—Question as to transfer of control of Borstal School to the Chief Inspector of Certified Schools discussed. Committee recommends that it should be under the supervision of the Inspector-General of Prisons.

*Paragraph 109.*—Provisions of the Bombay Probation of Offenders Act are not taken advantage of by the Magistrates.

*Paragraphs 110 and 111.*—Desirability on the part of the Magistrate to have some knowledge of criminology discussed. After-care in this province has not received the same attention which the problem merits. Committee recommends that the whole question should receive the urgent attention of Government.

*Paragraph 112.*—Committee rejects the suggestion for opening a Borstal School for girls.

*Paragraph 113.*—Committee recommends the abolition of simple imprisonment and further recommends that no prisoner should be sentenced to less than four weeks.

*Chapter XIII—Paragraphs 114 to 126.*

*Paragraph 114.*—More population in prison means more economic loss to the community.

*Paragraph 115.*—Desirability of keeping a prisoner in prison as little as possible to avoid economic waste.

*Paragraphs 116 to 119.*—Conditional release, indeterminate sentence, suspension of execution of sentence, remission of sentence on good conduct discussed.

*Paragraphs 120, 121 and 122.*—System of conditional release recommended. Prisoners with industrial bias should be given employment during day in some approved concerns, Government or private, but they should return to approved houses during night outside jail. In the case of prisoners with agricultural bias, they should be made to work in a co-operative colony to be established at Visapur. Provision should be made for conditional release of 300 prisoners.

*Paragraph 123.*—Problem of persistent criminals discussed.

*Paragraph 124.*—Method by which this problem is solved in England is discussed.

*Paragraphs 125 and 126.*—Any prisoner who has undergone two years or half of his sentence should be considered as qualified to have his case examined by the Revision Board. In the case of habituals, this period should be two-thirds of the sentence.

#### *Chapter XIV—Paragraphs 127 to 141.*

*Paragraph 127.*—Committee recommends the opening of a leather factory.

*Paragraph 128.*—Administrative difficulties in following strictly principles of segregation in the case of female prisoners noted.

*Paragraph 129.*—A child should be allowed to remain with his mother in prison up to three years and not more. To allow him to grow up in prison atmosphere is not in his own interest.

*Paragraph 130.*—Lays down what additional training may be given to female prisoners.

*Paragraph 131.*—Deals with conservancy work already referred to in paragraph 92.

*Paragraph 132.*—Minimum features of classification summed up. To implement these at present is beyond the range of practical politics.

*Paragraphs 133 and 134.*—Lock-ups and sub-jails are unhealthy overcrowded and without the necessary amenities. Recommendations to improve lock-ups and sub-jails made.

*Paragraph 135.*—Central training school for staff is desirable. Opening of a faculty in criminology in the Tata School of Social Sciences will be a nucleus for the same.

*Paragraph 136.*—Prisoners may be permitted to ply Charkha or Takli outside task hours if they so desire.

*Paragraph 137.*—In view of the recommendations made, Visapur Jail must be put on a permanent footing in the matter of structure, staff and other equipment.

*Paragraph 138.*—Relative merits of expanding Thana Jail and opening of a new jail in Greater Bombay discussed. Committee definitely recommends the opening of a new Central Jail of modern type at San a Cruz.

*Paragraph 139.*—Grievances of the staff as regards pay and prospects are not included in the terms of reference of the Committee. Other grievances are recommended for removal.

*Paragraph 140.*—Prison system is an indication as to the progress of a country.

*Paragraph 141.*—Committee puts on record its appreciation of the help it received from various Superintendents, Jailors, the Inspector-General of Prisons who acted as Secretary and of Messrs. R. G. Chakranarayan and C. K. Dixit.

## APPENDIX I.

Committee :

Appointment of a— to consider reforms,  
be made in the jail administration.

## GOVERNMENT OF BOMBAY.

HOME DEPARTMENT.

Resolution No. 161/5.

Bombay Castle, 12th September 1946.

## RESOLUTION.

Government is pleased to appoint a Committee of the following members to consider the question of improvement in the jail administration and to suggest suitable reforms :—

1. The Honourable Mr. M. M. Pakvasa, President, Bombay Legislative Council.
2. N. V. Gadgil, Esquire, M.L.A. (Central).
3. R. B. Ghorpade, Esquire, M.L.A.
4. D. P. Karmarkar, Esquire, M.L.A. (Central).
5. Miss Indumati C. Seth, M.L.A., Parliamentary Secretary to the Honourable the Prime Minister.
6. The Inspector General of Prisons, Province of Bombay.

The Honourable Mr. M. M. Pakvasa will be the Chairman and the Inspector General of Prisons, the Secretary of the Committee.

2. Government considers that the reformation of the prisoner is of paramount importance in jail administration and is of opinion that the existing provisions, laws and rules in respect of prisoners should be revised so as to achieve this object in the best manner. The terms of reference are therefore as follows :—

(a) to examine the existing provisions of law and rules relating to the jail administration in the Province and suggest changes with a view to improve the methods of dealing with prisoners in jail, with special reference among other things, to their training in useful and productive crafts, and imparting to them literacy and adult education which will enable them to be useful, economically self-relying members of the society.

(b) to make recommendations which may be germane to the above.

By order of the Governor of Bombay,

W. MIRANDA,

for Secretary to Government of Bombay,  
Home Department.

To

The Honourable Mr. M. M. Pakvasa (by letter).

N. V. Gadgil, Esquire, M.L.A. (Central) (by letter).

R. G. Ghorpade, Esquire, M.L.A. (by letter).

D. P. Karmarkar, Esquire, M.L.A. (Central) (by letter).

Miss Indumati C. Seth, M.L.A. (by letter).

The Inspector General of Prisons, Province of Bombay.

The Director of Information, Bombay (with a request to issue a Press Note).

The Accountant General, Bombay.

The Finance Department.

## APPENDIX II.

## LIST OF FILES REFERRED TO THE JAIL REFORMS COMMITTEE BY GOVERNMENT.

- (1) Government, Home Department file No. (i) 161/5. Containing letter from Messrs. K. G. Gokhale, Ex-M. L. A., Belgaum, Mr. A. B. D'Souza, Khandala and Mr. M. H. Shah, M.L.A., Bijapur.
- (2) Government, Home Department file No. (i) 2245/3, III-(12273), Construction of a new Central Jail near Bombay.
- (3) Government, Home Department, letter No. 161/5-C, letter from Mr. V. M. Kulkarni, Manger, Radio Times of India, Bombay.
- (4) Government, Home Department, Letter No. 1180/5-C, dated 6th December 1946,— Recommendations of the Poona District Post-War Reconstruction Conference.
- (5) Government, Home Department, Letter No. 161/5-C, dated 30th November 46,— Recommendations of the Ahmednagar District Post-War Reconstruction Conference, Ahmednagar District.
- (6) Government, Home Department, Letter No. 1180/5-E, dated 23rd January 1947,— Recommendations of the Thana District Post-War Reconstruction Conference.
- (7) Government, Home Department, Letter No. 0/(4217)-C, dated 28th January 1947, letter from Mrs. Kamal Dange, Poona.
- (8) Government, Home Department, No. 6990/3-III, dated 15th October 1946, forwards letter from the Government of India, in the Home Department No. 129-A/45-Jails, dated 24th September 1946—Recommendations of the 7th All India Conference of the Inspectors General of Prisons.
- (9) Government, Home Department, Letter No. 1180/5-F, dated 10th February 1947, Recommendation of the Dharwar District Post-War Reconstruction Conference.
- (10) Government, Home Department, Letter No. 161/5-C, dated 18th February 1947, letter from Mr. P. D. Sakhedkar, containing grievances of clerks.
- (11) Government, Home Department, Letter No. 0/(5358)-C, dated 4th June 1947, Regarding hand spinning in Jails.
- (12) Government, Home Department, File No. 1297/5—Release of prisoners on parole.
- (13) Government, Home Department, unofficial reference dated 15th April 1947—Transfer of Borstal School, Dharwar, from Jail Department to Juvenile Branch.
- (14) Government, Home Department, No. 7708/4-C, dated 19th March 1947, Developing Visapur Prison into a Prison Farm.
- (15) Government Letter, Home Department, No. 2189/5-C, dated 7th May 1947, Compulsion on Harijan prisoners to do conservancy work in Jails.

## APPENDIX III.

## QUESTIONNAIRE AND DISTRIBUTION LIST.

## QUESTIONNAIRE.

- (1) Whether the period of imprisonment of a prisoner should be treated on a deterrent line or it should be utilised towards the reformation ?
- (2) If your considered opinion is that the treatment in jails should be on deterrent lines what suggestions you would recommend ?
- (3) If the period of imprisonment is to be reformative what line of treatment you would suggest for his improvement on lines—
  - (a) Moral
  - (b) Educational and
  - (c) Industrial while inside the prisons.
- (4) What steps you would suggest should be taken to rehabilitate a prisoner on expiry of his term by—
  - (a) Government and
  - (b) Private organisations ?

(5) Whether there should be any classification amongst the prisoners. If so what should be the principal on which prisoners should be classified ?

(6) What should be the privileges attached to each class of prisoners ?

(7) Whether prisoners should be classified by age groups and, if so, what should be the age groups and what line of treatment you would recommend for each group ?

(8) Are you of opinion that the female prisoners should receive different treatment ? If so, what line of treatment you would suggest for their improvement on lines—

(a) Moral (b) Educational and (c) Industrial.

(9) What suggestions you have on the existing arrangements as regards (a) dietary (b) clothing and bedding, (c) accommodation and (d) other amenities such as soap, tobacco, toilet articles, etc. ?

(10) Whether you consider that prisoners should be released on parole during the term of imprisonment. If so, (a) what should be the period of parole, (b) on what terms or conditions it should be allowed, (c) what must be the prerequisite for granting it and (d) what should be the minimum sentence in connection with which this question should be considered ?

(11) What suggestions you have in connection with the maintaining of outside contact by prisoners by way of letters and interviews ? The present rules in this connection are given in the schedule.

(12) A list of industries at present carried out in jails is shown in the index. Would you like to add any industries to this list for the betterment of the prisoners ?

(12A) Whether you would like to suggest installation of power driven machinery in the jails.

(12B) What suggestions you would like to make for imparting agricultural training to prisoners ?

(13) Whether prisoners should be compensated in money for the work they do in jails. The present system and rates of monetary award are given in the Schedule. What modifications, if any you would suggest ?

(14) The existing punishments for Prison offences which could be inflicted on prisoners are shown in the Schedule.

What is your opinion with regard to these ? What additions or alterations you would suggest in them ?

(15) If a prisoner behaves well in jail—would you like to suggest any reward by way of remission of sentence ? The present scales of remission are given in the Schedule.

(16) What arrangements would you suggest for recreational activities during definite hours of a day, such as—

(a) Musical concerts and dramatic performances,

(b) Indoor games,

(c) Outdoor games,

(d) Bhajans and playing of instruments, etc. ?

(17) What suggestions you have regarding the treatment of undertrial prisoners ?

(18) What improvements you would suggest for the betterment of sub-jails and lockups ?

(19) What would you suggest about the recruitment of the Superintendents, Jailors, Matrons and other staff of the Jails, their qualifications and training ?

(20) Whether you consider the necessity of appointing psychiatrists at every big jail.

(21) Whether you will recommend a full time medical officer with knowledge of psychiatry for jails ? What other suggestions you have pertaining to the medical help which should be given to prisoners ?

(22) What would you suggest in respect of special medical treatment of prisoners, such as dental treatment, etc. ?

(23) Whether you have any other reforms in respect of treatment of prisoners which are not covered by the above.

*N.B.*—Kindly address your replies to the Inspector-General of Prisons, Bombay Province, Poona No. 1, so as to reach him by the 31st March 1947.



## SCHEDULE.

## BOMBAY JAIL MANUAL RULES.

*Interviews and letters :—*

474.—In addition to the privileges mentioned in the last preceding rule, every convicted prisoner who is put in "C" class may be allowed to have one interview with his relatives or friends, to write two letters—one at Government cost and the other at his own cost—and to receive two letters within a period of two months during the term of his imprisonment.

Prisoners in "B" class may be allowed the same privileges within a period of one month.

Prisoners in "A" class may be allowed to write and receive one letter and to have one interview a fortnight.

475. The Superintendent may at his discretion grant interviews or allow the despatch or receipt of letters at shorter intervals than provided in Rule 474 or in spite of the prisoner's misconduct if he considers, that special or urgent grounds exist for such concession, as for example, in the event of the prisoner being seriously ill or on the occurrence of the death of a near relative or if the friends or relatives have come from a distance to see the prisoner and it would inflict an undue hardship on them to refuse an interview, or if the prisoner is nearing release and wishes to secure employment, or for other sufficient cause. Matters of importance, such as the death of a relative, may also be communicated at any time by the friends of prisoner to the Superintendent who will, if he thinks it expedient, inform the prisoner of the substance of the communication.

*Monetary Award :—*

777 and 838.—All prisoners are allowed monetary award at the rate of one anna per day of remission earned. Night Watchmen are paid 4 annas per month and Convict Officers 8 annas per month as gratuity.

*Punishments :—*

745.—No female or civil prisoner may be handcuffed, fettered or whipped as a punishment.

746.—Punishments are divided into minor and major punishments—

*(A) Minor :—*

(i) Formal warning; (ii) Change of labour; (iii) Forfeiture of remission earned not exceeding 5 days; (iv) Forfeiture of grade, prison privileges or deferred pay for a period not exceeding three months; (v) Temporary reduction from a higher to a lower grade; (vi) Penal diet with or without cellular confinement for not more than 48 hours; (vii) Separate confinement for not more than 14 days; (viii) Handcuffs otherwise than by handcuffing to a staple; (ix) Chain fetters for not more than 30 days; (x) Gunny clothing; (xi) Cellular confinement for not more than 7 days.

*(B) Major :—*

(i) Hard labour in the case of prisoners not sentenced to rigorous imprisonment; (ii) Forfeiture of remission earned exceeding 5 days; (iii) Forfeiture of grade, prison privileges or deferred pay for a period exceeding three months; (iv) Exclusion from the remission system for a specified period or permanently; (v) Permanent reduction from a higher to a lower grade; (vi) Cellular confinement for a period exceeding 7 days; (vii) Separate confinement for a period exceeding 14 days; (viii) Handcuffs to a staple; (ix) Chain fetters for a period exceeding 30 days; (x) Bar fetters; (xi) Penal diet with or without cellular confinement for more than 48 hours; (xii) Whipping; (xiii) Any combination of punishments.

*Remission :—*

758.—Ordinary remission shall be awarded on the following scale :—

(a) Two days per month for good conduct and scrupulous attention to all prison regulations.

(b) Three days per month for industry and the due performance of the daily task imposed.

759.—In lieu of the remission allowed under Rule 758, convict overseers shall receive seven days ordinary remission per month and convict night watchmen six days per month.

764.—Prisoners employed on prison services, viz. cooks, sweepers, hospital attendants, barbers, those employed in gardens and in cattle sheds, who work on Sundays and holidays may be awarded three days additional ordinary remission per quarter.

769.—Special remission may be awarded by (1) the Superintendent to an amount not exceeding 30 days in one year.

(2) by the Inspector-General or the Local Government to an amount not exceeding 60 days in one year.

775.—The total ordinary and special remission awarded to a prisoner under all these rules shall not, without the special sanction of the Provincial Government, exceed one-third part of his sentence.

## LIST OF JAIL INDUSTRIES.

- (1) Weaving—Cotton—Includes Cot-tape, carpets, Nari-tape, Counterpanes, towels, gunny cloth, etc.
- (2) Weaving—Woollen—Includes Blankets and cotton-woollen cloth.
- (3) Carpentry—Office and household furniture, etc
- (4) Smithy—Includes rat-traps, tinning, etc.
- (5) Cane work—Includes office baskets, house-hold furniture, etc.
- (6) Coir work—Includes mats, door mats, brush mats, etc.
- (7) Tailoring.
- (8) Leather work—Includes shoemaking, chappals, etc.
- (9) Soap making—Includes washing and carbolic.
- (10) Chalk stick making—Includes, chalk lump and sticks for schools.
- (11) Rope making.
- (12) Umbrella making.
- (13) Ink making—Blue black powder.
- (14) Calico Dyeing and Block Printing.
- (15) Pottery—Includes kundas, chatis, water coolers, etc.
- (16) Paper making (Hand made).
- (17) Button making and other articles of utility from horn.
- (18) Laundry.
- (19) Bakery. (Yeravda Central Prison and Nasik Road Central Prison).
- (20) Tablet pouches.
- (21) Dairy.
- (22) Agriculture.
- (23) Hand bags from cotton yarn.

## APPENDIX III.

## DISTRIBUTION LIST.

1. The Inspector General of Prisons of Provinces.
2. The Secretary, Provincial Congress Committee.
3. The Superintendents of Prisons and Governor, Borstal School, Dharwar.
4. The Backward Class Officer, Poona.
5. The Probation Officers in Bombay Province (through the Backward Class Officer.)
6. The Presiding Magistrate, Juvenile Courts in Provinces, through the Backward Class Officer.
7. The Secretary, Bombay Legislative Assembly, Bombay (for distribution to all M.L.A.).
8. The Secretary, Bombay Legislative Council, Bombay (for distribution to all M.L.C.).
9. The Director of Publicity, Bombay.
10. Mr. K. G. Gokhale, Khandala.
11. Mr. A. B. D'Souza, Khandala.
12. Mr. M. M. Shah, Bijapur.
13. Rab Saheb N. N. Aiyar, Bombay.

14. Mr. S. R. Kulkarni, Poona.
15. Mr. R. V. Jathar, Dharwar.
16. Miss M. K. Davis, Poona.
17. Mr. V. M. Kulkarni, Bombay.
18. Mr. K. M. Munshi, Bombay.
19. Honourable Mr. G. V. Mavlankar, New Delhi.
20. Mr. R. R. Divakar, Hubli.
21. The Secretary, K. Education Board, Dharwar.
22. The Secretary, Lingayat Education Board, Dharwar.
23. Lt.-Col. M. G. Bhandari, C.I.E., I.M.S., Bombay.
24. Miss Mridulaben Sarabhai, Ahmedabad.
25. Mrs. K. Dange, Poona.
26. Mr. P. D. Sakhedkar, Walchandnagar.
27. Mr. Kamalshankar Pandya.
28. Lt.-Col. Sir, N. S. Jatar, I.M.S., Poona.
29. The Tata School of Sociology, Bombay.
30. The University School of Economics and Sociology, Bombay.
31. The Secretary, Provincial Muslim League, Bombay.
32. The Secretary, Scheduled Class Federation, Bombay.
33. The Secretary, Trade Unions, Bombay.
34. The Secretary, Bombay Province Women's Council, Bombay.
35. The Secretary, Bombay Presidency Association, Bombay.
36. The Secretary, Bombay Presidency Social Reforms, Bombay.
37. The Secretary, Servants of India Society, Bombay.
38. The Secretary, Social Works Society, Bombay.
39. Mr. M. B. Vora, Bombay.
40. The Director of Industries, Bombay.
41. Mr. C. G. Chandratre, Jalgaon.
42. Mr. v. B. Karik, Dahanu.
43. Mr. S. R. Date, Poona.
44. The Secretary, Sprishyasprishya Mandal, Bombay.
45. Mr. T. E. Waterfield, I.C.S., Bombay.
46. Mr. P. M. Lad, I.C.S., Poona.
47. The Director of Public Instruction, Province of Bombay, Poona.
48. Mr. Vithaldas Dayalji, Bombay.
49. Lt. R. C. Patro, Bombay.
50. Mr. S. R. Datar, Bombay.
51. Mr. G. R. Desai, Dharwar.
52. Mr. S. R. Patil, Navghar.
53. The Secretary, Congress Committee, Mundargi.
54. Mr. J. P. Patel, Nadiad.
55. The Secretary, Congress Committee, Haliyal.

56. Mr. A. Tana, Bombay.
57. The Superintendent of Police, Baroda.
58. Prof. G. Sabnis, Bombay.
59. Mr. H. G. Desai, Bhadele.
60. The Secretary, Home Department, Bombay.
61. M. R. Dalvi, Esquire, Nasik.
62. P. H. Patwardhan, Esquire, Ahmednagar.
63. Mrs. L. Thuse, Poona.
64. Dr. Mrs. Irawati Karve, Poona.
65. Miss E. A. Gordon, Poona.
66. Mr. B. S. Hirey, M.L.A. (Central), Nasik.
67. Mr. B. L. Mehta, Dhulia.
68. Mr. Devkinandan Narayan, Jalgaon.
69. Mr. S. P. Patwardhan, Ratnagiri.
70. Lady Rama Rao, Bombay.
71. Mr. Manilal C. Shah, Ahmedabad.
72. Dr. Champaklal Ghia, Surat.
73. Mr. Arjun Lala, Ahmedabad.
74. Srimati Josnaben Shukla, Surat.
75. Dr. H. V. Desai, Ahmedabad.
76. Mr. Maneklal Vakil, Dholka.
77. Mr. Maganlal R. Patel, Ahmedabad.
78. Mr. Motilal Veen, Pleader, Broach.
79. Shrimati Saralaben Sarabhai, Ahmedabad.
80. Shrimati Bhaktiba Desai, Rajkot.
81. Mr. Keval Motwani, Madras.

#### APPENDIX IV.

##### LIST OF PERSONS INVITED FOR ORAL EVIDENCE.

##### *Maharashtra and Karnataka.*

1. A. A. Khan, Esquire, M.L.A., Poona.
2. P. H. Patwardhan, Esquire, Ahmednagar.
3. The Secretary, Maharashtra Prantic Congress Committee, Poona.
4. The Director, Ghokhale Institute of Economics and Politics (Prof. D. Gadgil) Poona.
5. Mrs. L. Thuse, Ex-M.L.A., Poona.
6. The Marathi Journalist Association, Poona.
7. Dr. Mrs. Irawati Karve, Poona.
8. A. K. Khan, Esquire, Chief Inspector of Certified Institutions, Poona.
9. Miss E. A. Gordon, Principal, Training College for Women Teachers, Poona.
10. Mr. P. K. Bhapkar, M.L.A., Ahmednagar.
11. Mr. B. S. Hiray, M. L. A. (Central), Nasik.

12. Mr. B. L. Mehta, Dhulia,
13. Mr. Devkinandan Narain, Jalgaon.
14. Mr. T. S. Jadhav, M.L.A., Sholapur.
15. Mr. R. G. Soman, M.L.C., Satara.
16. S. P. Patwardhan, Esquire, Ratnagiri.
17. Y. B. Chavan, Esquire, Bombay, Parliamentary Secretary to Honourable Home Minister.
18. Sardar V. V. Patil, M.L.A., Hubli.
19. The Secretary, Karnatak Prantio Congress Committee, Hubli.
20. Sir Abdul Latif Haji Hajrat Khan, M.L.C., Sholapur.
21. Dr. G. S. Mahajan, M.L.C., Poona.
22. Lt.-Col. Sir N. S. Jatar, C.I.E., D.S.O., I.M.S. (Rtd.) Poona.

*Bombay and Gujrat.*

1. Dr. J. M. Kumarappa, The Tata Intitute, Bombay.
2. S. K. Patil, Esquire, Congress House, Bombay.
3. Miss M. Sarabhai, Ahmedabad.
4. Mrs. Hansa Mehta, Bombay.
5. Lady Rama Rao, Bombay.
6. Mr. R. R. Bakhale, M.L.C., Bombay.
7. Mr. Khandubhai Desai, M.L.A., Ahmedabad.
8. Mr. Manilal C. Shah, President, Ahmedabad Municipality.
9. Dr. Champaklal Ghia, President, Surat Municipality.
10. Mr. Laxmidas M. Shrikant, M.L.A., Bhil Seva Mandal, Dohad.
11. Mr. Arjun Lala, Ahmedabad.
12. Miss Mrudula Sarabhai, Ahmedabad.
13. Shrimati Jostanaben Shukla, Surat.
14. Mr. Baboobhai J. Patel, M.L.A., Nadiad.
15. Dr. Hariprasad V. Desai, Ahmedabad.
16. Mr. Maneklal Vakil, Dholka.
17. Mr. Maganlal R. Patel, Ahmedabad.
18. Mr. Motilal Veen, Pleader, Borach.
19. Shrimati Bhaktiba c/o Darbar Gopaldas, Rajkot.
20. Miss Saralaben Sarabhai, Ahmedabad.

DEPARTMENT.

- (1) Dr. K. A. Nulkar, M.D., Superintendent & Medical Officer, Yeravda Central Prison.
- (2) Mr. T. M. LaTouche, Superintendent, Belgaum Central Prison.
- (3) Mr. B. D. Savarkar, M.Ed. Governor, Borstal School, Dharwar.

*Tuesday, 27th May 1947—*

Proceedings of the meetings of the Bombay Jail reforms Committee held on Tuesday, 27th May 1947, at 1 p.m. in the Council Hall, Bombay.

*Present :—*

- (1) The Honourable Mr. Mangaldas M. Pakvasa, Chairman,
- (2) Mr. N. V. Gadgil, M.L.A. (Central),
- (3) Mr. R. B. Ghorpade, M.L.A. (Bombay),
- (4) Miss Indumati Sheth, M.L.A. (Bombay),
- (5) Lt.-Colonel, R. T. Advani, I.M.S., Inspector-General of Prisons, Secretary.

[Three witnesses, viz. (1) Lady Rama Rau, (2) Mr. R. U. Patel, Deputy Director of Industries, Bombay, and (3) Mr. Magadi, Secretary, Karnatak Provincial Congress Committee, were examined.]

*Evidence of Lady Rama Rau.*

Q.—The problem can be divided into four stages, viz. (1) before conviction of a person on his committing an offence, (2) after his conviction, i.e., during the period of his imprisonment, (3) his care after the release, and (4) his relation with the general society on release. So far as the first stage is concerned, some people hold the view that, as far as possible, imprisonment should be avoided, more especially in the case of minor offences—and all the more so in the case of girls the Committee would like you to give your views on the subject specially with regard to female prisoners. Do you agree that a policy of less and less of imprisonment should be followed?

A.—I agree with that completely. I personally am strongly opposed to the normal jail life. I think that every case has to be examined both from the psychological point of view as well as from the point of view of re-introducing a prisoner into society on a useful basis. I think that the whole jail order should be altered because when once a person gets the stigma of having had a jail life, his re-introduction into society becomes a difficult problem in as much as the jail life has a psychological effect on the mind of the prisoner.

Q.—Would it, then, be correct to say that, if there was not the risk of a prisoner repeating the crime, or if it was possible to secure such conditions outside in which a repetition of the crime would not be possible, the prisoner should be entrusted to the custody either of her parents or of that or some other suitable agency, instead of confining the prisoner within the four corners of a jail?

A.—Yes. I am in favour of it. And, I would add that it should apply not only to minor girls, but to all young girl offenders. Of course, hardened criminals should always be kept separate from first offenders.

Q.—Do you think it is good to sentence female offenders to any periods of imprisonment?

A.—When women were allowed as juries in Bombay, they tried hard to persuade me, since I have the necessary qualifications, to send in my name to be included in the list, but I have never had the courage to do that because I do not believe in the way in which people are tried and convicted normally. I do feel that in the case of each criminal a much deeper study has to be made than merely treating the facts of his case. This is not usually done in a Court of law. What seems to be a clear case against a particular individual might have a great deal in the background of that case, which would completely alter the seriousness of the crime committed by the criminal. That is the reason why I have never consented to serve as a jury. I do feel that if a greater amount of time and energy is devoted to the studying of each individual case, we will be able to treat them differently.

*The Chairman.*—That aspect of the question is outside the scope of reference of this Committee. We cannot deal in this Committee with particulars of a trial of a person, but only with what treatment should be given to a person on his conviction.

*The witness.*—I do not believe in prison reform unless the Committee goes deeper into the whole question.

Q.—On the conviction of a female offender, would you prefer her being kept in some other place, say, a Curative Home or some such place than in a Jail?

A.—I think it will certainly be better.

Q.—Apart from the circumstances surrounding a crime—they may be either extremely extenuating or otherwise—it is widely recognised in the West that a convicted person should undergo some minimum period of imprisonment during which he may have time to think out, and the conditions of his confinement should be such as would conduce to his reformation. If that view is acceptable, do you agree that a woman sentenced to, say, a long imprisonment of ten years, should, after her spending some two years in a jail, and if her behaviour during that period was good, be allowed to stay outside the prison under certain restrictions?

A.—Yes. So that it would be possible to surround her with healthier influences and impart her indirect moral education leading to a reduction in the crimes.

Q.—I take it you agree that there must be some minimum period of jail confinement; otherwise there would be no deterrent effect. Now, female offenders are very few as compared with male offenders.

*The witness.*—As life in India changes and with the greater freedom given to women, female crimes will increase.

*The Chairman.*—Personally I do not think so.

*The Witness.*—Our trouble is that we have such different standards in different societies today. The modern generation is thinking on lines which are so much progressive than the older generation. Our experience has been that the environments of offenders have not a little to do with the crimes they commit.

*The Chairman.*—Women offenders are very small. It should be smaller with the spread of education among women.

*Mr. Gadgil.*—That is so all over the world. Crimes have increased with the advancement in industry and urbanisation of the population.

*Q.*—Do you agree that the worst type of criminals should be separated from the rest ?

*A.*—Yes. The background of the crime, whether it is economic or otherwise, whether it was committed under provocation or otherwise etc. should be taken into consideration.

*Q.*—What type of moral education should be given to such prisoners ? In one of the prisons in the West, a lady visitor was allowed access to the jail as long and as often as she liked. Her very example was of great benefit to the prisoners in the way of their moral education.

*A.*—It may be copied here. But I am opposed to giving any religious education to prisoners.

*Q.*—What should be the type of moral education ?

*A.*—The Superintendent of Prison should herself lead an exemplary life.

*Q.*—Would it not be better if a priest or a chaplain or somebody goes daily to a prison, more often than once, so that individual prisoners can secure his or her confidence, which might gradually, in an informal manner, re-educate the prisoners ?

*A.*—In my opinion, moral education should be a constant thing and not simply at fixed intervals in a day. I would like prisoners to be shown beautiful films with heroes and heroines leading an exemplary life, that would constantly suggest the prisoner-spectators that such and such would be the reward for good conduct. It should be left to a prisoner to pick up morals. Morals are imbibed by inspiring examples.

*Q.*—A scientist has suggested that there is learning by doing. Do you suggest that the whole timetable of a prisoner should be so arranged that, from the general atmosphere, the arrangement of work, diet, rest, etc., moral improvement ensues ?

*A.*—Yes.

*Q.*—Do you think the prisoners by having more and more of outside contact would benefit in this direction ?

*A.*—I do not value these lectures from outsiders. There are very few instances of the audience imbibing the ideas of the lectures they hear, and the more so is the case with children with lesser intelligence. They do not have the necessary degree of concentration and interest combined. That is not the case with senior students.

I think that there should be moral instruction right from the moment that they sleep or rise with an hour's or half an hour's rest. They should be narrated accounts of some religious or historical hero that would indirectly help concentrate their mind.

*Q.*—Is it your opinion that direct moral teaching should be avoided, but that it should be in such a way that there is a larger absorption by them of moral instructions by what they see and hear and from the general atmosphere surrounding them ?

*A.*—Yes.

*Q.*—Do you agree that an illiterate prisoner should not be allowed to go out of prison without undergoing some compulsory literacy course ?

*A.*—Of course ! I believe in it.

*Q.*—And whatever the period of his sentence, he should not be let out unless, at least, he is able to write his name on the register ?

*A.*—Yes.

*The Secretary.*—The progress of a prisoner's literacy would depend upon the period of his imprisonment.

*The Chairman.*—If a prisoner devotes two hours a day for it, he should be able to read and write within four weeks. That has been our experience in the Adult Literacy Classes in Bombay.

*Q.*—Do you agree that a rule should be framed that educating a prisoner should be the first charge on the jail authorities ?

*A.*—Yes ; but the prisoner must be made to put in the minimum possible work.

*Q.*—If an illiterate person is sentenced to a very short period of imprisonment, would it be possible to take any real work from him, after allowing him to devote time for his literacy work ?

*A.*—(Secretary) A prisoner cannot be taught as long as eight hours a day. He has got to do some manual work like sweeping etc. in his spare time.

*Mr. Gadgil.*—That is why I used the expression "the first charge on the Jail authorities".

*Q.*—What industries and crafts would you suggest that female prisoners should be taught ?

*A.*—The list that is given in the schedule to the questionnaire is comprehensive, and I have very little to add to it. The only point I would like to make is that some idea should be first got of what group a particular prisoner belongs to, what group he or she is likely to go back to, and the circumstances under and the area in which—whether urban or rural, a prisoner was living and would live after release and so on.

**Q.**—That is to say, a prisoner should be given such industrial education as will prove useful to him after release. Is that your opinion?

**A.**—Yes.

**Q.**—Do you not think that the several industries should be conveniently grouped together, as otherwise, if your suggestion was followed and if supposing there were 12 or 13 varieties to be taught, it would involve employment of 12 or 13 tutors? Or, alternatively, do you think that female prisoners should be brought under one roof?

**A.**—(Secretary). Now, the adoption of the latter suggestion would, from the administrative point of view, give rise to a crop of difficulties. It would be difficult to arrange for interviews of prisoners whose relations may be staying very, very far away. Segregation of short term and long-term prisoners would become difficult. Of course, it would greatly facilitate the training of prisoners if they were put together in a central place. At present, the number of female prisoners is about 400 odd.

**Mr. Gadgil.**—But then, there is the problem of association also. For example, in a small jail like the Belgaum Prison, there may be first offenders, convicted of offences committed either under provocation or under extenuating circumstances and those offenders who could be definitely said to be anti-social and bad. If, on account of the difficulties just mentioned, every one in the first or the second category of offenders cannot be segregated, they would come into contact, and the first category of offenders may grow worse as a result of the baneful influence of the second category of offenders.

**The witness.**—Would it not be possible to remove such prisoners to other institutions, and not necessarily to other jails?

**Mr. Gadgil.**—If only one institution in each head quarter place is contemplated, then the problem will not be obviated.

**The witness.**—In Poona there are various schools where vocational training is imparted. A group of female prisoners could be taken to such schools, say, for two or three hours a day, and taken back to the jail again.

**Mr. Gadgil.**—Nevertheless, the problem of segregating the different types of offenders would remain unsolved.

**The Secretary.**—In view of the very limited jail accommodation, segregation of prisoners according to the degree of the seriousness of the crime committed by them is very difficult of achievement. Of course, even now, as far as possible, the habituals and casuals are put separately.

**The witness.**—I agree it is a very difficult problem.

**Q.**—Do you suggest any special diet for female prisoners.

**A.**—Simple and healthy diet, that is, complete from the dietetic point of view.

**Q.**—As there is a sort of prejudice against girls convicted of offences, would not their mixing up with outside girls in schools or other institutions be resented to?

**A.**—I do not think that question would arise if the girl prisoners were only allowed to attend classes, and not to become regular members of the institution.

**Q.**—Could not "Women's Organisations" render some help to such prisoners?

**A.**—I am sure they would be very willing to render any type of assistance. For example, there is the Seva Sadan in Poona and a branch office of the all-India Women's Conference. I would write to them personally in the matter.

**The Chairman.**—That would be much better. Such organisation will be very useful in dealing with a particular class of prisoners.

**The Secretary.**—As far as possible, girl prisoners between the age groups of 16 and 21 are sent out to Homes. In Poona Miss Davies runs a Home. Under the rules, there is no bar to send out such prisoners to any other Home or Institution.

**The witness.**—For example, the Seva Sadan trains girls in subjects like cooking, housekeeping, printing machine, and so on. I am quite certain that they will be able to help you.

**The Secretary.**—I shall contact them.

**The witness.**—I will write to them personally.

**The Chairman.**—If women took up the work of training such girl prisoners, the job would be done more efficiently.

**The witness.**—Up till now officialdom has had nothing to do with private women's organisations.

**The Chairman.**—I am now trying to contact them.

**The witness.**—I am certain they would not refuse help.

**Mr. Gadgil.**—Is it not a fact that there is no lady member on the Jail Advisory Board?



*The Secretary.*—Only on the Juvenile Board there is a lady member, and not on other Advisory Boards.

*Q.*—Would you suggest that there should be one lady member on every Jail Advisory Board.

*A.*—Yes, at least one.

I personally would very much like to press that women prisoners should not be given the work of only cutting vegetables, cleaning grains or cooking, which are of a non-productive nature, but they should also be given economic training whereby they can earn their livelihood, should they want to do so.

*The Chairman.*—Your suggestion has been noted.

*The Secretary.*—In most of the jails, cooking is done by male prisoners as also the cutting of vegetables, etc. Only in one place, namely, in the Thana Prison, cooking is done by female prisoners.

*Mr. Gadgil.*—And, that is the only place where food was worth eating.

*Q.*—What agency would you suggest for fitting in such prisoners, on their release, into society and for their aftercare? Government agency, private agency or women's organisation?

*A.*—For lack of funds, women's organisations would not be able to help such prisoners from the economic point of view.

*Mr. Gadgil.*—Many of such released prisoners would be absorbed in their families, and the balance to be absorbed by women's organisations would be very small. It is not a big problem.

*The Secretary.*—Also, many of the women prisoners are from the rural areas and very few from cities. If women's organisations in cities have any branches in the rural areas, they would be able to help such released prisoners.

*The witness.*—As soon as an individual is able to earn something, automatically self-respect is created in him. Therefore, it is necessary that such prisoners should be enabled to earn their livelihood. In a co-operative effort, both Government and private agencies should try and get such prisoners fitted into society. Train them as nurses, "dais", mid-wives etc. so that they could be readily fitted into society.

*Q.*—Unless a prisoner has a sentence of more than two years to undergo, is it possible to train her as a nurse?

*A.*—We have seen that in villages even uneducated and not very intelligent women do very good work as "dais". It should not need more than 3 to 6 months to train such prisoners as "dais".

*Mr. Gadgil.*—Yes; and normally female prisoners are not sentenced to more than six months or so.

*The Chairman.*—It is a very useful and feasible suggestion.

*The witness.*—We are now hearing about the necessity for preventive treatment during epidemics by vaccination, inoculation etc. Prisoners could be taught how to do these things within a month. Municipalities and other local bodies will be prepared to take such people.

*The Chairman.*—It is a practical suggestion, and we will certainly consider it.

*The witness.*—At the present moment, our vital need is for more nurses, health visitors, "dais" etc. and prisoners can be sent to some suitable institutions for receiving such training, instead of the prisons trying to have their own army of teachers.

*The Chairman.*—Some of the prisoners can be trained as teachers.

*Mr. Gadgil.*—I concede that the suggestion of training female prisoners as nurses, "dais" etc. is eminently practical. But as very few of such prisoners are literate, it is not possible to train them as teachers.

*Q.*—Up to what age should children be allowed to stay on with prisoners in the Jails?

*A.*—Up to the age of five years, children should not be separated, provided there are in the jails nurseries, creches, etc. for the children.

None of the work can be done satisfactorily unless you have a better class of women in charge of the work. By better class I mean from the educational and psychological point of view. The whole thing will be a failure if there is no proper background.

*Q.*—Do you suggest that before a person is put in charge, she should undergo a course in psychology or psychiatry.

*A.*—Yes, if possible; and a certain amount of sociology too.

*Q.*—Would you recommend that a matron should be a graduate?

*A.*—Not necessarily. The Tata School of Social Science imparts such type of training.

## EVIDENCE OF MR. R. U. PATEL, DEPUTY DIRECTOR OF INDUSTRIES, BOMBAY PROVINCE.

Q.—At present, in none of the jails power-driven machinery is employed for want of such industries. Would you recommend the use of power-driven machinery for such industries?

A.—I would not, because the knowledge that a prisoner gains of working such machinery would be of very little use in his village on release. Nor would he have the requisite funds for going in for such machinery. I would prefer such industrial training for a prisoner as would be useful to him after his release.

Q.—In view of the fact that employment is more easily procurable if a prisoner is a technician, i.e., is either a fitter, tools repairer, etc. who knows something of the power-driven machinery, would it not be desirable to train a prisoner in this line while he is undergoing his imprisonment? So that those of the prisoners who have no profession or property to fall back upon on release, might be able to get settled in life. What is precisely your objection for introducing such machinery?

A.—I would advocate the introduction of only such manufactures in jails as would enable prisoners to take them up on their release with the capital of their own.

Q.—It is a much more difficult job for a prisoner to pursue such manufactures on his own on his release. That assumes the payment of some amount, either the earnings accumulated during his imprisonment period or some such thing. Apart from that, do you not think that such a training would not make securing of employment much more easier?

A.—Yes, it will help in securing them suitable jobs. And for that workshops in jails should be improved and prisoners should be trained as carpenters, blacksmiths, etc. But such a training would not enable them to start the manufactures independently to earn their livelihood. However, to manufacture sealing wax, ink, rubber stamp, etc. does not need a great capital.

Q.—Over and above that, if in one of the Central Jails a workshop is opened and prisoners are trained as fitters, jobbers, etc. would it not be better?

A.—Yes. They should be trained as fitters, moulders, carpenters etc. etc.

Q.—In view of the comparatively greater demand for compositors etc. in the private presses, would it not be better to train prisoners in the press work, since in some of the jails, for instance in the Yeravda Jail, facilities already exist for giving them the training?

A.—There is an association that gives people training in press work and absorb them on their training.

*The Chairman.*—We cannot send prisoners for training outside.

*The witness.*—Today we train apprentices. There is a course for that. We could train prisoners also. They would after training get remunerative jobs.

Q.—How long will it take to teach them?

A.—To teach them composing work it will take about six months.

They could be trained in the work of watch repairing also.

*The Chairman.*—That would need finer instruments.

Q.—What would be the equipment needed for imparting such industrial training to prisoners?

A.—It will require a capital expenditure of about Rs. 15,000 by way of fine tools. It would be only repairing work and not manufacturing. Recurring expenditure would be about Rs. 2,000 per annum. I will work out details and give them.

*The Chairman.*—Yes, please do.

*The witness.*—For instance, book-binding work. That would need a capital expenditure of Rs. 3,000 and recurring expenditure of Rs. 3,000. The return on such investment would be about Rs. 1,500.

*Mr. Gadgil.*—The main objection by the several Chambers of Commerce, when this inquiry was going on, for further industrialisation in jails was that they compete with the outside manufacturers. That is why Government said that whatever was manufactured in jail would be kept for its use.

Q.—So it comes to this that industries for the products of which Government itself would be the customer should be selected first. Even at present tailoring is done mainly for Government's requirements in Ahmedabad. So also tapes, tags, blotters, rubber stamps, etc. which are useful articles for Government offices, may be made in prison on a large scale. Another useful article would be ink which every Government office requires. Then Yeravda printing press is entirely for Government work and it also provides facility for training prisoners in composing. Prisoners may also be taught book-binding and envelop-making.

A.—Government being a ready customer for the articles manufactured, it would also be remunerative from the prisoners' point of view.

Q.—Can we not have a decent workshop where prisoners can be trained as fitters and in such other lines as would be useful to them to earn their living when they go out of prison walls?

A.—(Secretary) We shall have to be careful in selecting the place for the location of the workshop. We must see what sort of life the prisoner is going to return to after his release. If he is

going back on his land, then the training given to him as fitter would be wasted. Most of our prisoners come from the agricultural class. The training may be useful to those who will be going to cities after their release to seek employment.

*Q.*—My idea in making this provision is this. Suppose a criminal comes into prison and after serving his sentence he goes out. Then the problem before him, if he has no land, is how to settle in normal life. If he knows some crafts or art, it will be a means of earning his livelihood. But for such a provision, he may again take to crime and return to jail.

*A.*—(Secretary):—It is true that such training to an agriculturist will be of no use. Then another point is that a prisoner may learn carpentry or whatever is taught only because he is forced to learn it and will give it up as soon as he comes out unless he has a liking for it. So we must look to the aptitude of the person to learn a certain profession. Secondly, it must also be seen whether the person after he goes out of prison will get a job suitable to his qualification or not. So it is no use turning all fitters or giving all one type of specialised training.

*Q.*—Is there anything like basic education in technical training which can be useful to a man in picking up whichever line he chooses later on? Whichever line of industry he may choose it should serve him as a foundation on which to build.

*A.*—Technical education can only give a bias to the man, but it cannot go further. There is industrial bias as well as agricultural bias. But that does not help much unless a man pursues a particular line or profession.

*Q.*—I shall make myself clear. We should give such type of technical education that it can be useful in any other line that he may take up later on. For example a man is given education in motor mechanics, then can he not easily be trained up as an aircraft mechanic? There is bound to be some difference, but the basic principles are the same. Can we not devise such technical training as can be put to use in a variety of ways?

*A.*—This will only make the man mechanically-minded. This does not give him sufficient training which would enable him to pursue any other line with advantage. For that purpose you must have training for a number of years. You have agricultural bias classes, but they do not help much unless you become a farmer.

(*The Chairman.*—I make a distinction between the words "bias" and "basic". "Bias" only means a mental turn, whereas "basic" means a mental turn as well as some aptitude for a certain trade or profession).

*Mr. Gadgil.*—I shall make the position more clear. I know how to read and so I can read a novel or a book history or geography or philosophy. Ability to read is common to all matter, though the subject may be different. Similarly can there not be common grounding which can be useful for different trades and professions?

*Miss Indumati Sheth.*—We have technical schools. There technical training is given for a period which extends to three years and the boys attend the schools for more than 3 or 4 hours a day. Here we are going to have short period courses and the prisoners will not be daily trained for more than say 2 hours. In the technical school after so much background, the boy can specialise himself in some particular department of engineering.

So I think that you cannot have general training. You must divide technical training in different courses, and you may train a man in one profession or another according as the duration of his jail sentence.

*Q.*—Electric fitters and wiremen are so much in demand now. We may have these courses. How long would it take to train prisoners in these courses?

*A.*—You can make a good electric fitters and wireman in six month's time.

*Q.*—Can we not have a group of four or five courses grouped together on a broad basis which have some inter-connection? These are some simple courses: composing wireman's course, moulding and carpentry. You can select a dozen or so such trades and professions which are easy enough and give training according to the length of sentence of the prisoner.

*A.*—Yes, that is possible.

*Mr. Gadgil.*—I had been to Kolhapur and when I visited rural areas I found that some of the farms worked oil engines to pump out water. We should give training to agricultural prisoners to run oil engines which will be quite useful. How long will it take?

*A.*—For running an oil engine it may not take more than three months. But to learn its mechanism so that if there is anything wrong the owner can put it right it will take a very long time. To know something of the mechanism he would require at least six months' training.

*Q.*—So according to your calculation a man can be a turner, fitter and wireman in something like six months to a year.

*A.*—Yes. If you specialise prisoners it will take lesser time and it will also be remunerative and paying to him outside. If a prisoner is taught and made a turner or wireman only within six months, he will be more proficient than a student from a technical school. To him general background would

not be of much use and besides it would take long time. So I am in favour of specialised training. We have technical training schools outside which prepare boys with a general background, and thereafter they specialise in one line or another. From the practical point of view it would be profitable to make a prisoner expert in some profession or another. You can produce a good mason or a brick-layer within six months.

Q.—Should there be any payment for the work turned out by the prisoner? If so, what should be the proportion?

A.—I feel he should be paid the same rate as an average workman doing the same job would get outside.

Q.—But he has to be fed and clothed at State expense?

A.—You are under an obligation whether he works or not. Suppose a prisoner makes a chair. The State can dispose of it and realise money. Of course you provide him with raw material but you can get its cost out of the sale proceeds. So you can give him as much as he would normally receive outside for his work.

Q.—What about the period when he is under training?

A.—Even during training, he saves lot of labour.

Q.—I can understand that labour costs on the basis of average labour costs outside should be taken into account in fixing the price of the articles manufactured in jails, but how much should actually be paid to the prisoner for his labour is a different proposition which should be left to the discretion of the State. You cannot say that there is State obligation to maintain the prisoner without any corresponding obligation on his part to the State.

A.—I quite agree.

Q.—Then there is another consideration. Suppose a chair is prepared. If we put the labour cost at a lower figure than what it is outside, the chair will sell at a cheaper price. It can stand competition with outside furniture-makers. That is why we suggest paying comparable wages.

A.—In fixing the price of an article some labour cost should be provided for the prisoner who made that particular article.

Q.—We do not want slave labour. A prisoner should be paid comparable wages for the work he does. His work should be treated as service.

We may also offer some remission as compensation for lower wages.

A.—Monetary award at the rate of one anna per day of remission earned is very poor. This is not sufficient inducement.

(The Secretary explained the present practice of awarding remissions—See Rules under Remission and Monetary Award in the Schedule attached to the Questionnaire.)

In the case of articles supplied to Government Department, the minimum convict labour is 20 per cent. of the raw materials and in the case of articles sold to the public the minimum is 33 per cent. There is no objection to charge higher percentage to bring the price to the market level and this is always done. Jail prices are never in competition with bazar rates.

A.—This is why the wages are bound to be lower. If job work system is followed you will have more production and more wages for workers.

Q.—After the training of the prisoner is completed, we propose, he may be examined and given a certificate that he knows such and such work. Are you in favour of issuing such certificates?

A.—I would welcome the idea of issuing certificates to prisoners. The certificates will be useful to them in securing work outside. Government should itself hold the examination, test the efficiency of the prisoners, and issue certificates accordingly.

(The Chairman.—Will you give us detailed information about courses which can be taught within a period of six months. The idea to be kept in mind is that all these courses should be capable of being taught in one workshop. You kindly give us the cost that would be required for fitting up such a workshop and the recurring cost that would be required to maintain it. We shall start with a unit of 10 workers and the course not to extend over six months.)

Mr. Patel.—Would you like me to include hosiery and bangle-making? For bangle-making you would have the initial expense of a furnace.

(The Secretary).—No doubt hosiery would be quite a good course. We have hosiery machine, but the difficulty is about the needles.

Mr. Gadgil.—The real problem is to equip a prisoner with some kind of training which will be useful to him when he goes out. There are many crimes which are committed on account of economic motives. If you provide them with means to earn their living, they would not come back to jails again. Therefore, the chief thing is that these trades must not involve lot of initial expenditure. An ordinary man should be able to start them.

A.—Most of the trades we have discussed do not require much initial expenditure. But may I ask: why Government should not advance loans to these prisoners as they do to outsiders?

Mr. Gadgil.—Government cannot advance loans to all people. Government may give lands but it will not be prepared to give cash.

*Mr. Patel.*—I do not understand why a distinction should be made between a prisoner and an outsider in the matter of granting loans or giving subsidies.

*Mr. Gadgil.*—All that Government can undertake to do for a prisoner is to give him training in some craft so that he may be able to find employment. It will be placing too much reliance on him to advance him a loan.

*Mr. Patel.*—I fail to understand why a distinction should be made between the two. You (Government) also do not know the past history of the artisan applying for a loan and yet you help him. There is all the greater reason why you should help a prisoner whom you have taught.

*The Chairman.*—I do not quite see the reason why you presume that a prisoner after he comes out of jail and wants to establish in some trade will not be helped by Government as other artisans. Since we are going to award certificates to prisoners after examination, they will have the status of professional men and their cases will be dealt with in the same manner as an application made by any ordinary man who has not gone to prison.

*Mr. Patel.*—I want the committee to recommend that requests for loans from prisoners should receive attention from Government.

*The Chairman.*—At present there is no disqualification and so we need not make any recommendation of the type you suggest. I would say that the holders of Government certificate will naturally have some preference over those who merely say that they know a particular craft. The fact that a man was an offender should not come in his way.

*Mr. Magadi.*—Government may reject their applications on the ground that the offenders will not be morally good men. Only a certificate of proficiency in some craft is not sufficient to secure a loan from Government.

*The Chairman.*—I do not think certificates of good moral conduct are demanded from outsider applying for loan.

*Mr. Gadgil.*—Government is going to grant training to prisoners in order to give them better chances of employment after release. To go further and say that they should also be provided capital is going too far and giving preferential treatment over good citizens.

*Mr. Patel.*—All that Government should say is that being a prisoner should not be a disqualification for securing a loan to start some industry which he has learnt while in prison.

*Mr. Gadgil.*—The Chairman has already pointed out that there is no need to make such a specific provision.

In continental countries, if a man behaves well after release from prison his name is struck off from the criminal records. He is restored cent per cent. citizenship and has no disqualification. A mistake once committed in life should not be a lifelong disgrace.

*The Chairman.*—Then there are also cases of persons who go to jails but are well off or have relations who can help them. Such people may get training in jail and as soon as they are out they may start an industry with their own capital or with the assistance of their relations.

*Mr. Gadgil.*—And the type of jobs that you are going to select for training should be such as will ordinarily secure a prisoner employment.

*The Chairman.*—Thank you.

*Mr. Magadi.*—Before we start I should like to say one word about the question of remuneration that a prisoner should receive for his work. I have heard the discussion held by the Committee with the previous witness. In my opinion, unless a prisoner is paid he would have no incentive to work. He will do the work under compulsion but he will not have his heart in the work, and for this purpose he must be induced with money remuneration. With their willingness and co-operation there will also be better and more output. Even we political prisoners, whenever we were given some work, did not do it willingly and a criminal, therefore, would do his work more grudgingly and simply because he must do it.

*Mr. Gadgil.*—There need not necessarily be monetary incentive. If we make a provision that prisoners who work conscientiously and well will be given so much remission of sentence, you will find that many prisoners will do their work whole-heartedly. I do not say money will have no effect, but a prisoner is less than the prospect of an early release.

*Q.*—Do you think simple imprisonment as a punishment should continue?

*A.*—Unless a person is invalid simple imprisonment should not be given.

*(The Chairman.*—You can easily get a medical certificate invalidating you.)

*Q.*—Who should decide issue—the convicting Magistrate or the Jail authorities—whether a man is invalid or not?

*A.*—The convicting Magistrate. Normally, we may say, simple imprisonment should not be given.

*Q.*—Do you want that prisoners should be classified as politicals and non-politicals?

*A.*—Yes.

Q.—What is your definition of a “political prisoner?” Suppose I stab a man—and there are many cases of this nature on account of the present disturbed conditions—will you call me a political prisoner? Would you take into account the nature of the crime and its consequences?

A.—If the person is non-violent in pursuing his objective he may be called a “political prisoner”.

Q.—Let us take a concrete case. Suppose a train is held up, its passengers looted without committing any violence and the money is provided for some political cause. Will you call the persons concerned in the loot political prisoners?

A.—It is difficult to answer the question. The answer would depend upon so many factors the assessment of which would differ from man to man.

Q.—Would you take motive as a relevant factor in the determination of this question?

A.—Certainly.

Q.—And if in achieving your objective, much against your will, there is murder, then?

A.—Then it would be a non-political case.

Q.—(The Chairman.—We are restricting the field in calling something political or non-political. We know there were two hostile religious camps known as Shivaites and Vaishnavites, and even to-day the quarrels go to such a length that murders do take place, though on rare occasions. And only because there is violence committed from a higher plane, the religious plane, and has a better motive than the motive behind the actions of ordinary criminals, would you call such crimes “political”?)

A.—Religion, according to me, is a personal matter and has nothing to do with politics.

Q.—But the Muslim League is exploiting the religious faith of the Muslims and are carrying on political propaganda from the plane of religion. Similarly there may be cases of staunch Hindu element (the priestly) objecting to the entry of Harijans in temple and Government may have to take action against them. Would you call them “political prisoners”?

A.—It would be wrong to confuse religion with politics. Religion is a private affair.

Q.—Since it seems very difficult to decide the question of classification of prisoners into “political” and “non-political” precisely, I shall give you the definition framed by a Committee appointed by the Central Government. The definition reads:—

“All prisoners detained in connection with, or convicted of, offences connected with political movements will be classified as political prisoners irrespective of the nature of the proceedings taken against them or the provision of law under which they are detained, prosecuted or convicted: provided that the offence does not involve violence, person greed, loss or damage to property or moral turpitude?”

Do you agree with this definition or would you suggest any change in it?

A.—I accept the definition.

Q.—Do you think that the present classification “A” “B” and “C” which is mainly based on consideration of status in society, education, general standard of living, etc., of the prisoner is reasonable and proper? If not, do you suggest any change?

A.—There should be no classification of prisoners as exists to-day on the ground of prestige and status in society.

Q.—But there has been an agitation all along these 20 years that the very fact that a prisoner is sentenced is sufficient to disgrace him and so there need not be any physical suffering imposed on him by giving him such treatment as substantially differs from what he is accustomed to outside.

A.—I would suggest that the treatment given to all classes of prisoners should be raised to a higher standard. That would solve the problem.

Q.—But this would create an anomaly. If you decide to raise the standard of prison life to a comfortable level then a man who is hardly able to get good food outside would commit an offence deliberately, come to jail and enjoy the life as if in a sanatorium. This would be attracting prisoners and encouraging people to commit crimes.

A.—My experience is quite otherwise. Even though we political prisoners got a better treatment we were not able to get sufficient number of political workers who were prepared to go to jail. One does not like to lose his freedom. So also an ordinary beggar even if he is assured “A” class will not be prepared to go to jail. Jail is jail after all.

Q.—If you do not agree to the present classification which is based on wealth and position in society, would you classify prisoners into “educated” and non-educated?”

A.—I am sorry I cannot agree to this suggestion.

Q.—Suppose there are two prisoners, one of them being educated and the other uneducated. They will be given the same kind of food which will be satisfactory to both of them. In such a case the uneducated prisoner will feel quite happy and contented, whereas the educated prisoner will feel unhappy and wanting something that he feels absolutely essential. The educated man will have the habit of reading daily newspapers and books. So do not you think that the needs of an uneducated and an educated man are different?

A.—Food is a basic necessity. When a man is sent to jail you cannot cater for all his needs.

Q.—The objects of punishment are:—Firstly to disgrace a man; he suffers in reputation and secondly he is made to suffer physically. No one would say that a person while in jail should get the same amenities of life he can have outside. However, there should be some relationship between a prisoner's life and his life outside. Viewed from this point of view, would you not offer better facilities to an educated prisoner than to an uneducated one?

A.—No. Because it may happen that because one is rich he may become educated, whereas another man who is in poverty may not and cannot have the same facilities and hence remain uneducated. So a distinction on account of educational standard would be improper. The remedy would be to educate prisoners and make them better men, the object of prison life being to reform men.

Q.—In your opinion, then, there is a case for equality so far as diet and dress are concerned but if any prisoner wants more books, newspapers or better lights you would not provide them?

A.—I do not say that. You must first raise the general standard. Let every man have books and newspapers to read and better lights, especially which are wanting in jails. Let them be available to all equally. Of course, you cannot force any one to read.

Q.—Food and dress are absolute necessities of life for everyone. They can be made on a mass scale. Food can be cooked in one kitchen and clothes have to be stitched for all. It is not so with other amenities which are personal needs. An illiterate man's needs and necessities are different from those of a literate man. So in these matters supply should be according to demand. Is that your view?

A.—You cannot make provision for all needs. The Superintendent should have the authority to decide whether a particular request should be granted or not. An illiterate man may require smoking material whereas a Professor would require a writing table. He should decide whether to grant the amenities asked for. The basic as well as special needs must be supplied with discretion.

Q.—What is your object in providing that the Superintendent should supply the special needs?

A.—Because the man who is not used to them will not require them. If a general right is given it may be misused.

Q.—Take the case of writing material. Why not supply it to all?

A.—It may be given provided one wants to use it. Otherwise what is the use of it.

Q.—At present there is the provision that two books may be given. Do you consider this a special concession?

A.—No. It is true that although there is provision of two books no one would read two books at a time.

(Mr. Gadgil.—I know there can be some people who would demand them because they are entitled to them.)

A.—My contention has been that if the needs are real and genuine they should be supplied.

(Mr. Gadgil.—The late Lokmanya Tilak was provided with all the books he needed while writing "GITA.")

A.—I know there are men who although they have studied up to IV or V Standard are better men than Graduates. They have a hobby to read. It would be hardship on them if they are denied the facilities of reading. But such cases are rare.

(Mr. Gadgil.—We have to take life in general and provide for general cases. All are agreed that a man's life in jail should not be very much different from his life at home, although it is bound to be inferior.)

A.—I quite agree with your view. To provide better amenities in jails you must raise the general standard of living of the common man.

(Mr. Ghorpade.—So you want a classless society and also the general standard of life raised in jails.)

A.—Yes.

Q.—Should the provision of special needs such as additional newspapers, books, etc., be at government expense or at the expense of the prisoner concerned? The present provision is one newspaper for every 10 prisoners. A man may require a writing desk and it may be a necessity for him and not a luxury. Who should bear the cost in case it is to be provided?

A.—All the basic necessities must be supplied at Government cost. All the other facilities, which are not common to all, should be provided at the expense of the person concerned. Of course, there may be exceptions to the rule.

Q.—Do you think that one interview a month, which is allowed at present to "B" class should suffice?

A.—Yes.

Q.—And two outgoing letters at Government cost in a month are also sufficient?

A.—Yes The Jail Superintendent should have discretion to allow more letters in exceptional circumstances. There is such a provision even at present.

Q.—You know the diet given to "C" class prisoners. Since you say that there should be no distinction as regards food, what standard diet would you suggest?

A.—Before I answer this question, I should like to make a general observation. Although the food that is given in jails is not of the type I would recommend, it has been our experience that a man actually gets fat. This is not a desirable thing because in spite of fat accumulation, the man feels weaker and weaker day by day and he cannot have medical treatment unless he actually loses weight. I think there are no nutritious elements in the food that is given to prisoners to-day.

Q.—Give us the diet you suggest after taking into consideration all these facts. Let us begin. Will you have morning tea ?

A.—No. I would prefer kanji to be continued. It should be wheat kanji.

Q.—So far as the Konkan and the seven districts of the Central Division are concerned, tea has become the normal morning drink of 90 per cent. of the population. In view of this fact, would you not allow it to be given in the morning ?

A.—I take tea as luxury. If anybody wants it, let it be at his own cost.

Q.—Then you virtually concede that the rich can have it, the principle to which you are opposed.

A.—There will be earnings on account of work done.

Q.—On account of illness, a prisoner may have no income. If it is not a luxury with a certain class of people, will you allow it ?

A.—If you take the opinion of the whole of India, the verdict will be that tea is a luxury.

Q.—You cannot decide this question on an All-India basis. There are local variations in diet and dress. Tea has almost become a national drink during the last 20 years.

*The Chairman.*—May I take it that your view is that kanji is good from the health point of view, where tea is injurious to health ? It may also serve as a sort of punishment.

*Mr. Gadgil.*—I want to bring to your notice the principle running through the mode of prison life—diet, dress, etc. The life in prison should not be a luxury but at the same time it should approximate to the life outside. If you want the prisoners to reform and behave well then his normal necessities should be provided. This principle is borne in mind everywhere on the Continent and in America and even in the Provincial Jails of India. In fixing the dietary due regard is paid to the local conditions, to what is normally available outside. You will have to agree to the supply of morning tea if this principle is borne in mind.

A.—Apart from its denial being a punishment I object to it from the health point of view.

Q.—Would you allow bidis and tobacco to be supplied.

A.—Does it come under dietary ?

Q.—The question has to be decided because prisoners do ask for two or three bidis and some tobacco for chewing after meals. That is the habit with most of the prisoners.

A.—Though I am not a smoker, the surroundings are responsible for these vices. I would allow these to be provided.

Q.—What are the reasons which weigh with you to make these concessions ?

A.—Firstly to create satisfaction amongst prisoners and secondly if they are addicted to these vices, how can they get rid of them ?

Q.—The same considerations should apply to tea ?

A.—Tea and tobacco cannot be compared.

Q.—Which of the two evils, if they are vices, is worse ?

A.—Both are equally bad. But I am forced to grant in favour of tobacco on account of some special circumstances. A man if he wants to have tobacco will have it by any means.

*The Chairman.*—So the matter boils down to this. Tea and tobacco deserve equal condemnation. But tobacco should be allowed because if prevented it will be brought in surreptitiously. It is better to prevent theft, and smuggling. Tea cannot be brought in and so it should be prevented.

A.—I quite agree.

Q.—What should be the mid-day meal ?

A.—Bread which may be of Jowar, Bajri, wheat or rice according to the region. It will depend upon what is the staple food of the region.

Q.—Will you determine the staple food with reference to region or caste ? For example, Brahmins want rice, merchant class want wheat and lower middle class want Jowar or Bajri. The staple food of the region differs from the staple food of a class.

A.—You cannot take into account individual requirements and you cannot provide different diets. Laws have to be uniform.

Q.—What would you suggest as a general standard ?

A.—Bajri or Jowar bread in the mid-day meal with a little amount of rice. There should be a change four times in a week, i.e., instead of jowar or bajri bread there should be wheat bread. In addition, dal should be given as at present.

Q.—Does a farmer ordinarily take rice ?

A.—Whenever he does not take rice he prepares boiled rice out of wheat.

Q.—What should be the evening meal ?

A.—Same as the afternoon meal.

Q.—Would it be a balanced diet according to you ?

A.—In addition, I would suggest that onions must be given. So also the quantity of oil should also be increased.



**Q.**—In the Province of Madras they have introduced buttermilk in jails, Would you consider it a luxury as tea ?

**A.**—No ; it is not a luxury. In our parts tea is a luxury and is taken by the head of the family but butter milk is taken by each member of the family. I would recommend that buttermilk may be given to prisoners, if possible.

**Q.**—Would you like garlic to be given ?

**A.**—I would suggest some leafy vegetables, along with dal, both times. To garlies I have no objection. It has good medicinal properties.

**Q.**—How many times gur should be given ?

**A.**—At least twice a week.

**Q.**—What should be the total minimum quantity per week ?

**A.**—8 Ozs.

**Q.**—Should the prisoners be given some fruit such as a plantain ?

**A.**—Some fruit should be given once a week. It may be plantain or any other fruit that is possible.

**Q.**—Why should we not give one plantain daily ?

**A.**—The cost would be prohibitive.

**Q.**—But the prisoners can produce plantains in the jail premises.

**A.**—Then I have no objection.

27th May 1947—(continued.)

(Evidence of Mr. Magadi continued).

**Mr. Gadgil.**—It would (supplying a plantain to every prisoner daily) cost one anna per prisoner daily.

**The Witness.**—If it is grown in the jail gardens, it may cost only one pice per prisoner.

**The Secretary.**—It is impossible to grow in the jail gardens the big quantity of plantains needed daily.

**The Witness.**—Then I would suggest that plantains may be given only if they can be grown on the jail gardens ; otherwise fruits may be given to prisoners once a week—fruits like mangoes, papaya, etc.

**Q.**—What quantity would you suggest ?

**A.**—It should be given on weight. Papaya about 4 ozs. a week.

**Q.**—Do you think that a barrack should not accommodate more than a certain number of prisoners ?

**A.**—Under any circumstances, a barrack should not house more than 50 prisoners. At present from 5-30 to 9-30 p.m., prisoners are idle. It should be seen that prisoners are kept busy during that period.

**Q.**—Do you not think that a group of 50 people in a barrack would not be suitable for such a purpose (educational) ?

**A.**—We have, not unoften, 50 boys in a class.

**Q.**—A prisoner works throughout the day and goes back to his barack as a tired man. If he finds a big crowd round about him, do you think it would be conducive to better results if a lesser crowd was there ? a prisoner wants a little quiet after days hard work.

**A.**—Barracks may be used for imparting training to prisoners in groups ; at other times they may be housed in cells.

**Q.**—Do you agree that if a barrack contains only 15 or 20 prisoners, it would create a feeling of comradeship or unity amongst the prisoners ?

**A.**—I agree. The verandah in front of the rooms may be allowed to be used for association or as a place to retire. In the lockups, we were not allowed to go out for making water.

**Mr. Gadgil.**—Lock-ups are a problem by themselves.

**The witness.**—I would repeat my suggestion that the verandah in front of cells should be provided with iron bars and prisoners allowed to move about there. Instead of having barrack system, there should be cells or rooms and verandah with iron bars outside.

**Q.**—Suppose we have a class of prisoners called " Political ". Do you agree that there should be no different classes among political prisoners ?

**A.**—There should be only two class of prisoners, political and non-political. There should be no other classification of prisoners.

Q.—Do you think that death or imminent death of an immediate relative of a prisoner should entitle him to be released on parole?

A.—Yes. And for this purpose, mother-in-law may be regarded as an immediate relation. Wife's mother and father; and immediate relatives either of the husband or wife.

Q.—Do you not think that father-in-law should not be included in the list of such near relatives and that it should be limited to father, mother or children and wife?

A.—But, in the absence of husband, it is not the wife but the wife's relations that manage the husband's property.

Q.—It may be wife's brother or anybody else and not necessarily her father?

A.—Generally, it is the father of the wife who manages his son-in-law's property when the latter himself cannot do so. Management of the property should be one of the considerations for releasing a prisoner on parole. For this purpose, the number of paroles may be restricted.

Q.—Supposing a prisoner is sentenced to 12 months. How many paroles would you suggest?

A.—Parole should be allowed once in twelve months for a management of property. It is another thing to allow him on parole more frequently if there are deaths and other things. In the latter case, obviously, no restriction can be suggested.

Q.—Would you suggest the grant of parole on the ground of marriage?

A.—No.

Q.—Suppose a prisoner is to undergo an imprisonment for six or seven years. Do you think it desirable that such a prisoner should be released on parole for a month or so after he serves, say, two or three years of his sentence, provided he had behaved well?

A.—Yes, but in my opinion, the period of parole should not be more than a week.

Q.—You would not like the period to be longer?

A.—At the first time, the period may be a fortnight and on subsequent occasions, not more than a week.

Q.—Do you think it would be harsh on such prisoner if he has asked to report himself to the local police or some such thing during the period of his release on parole?

A.—After all, he is a criminal, and I do not think such a condition would be unjustified.

Q.—What are your ideas about the maximum time that an offender ought to spend in jail?

A.—Apart from the period of imprisonment inflicted on a prisoner, he should not be made to spend his time for more than seven years in the jail. This period is exclusive of remission that he may earn as a result of his good conduct and regular work.

Q.—Do you suggest that a prisoner should be paid for his work in Jail?

A.—He should be paid for his labour and half his earnings should be accumulated and paid to him at the time of his release and the other half should be utilised by Government for meeting the expenditure on the prisoner's account.

Q.—In certain continental jails, prisoners are allotted to purchase certain extra articles like tobacco, etc., out of their earnings in jail. Would you like to have such a system introduced in our Jails?

A.—My suggestion is that half the wages should be utilised by Government for meeting the prisoner's maintenance cost and the other half should be allowed to be spent by him.

Q.—Even if your suggestion is accepted, do you think that out of his earnings, a prisoner should be allowed to buy certain extra things in the Jail?

A.—On such extra things he should not be allowed to spend more than a fourth of his wages or earnings. I would have a monetary limit, but no limit on kind.

Q.—Would you prescribe any limit on the articles that a prisoner can so purchase?

A.—It is a difficult question to answer.

Q.—Do you recommend that a part of the earnings of a prisoner, instead of its being allowed to accumulate, should be sent to his family?

A.—Yes, if it is absolutely necessary to do so, for the use of his wife and children.

Mr. Jadhav.—But, it would be a very small, almost negligible amount.

The witness.—If a prisoner is paid his regular wages for the work he does, it would be a large amount. I may point out that if wages are paid to prisoners, they would turn out more and better work.

Tuesday, 27th May 1947—(continued). [Mr. Gadgil]

Q.—What are your suggestions regarding recreational activities in the jails, etc.?

A.—There should be light physical exercises, if that is included in the term "recreational activities." If it is not it should be included. There should be, "Surya Namaskars", etc. There should be some mass physical drill.

Q.—A long-term prisoner, say, sentenced to seven years, is, on his serving two years of the sentence with good conduct is released on parole for a fortnight. If during that period of parole, he behaves well, should the period be extended further?

A.—Yes, but not on the first occasion.

Q.—Do you like the idea of such prisoner being allowed to remain on parole for the remaining portion of his sentence with certain restrictions?

A.—Yes.

Q.—What have you to say about the jail punishments?

A.—Fetters and chains, should be removed. Solitary confinement may continue. Fine may be imposed and recovered out of a prisoner's earnings. Penal diet and gunny clothing may remain. Whipping should not be there. Instead of giving stripes he may be awarded some additional period of imprisonment.

Q.—Whipping acts as a deterrent on hardened and boisterous and troublesome prisoners, whereas additional imprisonment does not. Would you recommend the abolition of whipping?

A.—Yes, I would.

Q.—Even in exceptional cases also, it should not be there?

A.—My suggestion was that, as a matter of policy, it should not be there.

*The Secretary.*—Even now, whipping is resorted to in very rare cases. There has been only one instance, during the last six years where whipping punishment was awarded to a prisoner.

*The witness.*—Bhajans, musical instruments, etc., may be introduced. Musical instruments may be allowed once or twice in a year on certain religious occasions. Bhajans may be allowed every day.

Q.—So you suggest that prisoners may sit together and sing bhajans for 20 or 30 minutes in the open outside their cells? It will be just a prayer-like performance.

A.—Yes.

Q.—I understand Mahomedans and Christians are allowed to come together on certain occasions but there is no such concession for Hindus. Muslim prisoners can meet and wish each other on occasions like Ramzan and Id-Milad. Would you suggest that Hindu prisoners should also have the same concession on certain occasions?

A.—I think permission for free association can be granted by the Superintendent at his discretion. But the position needs to be regularised so that there is no invidious distinction. Some days may be fixed for Hindus.

Q.—Do you remember any occasion on which Hindu prisoners were given opportunity to associate freely with one another. The concession may have been made to political prisoners, but I do not know if it was extended to criminals.

A.—The Superintendent has discretion in this matter but on some important occasions free association may be allowed as a matter of right to all prisoners irrespective of whether they are political prisoners or criminals.

Q.—On how many and what occasions should this concession be granted?

A.—On two or three occasions in a year, say New Year's Day, and Dassera and Diwali days.

Q.—Can the prisoners on these occasions go from one ward to another?

A.—They may go and wish each other. There should be no objection if discipline is maintained.

Q.—Is it your opinion that the present opportunities of association are not enough?

A.—Yes. I advocate freer and better association.

Q.—If prisoners of one ward were allowed to visit and mix with prisoners of another ward, would it not lead to more escapes and such other attempts on the part of prisoners?

A.—I quite see your difficulty. You may allow the concession, provided you are sure of good behaviour on their part. The concession should not be misused.

On the whole I am in favour of freer association but that should not come in the way of proper jail administration.

Tuesday, 27th May 1947—contd.

{The Secretary}

Q.—Are you in favour of arranging lectures by outsiders who are eminent leaders on social and political matters and also by preachers who would teach them morals. These outside influences will have a good effect on the minds of prisoners and they will be kept in contact with the outside world.

A.—I quite welcome the proposal. There may be a lecture every week.

Q.—You have no objection if Government maintains a list of such persons and arranges lectures every week.

A.—I do not mind. In foreign countries they send a priest to prison every month.

The Chairman.—Thank you.

Wednesday, 28th May 1947.

Proceedings of the meeting of the Bombay Jail Reforms Committee held on Wednesday, 28th May 1947 at 1 p.m., in the Council Hall, Bombay.

Present :—

- (1) The Hon'ble Mr. Mangaldas M. Pakvasa, Chairman,
- (2) Mr. N. V. Gadgil, M.L.A. (Central),
- (3) Mr. R. B. Ghorpade, M.L.A.,
- (4) Miss Indumati Seth, M.L.A.,
- (5) Lt.-Col., R. T. Advani, I.M.S., Inspector-General of Prisons, Secretary.

Witnesses examined :—

- (1) Mrs. Hansa Mehta, M.L.C.,
- (2) Dr. J. M. Kumarappa,
- (3) Mr. Y. B. Chavan, M.L.A.

The Chairman.—We mainly want to know your views about what reforms in jail are necessary with particular reference to women, although we shall be talking about jail conditions in general. You have yourself experienced jail life and so your suggestions will be valuable to the Committee. There can be three broad categories of prisoners. First those who come to jail for serious offences such as murder by the wife of her husband or other murders. Second, those offences which are the result of economic pressure leading to petty thefts, and third those prisoners who are exploited by others for the purpose of smuggling in articles such as opium. We feel that most of the crimes can be avoided if people are morally trained. We would like to know whether you agree with this view and, if so, what would you suggest for moral education of prisoners in general and females in particular?

A.—I quite realise the importance of moral education which has a good influence on mind. I would suggest through Harikathas and Kirtans indirect moral teaching. I do not see any other method of direct moral teaching. I know that was introduced in the Baroda State, though I do not know whether it still continues. Poet Nadibji did Kirtans and that helped to give a moral tone to the prisoners.

We have got women visitors but they have to meet the prisoners in the presence of prison officials and naturally they cannot talk freely with each other. In foreign countries visitors are assigned a certain number of prisoners to whom they can talk for hours together without any kind of official interference and by frank and free conversation the visitors are able to find out the real difficulties of the prisoners. They can study and come to know the mind of each prisoner. Such free intercourse between visitors and prisoners if introduced in this country will also have beneficial results. Government can put so much faith in the visitors.

Q.—Everybody is agreed that women prisoners who are illiterate should be made literate. But would you suggest anything of the type of post-literacy work for women who are already literate?

A.—Those women prisoners who are able to read may be provided books to read. At present the jail library is very poor. They may be given books systematically so that the readers would benefit by reading them.

Q.—Would you suggest a regular reading class?

A.—That would be difficult. Women visitors who go and establish contacts with prisoners can also supply suitable books to them.

Q.—Would you suggest any industrial education for women?

A.—The questionnaire seems to be drafted with special attention to the needs of male prisoners. In the list of industries appended, I do not find mention of needle work which women would like to take up. You may also include making of card-board boxes, book-binding and embroidery as suitable industries for women-prisoners.

Q.—How will book-binding be useful to women?

A.—They may take it up as regular occupation after they go out.

Q.—Would you suggest any special craft or art for women?

A.—I have suggested needle craft. Basket-making is already suggested in the list but there should be systematic training in that.

Q.—We are also thinking of introducing for men some large scale industries with a view to providing with means of employment after release from prison. We are seeking guidance from the Industries Department of the Government of Bombay in this matter. Would you suggest any such industries for women?

A.—Manufacture of card-board boxes and book-binding will be good industries for women. Calico printing, which is becoming popular day by day, may also be introduced.

Then for short termers spinning which can be learnt easily and quickly may be introduced.

Q.—At present a child is allowed to remain with the mother in prison till it is two years old. Would you like the age limit to be extended?

A.—It would not be in the interest of the child to keep it in prison after it is two years of age, but from the mother's point of view she would be reluctant to part with it at any time. I would suggest that the child may remain with the mother at the most till it is three years old. Whatever the feelings of the mother, it would not be quite proper to keep the child in prison after it is three years old. We have primarily to consider the child's interest and the mother's point of view has a secondary place. Prison atmosphere is bound to have evil influence on the child's mind after it gains understanding.

(The Secretary.—We may provide that a child may be brought frequently to the mother. If there are relations of the mother with whom the child can stay they can take away the child and in the absence of any such arrangement the child should be sent to a local home).

A.—I am strongly opposed to a child being sent to a missionary home.

(The Secretary.—In the past that had to be done under the orders the District Magistrate because there were no other homes, except those run by missionaries. I agree that no Hindu mother would like her child to be brought up in a missionary home. The child may be sent to local homes which have now been or are being established and the child may be brought periodically to see the mother).

Q.—Is it not a fact that female members of certain tribes court imprisonment to avoid maternity expenses?

A.—(Secretary) It is no doubt true that I have myself seen some cases in Yeravda of this nature. I really do not know why these women do not go to civil hospitals. There is no need to court imprisonment after pregnancy.

Miss Indumati Sheth.—It may be because in a civil hospital a woman can stay only for 10 days.

(The Secretary).—But these are very rare cases.

Q.—After a woman prisoner is released, and if she cannot be absorbed into her family, it is suggested that she should be cared for either by Government or by such institutions as women's organisations which are growing in cities and rural areas from day to day until such time that she can earn her bread and live independently. Have you any suggestions to make in this respect?

A.—There are two types of agencies—private and Governmental. Both the prisoners' aid societies and women's organisations may be utilised for this purpose. Then Government should also appoint after-care officers to see that a woman not only gets a job but is also settled in that job so that she is out of her difficulties.

Q.—Perhaps institutions like Sevasadan of Poona should undertake this kind of work and Government will help them with funds.

A.—I should think so. As I said, there is also the necessity of an after-care special officer for women.

(The Secretary.—At present we have got Probation Officers for men and you probably want such officers for women also.)

Q.—Would you agree to the suggestion that in the case of women prisoners actual imprisonment should be avoided as far as possible. This concession will be made only to those women offenders who have committed an offence on account of provocation but are really repentant. Of course, we cannot be kind to women who have been convicted of keeping brothels and are women of the worst type. But suppose a girl of 19 or 20 in a fit of anger commits an offence, is tried and sentenced to two years' imprisonment. The girl is found to be repenting her action and is not a habitual offender. Should Government in such a case suspend her punishment after conviction and send her to some approved local home where she will be kept for six months and taught some art or craft? The whole idea behind the suggestion is that while there should be restraint on the girl she should be kept away from prison life.

A.—I am of the opinion that long sentences for women are not good. Even life sentence should not exceed 10 years. The suggestion you have made is quite good and if put into practice would be a desirable arrangement. The idea is to reform the prisoner and you need not be unduly deterrent except in the case of confirmed criminals.

Q.—here are no two opinions that the object of punishment is reformatory.

A.—I quite agree. But the important point is that the approved home to which a woman will be sent must not have the atmosphere of a prison. Otherwise the whole purpose is defeated.

Q.—Under section 562 of the Code of Criminal Procedure, a Magistrate is empowered to release a prisoner after conviction on his executing a bond of good behaviour during the period of sentence. This provision of law is hardly made use of. Would you like that the provision is made use of frequently?

A.—Yes. Women prisoners should be given a chance to behave well. On the recommendation of the Jail Superintendent this concession can be granted in fit cases.

(The Secretary.—There is the Probation Offenders' Act and Magistrates can let off persons with simple warning or on the security of some surety. They can also be kept under the supervision of Probation Officers. The law is there but it has become a dead letter. You have got to develop the system and tell Magistrates to make frequent use of these provisions.

It is also a fact that the Probation Officers agency has not fully developed. The chief thing we are lacking in is probation work and want of properly trained Probation Officers. We must find out men of the right type and train them).

Q.—Apart from the cases we were talking about so far, there may be some cases in which the Magistrate might insist that a woman should undergo sentence of imprisonment in the interest of social peace and security. Would you, in such cases, suggest that the prisoner after undergoing a part of the sentence should be released on probation?

A.—If it is proved that the woman committed the offence under provocation or under adverse circumstances and that she is penitent then she should be released after she has undergone a part of the punishment. In such a case she will not be a danger to society.

Q.—(Mr. Gadgil).—Reverting back to the question of moral education to which reference was made by the Chairman earlier, do you believe in moral education on mass basis? Do you believe that lectures, singing of bhajans or reading stories from Ramayan and Mahabharat will be useful in reforming criminals?

A.—As I said women visitors should have free access to the prisoners. They should win their confidence and extract confessions from prisoners and by constant preaching and advice bring them back to the path of virtue. I attach great importance to personal contact.

Q.—Do you contemplate engagement of regular staff for this purpose?

A.—We have women visitors even today. It is necessary to increase their number so that each visitor will be in charge of a few women prisoners with whom she can be in constant contact.

Q.—Do you think that a sufficient number of women workers will be forthcoming for this work? If not, then, would it not be better to appoint a matron—quite separate from the matron who is responsible for the executive side to maintain order and discipline—whose duty it will be to work among the prisoners and act like a companion, keep contact with a small group of prisoners and gain their confidence and try to reclaim them to society?

A.—You must have several of them and that is why I suggested women visitors. Then, again, if the matron works in an official capacity, she will find it difficult to win their confidence and extract confessions from prisoners. Prisoners will hardly be frank and free with her and this will make her work difficult.

Q.—Miss Gordon suggests "Personal interest taken in each prisoner would help towards recovering a sense of self-respect and wherever possible opportunities to prove this by being given positions of involving responsibility should be provided."

Now this personal interest cannot obviously be taken by a matron when there are at least about 75 to 100 prisoners.

Would you, therefore, suggest the employment of a staff of psychiatrists?

A.—Psychiatrists should be appointed in each prison for they would be qualified persons to analyse and classify persons into different categories. There may be some prisoners who would be suffering from mental pathology, others who may be born criminals and still others who may be made criminals on account of economic circumstances. I was suggesting women visitors in addition to psychiatrists.

Q.—So before a remedy can be applied you must first diagnose the disease. A psychiatrist will be able to know why a particular man became a criminal and then he could decide the lines to improve aim.

Then as regards visitors it is very doubtful whether we shall be able to secure them. For Yeravda jail we shall require at least half a dozen of these workers in normal times. Although Poona is near to Yeravda, I do not think we shall be able to get that number of workers who would keep constant association with prisoners. This is the difficulty with regard to non-official agency.

A.—I should feel that Poona can easily provide a dozen such women workers. What is necessary is to make arrangements for them and give them proper facilities.

Q.—We quite accept your suggestion but there is the practical difficulty that we shall not get the requisite number of voluntary workers. As an alternative, therefore I suggest that the jail administration should engage trained matrons who can keep constant touch with the prisoners, win their confidence by behaving as companions study them, and try to reclaim them to society.

A.—For the nature of work that is to be done, I would first prefer a non-official agency. But in the absence of it there may be an official agency. I do not see why there should be difficulty to get non-official workers in cities like Bombay and Poona. My insistence on non-official agency is because they will get better co-operation and confidence from prisoners. The psychological effect will be greater if there is a non-official agency.

Q.—What are your views about the present classification of prisoners into A, B and C. This classification is based on the status of the person in society. "C" is the lowest class. A and B classes are practically the same with the difference that an A class prisoner is allowed to get food from home. They can also use their own clothes. Amenities provided for A and B class prisoners are far greater than those provided for A Class prisoners.

Another classification can be "politicals" and "non-politicals". There is no official distinction at present, though political prisoners are kept apart from criminals.

A.—In fact, there can be several classifications, in my opinion. There may be prisoners who come there because of moral turpitude. Then there are habitual and casual offenders. There are others who are born criminals and some crimes are due to mental pathology which can be cured. Economic motive can also be responsible for turning a man into a criminal, and lastly there is the class of political prisoners.

Q.—The idea behind classification has two purpose: (1) To keep the different classes apart and (2) of justified to give them different treatment, according as they deserve.

A.—So far as food is concerned there must be one standard for all. As regards other amenities which are not essential a person may have them at his own expense.

Q.—This would lead to an anomaly. I do not think you would extend this privilege to everyone irrespective of the nature of the crime and the quantum of punishment. A dacoit may afford to have all sorts of luxuries in prison because he has money.

A.—I quite see the point. As regards food there should be no distinction. In granting other amenities, the nature of crime should be taken into consideration.

Q.—It is a very vexed question how to decide whether a prisoner is a political or non-political prisoner. This question was raised in the Central Government and a Committee appointed which has framed the following definition:—

"All persons detained in connection with, or convicted of, offences connected with political movements will be classified as political prisoners irrespective of the nature of the proceedings taken against them or the provision of law under which they are detained, prosecuted, or convicted:

Provided that the offence does not involve violence, personal greed, loss of damage to property or moral turpitude."

There was opposition from Muslim members to the word "violence" in the definition. Do you agree with this definition or suggest any change?

A.—I think moral turpitude should be the test to decide whether the offence is political or non-political. Even the women suffragists in England, although they were violent, were not ill-treated.

The Chairman.—They never advocated violence but they become violent. Women generally do not advocate violence.

A.—I suppose moral turpitude would be the right kind of standard.

Q.—The danger is that rioters would claim to be political prisoners. So the test of violence is essential to classify politicals and non-politicals.

A.—I agree to the definition framed. But definitions also change with times.

Q.—What should be the period of parole for long termers, which means prisoners convicted for five years and more. Should it be 15 days after completion of 2 years' sentence, provided, of course, the prisoner has been of good behaviour?

A.—I agree to the proposal. After two years for every subsequent year of punishment a parole of a week may be allowed.

Q.—Would you agree that if a person sent on parole behaves well outside, he should be allowed to remain outside?

A.—In that case the prisoner would be on probation and not on parole because it means suspension of punishment. You may try the experiment in suitable cases. But that question is different from parole.

Q.—Should the parole be at Government expense or at the cost of the prisoner?

A.—It should be at his own expense. He will have some money earned by his labour.

Q.—Are you in favour of showing liberality to prisoners in the matter of interviews with family members and exchange of letters. This would have good influence on the prisoner.

A.—A "C" class prisoner is allowed, I think, one interview in two months. I should suggest one interview a month.

Q.—What should be the duration of an interview?

A.—It is an administrative question.

Q.—Would you allow more than two outgoing letters?

A.—Yes, at the prisoner's expense.

Q.—In additions to remissions granted for good conduct, would you suggest that there should be money remuneration for work done?

(The Secretary.—According to the present scale of remissions the maximum amount that a prisoner can accumulate would be Rs. 30 to Rs. 40.

A.—I think he should be paid for the work he does. Of course, it may not be the entire amount, but a certain proportion.

Q.—What should be the scale of remuneration?

A.—It is difficult to answer this question. It will not be the same for all men for the nature of work and its quality will differ with each prisoner. I feel that the present scale of remuneration is insufficient and inadequate.

Q.—We suggest that he should be paid the same scale as an outsider would get for the same kind of work, excluding expenses incurred on his maintenance.

A.—That seems quite reasonable.

(Evidence of Mrs. Hansa Mehta continued.)

Q.—Should jail punishments like bars, fetters, etc., be there or not?

A.—As far as possible, prisoners should be treated in a humane way.

Q.—Should these punishments be not there even in the case of certain rowdy and indisciplined prisoners?

A.—I have not suggested that they should be altogether abolished. Whipping should not be there.

The Secretary.—Even now, it is very rarely resorted to, and that too with the previous sanction of the Government.

The witness.—The barrack system should be abolished, and as far as possible, there should be cellular accommodation. If it is not practicable at present, a smaller number of prisoners should be housed in a barrack. Preferably, there should be small cottages, with sanitary arrangements. There should be bathing facilities also. At present, there are very poor sanitary arrangements in jails.

Q.—Do you recommend unlocking on a general scale?

A.—Since it is proposed to release prisoners on parole, probation and so on, there is no point in locking prisoners.

At present, bathing arrangements for women prisoners are very bad. They should be improved.

Evidence of Prof. J. M. Kumarappa, Director, Tata Institute of Social Science.

Q.—Would you suggest classification of prisoners as political and non-political? At present, under the rules, prisoners are classified into A, B and C. B class prisoners get more facilities by way of interviews, writing letters, etc. and food than to the C class prisoners; and, A class prisoners still more facilities in that direction. They can also arrange to get their own food. Such classification is generally done having regard to the status of the prisoner outside.

A.—It seems to me that classification has to be entirely on a different basis.



In the first place, you need to have a general room you may speak of it as a sort of reception place—where prisoners can be received, their history studied and then examined medically and by a psychiatrist etc. Some people are more responsive to treatment than others. Therefore first a study of the prisoners should be made and then they should be classified according to the nature of the treatment they need with a view to their reformation. Of course, it is a convenient way of classifying prisoners according to their social status and food requirements and so on.

Q.—Is it your suggestion that, as reformation of prisoners should be the ideal, classification should be so done as would greatly facilitate their quick and satisfactory reformation?

A.—That is right.

*The Secretary.*—At present, classification is done only to allow certain additional amenities to certain prisoners.

*The witness.*—In fact, the highest tendency in penology at the present time is to maintain that the judges have no business to pass sentences on convicted accused. They are simply to judge whether an accused person is guilty or not. On an accused being found guilty by a Judge, there is a Committee set up for the purpose of passing sentence on such convicted person. If the sentence so passed is of a short period, say, six or eight months, instead of sending the prisoner to a jail, he would be released on parole or probation just to save him the humiliation of jail life. It is better not to remove a person away from his family or community.

Q.—Do you suggest that after a judge gives the finding of "guilty" in regard to an accused person, there should be an expert committee to award sentences?

A.—Quite right! It is not correct to sentence a person according to the crime committed by him. Sentence should not depend on the nature of the crime committed, but on the nature of the convicted person. Punishment should not fit in with the crime but with the individual.

Q.—In suitable cases, should not the sentence be such as would prove deterrent to others?

A.—That is accepted, for instance, in the case of regular repeaters.

Q.—Would you suggest infliction of deterrent sentences not strictly in relation to the crime committed, but to deter others from committing crimes?

A.—I am not quite sure of its efficacy. Formerly, convicted persons used to be taken through streets so that a large number of people could see them. Such a sort of treatment only arouses a greater resentment and a spirit of vengeance in the prisoner than a feeling to reform himself. Take the case of a man who is taken away from his family to serve his period of imprisonment say, for ten years. Certainly, society has a right to punish an individual who has committed a crime, but it has no right to punish the family of the offender as also his children. In the absence of the offender from his family, does society offer to care for his family? If his family is not cared for during his absence in jail, it is not unlikely that he would try and wreak his vengeance on society for such neglect.

*The Chairman.*—Let us take the case of a murdered man. Now, society does not take care of his family and children. You now advocate that the family and children of a murdered should be taken care of by society. Is it not putting a sort of premium on crime?

A.—We have got to care for the families of both the persons.

I do not say that long-term imprisonments should not be awarded even in deserving cases. But what I would like to stress is that the families of prisoners should not be punished. We can, for instance, remit the earnings of a prisoner while in jail, to his family. The prisoner should not have any choice in the spending of his earnings there.

Q.—Would not what you advocate attract people in bad economic condition to crimes? For instance, a person with a very very small income would commit crime thinking that he would get better comforts in jail and his family and children would be looked after, during his absence in jail, by society?

A.—Nobody would really like to have his freedom curtailed. Putting a person in jail is not assisting him to be a good citizen.

Q.—It is understandable that society ought not to be vindictive or retributive towards an offender, but would society be justified in undertaking the liability of maintaining the members of the family of a convicted person?

A.—After all, family is the most important unit in any national life, and the family has the responsibility of training its children in good citizenship. Therefore the State is under an obligation to the family.

Q.—Such obligations are apart from whether the head of a family is in jail or not, and they will be discharged irrespective of that fact. Do you not agree that for the State to undertake the responsibility of finding employment, and mean for maintaining the family of a prisoner is rather a great advancement on the existing notions of penology?

A.—I would maintain that the State has some responsibility towards the family of the person removed to a jail.

Q.—Today, the State does not take any such responsibility?

A.—It ought to.

Q.—Without at the same time undertaking to care for the family of the murdered man?

A.—It should undertake the responsibility in the case of the family of both the murdered man as well as the murderer. Otherwise, juvenile delinquents would become a menace to the State and society.

Q.—Do you think that classification should be on no other basis?

A.—Yes.

Q.—In a jail, educated and uneducated people, convicted of different crimes are received. Would you not recommend their classification or treatment according to the nature of the crime committed with due regard to their education, etc.?

A.—Classification should be done after taking into consideration all aspects of a person's life, including his education, because his treatment should depend on what the individual really possesses. You must know what is the capital on which you can work.

Q.—If classification was done as suggested by you, provision would also have to be made for moral and industrial education?

A.—That is right. I do not believe in having a special officer for such purpose. Every officer employed in a prison must contribute to the moral education of the prisoners in his charge. All of them should share the responsibility. In my opinion, it cannot be done in a sort of compartmentalised way. Mortality is not one thing and the life of the individual another. So that his intellectual welfare, moral welfare and physical welfare all go together.

Q.—Is it your suggestion that the staff employed in a prison should be such that, by its training a personality, it attracts the confidence of the prisoners leading to their reformation, and that there should be no outside agency for the moral education of the prisoners? In other words, if the present system is changed, the rest will follow?

A.—Yes.

Q.—Of late, it has come to be recognised that the main idea underlying jail administration is that it should be reformatory. For that purpose an expert or a well-qualified staff is necessary. The staff at present if recruited on the principle that it should be able to command the respect of prisoners, carry out the tasks entrusted to it by Government and sometimes much worse than that. Now, if your thesis is accepted either wholly or in substance, it could be given effect to provided there is the necessary staff with the requisite qualifications. For this purpose, what, in your opinion, should be the period of training and what the minimum qualifications for recruitment?

A.—It is a difficult question to answer.

Not only in the case of prisons, but in the case of every other department of life, we are terribly disorganised. We have never thought constructively of these problems. The way I feel about jail reforms is that, instead of getting officers of various types, we should set up certain standards for jail reforms. After setting up standards, we should try to reform one jail and see how it works and then introduce the system in other jails. Of course it is a question of finance, but no matter what it costs, if the thing has got to be done, a beginning must be made somewhere, without making a very ambitious plan.

Q.—Would that be a very costly affair? If very costly, Government may not accept the proposal.

A.—I think it is worth doing. We have talked about jail reforms long enough, but we have not done it. That is one aspect of out life which has been neglected, and it is time we began to take more interest in it. We can work out some method of reform and make jail self-supporting to some extent by producing more food, etc.

Q.—Could you give us an outline of your scheme?

A.—It is a difficult proposition, and I would not like to answer all the questions here. I would like to suggest that if you can give us a little grant, permission to enter your jails and a certain amount of time then we would be able to put one research assistant to visit all these jails and get all the necessary material. Then we can give you a plan. The Committee can then discuss the plan.

*Mr. Gadgil.*—That is extremely good. But, till the plan is ready, my idea is that there should be training for a period of six months of the prospective staff in the Tata Institute of Social Science. Some minimum qualifications may be prescribed for the candidates. What you have suggested savours of a long term planning, but if we want to do something now, and it will not prejudicially affect the long term plan, my suggestion is that the staff to be recruited should have a preliminary training in your Institute for a period of, say, six months. We want your practical suggestions in that direction. We want a curriculum to be prepared for that. It was suggested that there should be some on,

Central Institute for the whole of India for the purpose. That, of course, must await the political statement. To start with, at least half a dozen people should be trained in your Institute for a period of six months annually. Candidates may be trained in penology, criminal law, psychology, etc.

*The witness.*—I was a little bit afraid to make this suggestion lest there should be some demand on us to train students. We are in very difficult position just now. We are living right on the border line of Pakistan and Hindustan. It is not yet clear what the political status of India will be. The Government of India would like us to train somewhere about 50 Labour Officers. All these things we can do, but today for lack of accommodation we cannot do that. Our classes are housed in rented buildings. We approached both the Government of India and the Government of Bombay to give us at least some temporary buildings. We are putting up our own buildings, and they will be ready in about a year's time. We will be able to expand our activities when our buildings are ready but not before that. Classroom accommodation at present is very limited.

*Q.*—If you get accommodation, you can do it?

*A.*—Yes.

I should like to work in a different way. We train candidates for social service in hospitals. The Government of Bombay have decided to have at three places three lady organisers for the work, and who have succeeded in getting the Tata Memorial hospital to consider the scheme. My suggestion for training such candidates has been that the candidates should be regular paid employees while undergoing the training. They would be allowed to attend our special classes and do their normal work and this is on one condition that the candidates should be graduates of our school so that they will have the necessary background. For such specialised courses, our own graduates would require a much lesser period than outsiders, for whom a preliminary course of one year is prescribed for gaining the necessary background.

*Q.*—Have you got enough graduates? Will you be able to supply us some of your trained people after six months for so?

*A.*—We can select some graduates out of the present batch and train them in about six months, that is to say, they will have been trained by June next, i.e. 1948.

*The Chairman.*—If I can get precise information from you as to your need for buildings and how many trained graduates you would be able to supply Government by 30th June next, I will be able to make some recommendation to Government in the matter?

*The witness.*—Surely, and some of them should be women.

*The Chairman.*—If possible, 50 per cent.

*Mr. Gadgil.*—The Institute should be given such facilities by the Government.

*The Chairman.*—They will.

*The witness.*—In the case of building accommodation, it is not possible. I spoke to Mr. Nanda (Minister for Labour) I have also seen, in this connection, a number of officials of this Government as well as those of the Government of India. There is some kind of difficulty or the other. I was very keen about two or three hutments in Worli.

*The Chairman.*—Would not other places do for you?

*Mr. Gadgil.*—If Government wants its jail staff to be trained in your institute, the first thing that the Government will have to do is to provide your institution with buildings.

*The Chairman.*—If you are not keen on getting the Worli hutments, you may get other places.

*The witness.*—We are keen on the Worli hutments because we are putting up our permanent buildings there.

*The Chairman.*—You now require some buildings as a temporary measure?

*A.*—Yes.

*The Secretary.*—We have advertised for two candidates for two posts of Superintendents. I do not know whether any applications have been received by the Public Service Commission. We are keen on having your students with a diploma in sociology or penology, psychology, etc.

*The Witness.*—One or two graduates spoke to me about it, but I do not know whether they have applied for it or not.

*Q.*—If no qualified candidates are available, can we send some for training to your institute?

*A.*—We believe in thorough training. We have now extended the period of the courses from 2 to 2½ years. Outside students, as they do not have the necessary background as the students of our Institute have, have to undergo a basic course for one year and this is necessary for all types of work training, in social science.

*The Secretary.*—If what I understand is true that Government want to send the candidates selected for the two vacancies of Jail Superintendents for further training outside, I should think they could as well be sent to your institute for the training. They should be trained in our own country if arrangements could be made in that behalf.

*The witness.*—On account of the political disturbances, it has become very difficult to make arrangements in the matter.

*The Chairman.*—I can understand that because your institute is in a very bad locality.

*The witness.*—I agree that it is no use sending our students abroad for training. It would be more economical to get foreign experts to train our students here only.

*Mr. Gadgil.*—The Central Government is intending to get an expert from abroad on a contract system to train our students here only. With that object in view, the Central Government has set up a Psychological Bureau where people will be trained in psychology and then sent out to the several provinces to help in the work of recruitment of candidates for the various services. For some time I was also in the Selection Bureau. Government is thinking whether that should be made a permanent feature. From my own experience of the work on the Bureau I have come to the conclusion that it helps very much in securing a fair selection.

*The witness.*—We have deputed a lady student for training in economic and social work. On her return, her services would be utilised for training other candidates here.

*Mr. Gadgil.*—Shall we take it that arrangements can be made to train some of the jail staff in your Institute?

*The witness.*—Certainly, you can do that.

*The Chairman.*—If we are of the opinion that, in future, only such candidates as are graduates and trained in the Tata School of Social Scheme, should be selected then Government will have to provide certain facilities to the Institute. If you could give us concrete suggestions as to what the Institute expects the Government to do in the matter, we would consider them and make suitable recommendations to Government.

*The witness.*—For each student from outside our province we charge a deputation allowance of Rs. 2,500. This we would not do in the case of students from our province if Government give us grants towards building expenses and some recurring grant. As our Institute will be useful to all the provinces in India, I have approached the Central Government also for grants, though Tatas are averse to asking for funds from others. We intend to have our new buildings behind the Podar Medical College. We hope that Government would be generous enough to give us the grant asked for.

*Q.*—How much have you asked for?

*A.*—Rs. 3 lakhs and a recurring grant of Rs. 25 to 35 thousand annually.

If you would like to set up certain standards of reforms in the jail administration, we would be able to make some suggestions in that direction if we get permission from the Inspector-General of Prisons for going into some of the prisons, studying the conditions there and a certain amount of money.

*The Secretary.*—Could you give us an idea as to the amount of expenditure you would have to incur?

*A.*—It will not be much.

We could take one prison, preferably the Yeravda Central Prison, for our work.

Could you not have a central prison for women exclusively?

*The Secretary.*—That is not possible because of certain administrative difficulties like arranging for interviews, segregation of long term and short term prisoners and so on. For long term female prisoners, there is a central place, namely the Yeravda Female Jail.

*The witness.*—How does the idea of having reformatory schools for women prisoners appeal to the committee? They could be kept there as in their villages.

*The Secretary.*—They would be suitable only for certain types of prisoners, if they are organised well. We have got a few homes at Pandharpur, Ahmedabad and one at Matunga and I do not think they are so organised as to be able to take up that kind of work.

*Mr. Gadgil.*—They are more or less rescue homes.

*The witness.*—In the U. S. A. I saw a prison for women. It was one of the most marvellous things I saw. I never got the impression that it was a jail. Not once did I feel that I was inside a jail. They are housed in three or four cottages, and they themselves do all the activities like running homes, running a poultry farm etc.

*The Secretary.*—They are very advanced countries. But, let us be practical. Our ideals may be high, but our proposals must be reasonable. Let us make a small beginning.

*The witness.*—Our people respond well to the treatment as compared to the western people. We think we have better material to build upon and with proper planning we ought to be able to achieve better results.

Mr. Y. B. Chavan, M.L.A.

Q.—Are you giving evidence on behalf of Government ?

A.—No. Whatever I shall say will be my personal opinion. I am not here as a Government representative.

Q.—Very well. Do you suggest that prisoners should be classified as political and non-politicals ?

A.—Yes. I do.

Q.—What will be your test to decide whether an offender is a political prisoner, or not ?

A.—According to me, political prisoners are those who court imprisonment. They are convicted of activities carried on to change the form of State.

Q.—Will you not take into account the element of violence or non-violence in determining whether a particular prisoner is political or not ?

A.—Yes, that would be relevant to the question.

Q.—Will you take into account destruction of property ? Take, for instance, the Jejuri dacoity case and the persons involved in it. Will you call them as political prisoners, assuming that such classification exists ?

A.—I would certainly call them political prisoners. I think they were political prisoners.

Q.—Take another instance. I loot a train to supply funds to my party. Shall I be considered as political prisoner ?

A.—I shall look to the intention behind the crime before deciding the question one way or the other. Motive plays an important part.

Q.—If motive is to decide the question, will you call persons connected with communal riots as political offenders ?

A.—Those who participate in the riots must so proclaim. If rioters say that they are acting in furtherance of the cause of the Muslim League I will call them political prisoners.

Q.—What should be the forum and occasion on which such a proclamation should be made ?

A.—They may do so in the course of trial in open court.

Q.—Do you think that a political party can preach violence and yet remain a legal party ?

A.—If any political party proclaims violence, I do not think it will remain a legal political party.

Q.—So a political party which is legally functioning cannot preach violence and if the members of that Party declare in an open court that they are doing violence in furtherance of their Party's cause whom should the convicting Magistrate believe ? To take a concrete instance, Mr. Jinnah says "We abjure violence for all time" and we must take his version as the creed of the Muslim League Party. At the same time you can find a Mahomedan, who professes to belong to the Muslim League Party, saying that he committed violence in furtherance of his Party's cause. Should the Magistrate, in such circumstances, declare him a political prisoner ? The Magistrate is faced with a contradiction.

A.—He should not be considered a political prisoner because the Party to which he belongs does not preach violence. The Magistrate can use his discretion judiciously.

*I shall decide the question thus.*—If a party is declared illegal and any of its member commits an offence then he will not be a political prisoner. So also if the party is functioning legally and for this it must never preach violence and some of its members indulge in violence then they will not be considered as political prisoners.

Q.—So it comes to this that one who is not accused of violence should be a political prisoner.

A.—I think the problem is difficult to decide. There can be violence of various kinds. There can be violence in word as well as action. It is difficult to lay down precisely the definition of violence.

Q.—The term "violence" is defined in the Indian Penal Code. We must lay down specific tests to decide whether a person is a political prisoner or not so that the Magistrates should have no doubts. We must lay down such tests as can be properly applied, leaving no room for doubt.

A.—I do not think it should be the function of the Magistrate to classify prisoners as political and non-politicals.

Q.—Should the classification, then, be left to the Executive ?

A.—Yes.

Q.—The objection against it would be that executive government being a partisan government will not be judicious in the matter of classification.

A.—I think the matter should be entirely out of the field of magistracy. This is after all a political problem.

Q.—The Committee feels that classification is a judicial finding and the function should be left with the judicial authority.

A.—I beg to differ. The courts are there to decide the point of law. The executive should decide whether a particular offender is political or non-political.

Q.—Would you agree that the classification should, in the first instance, be made by the District Magistrate but there may be appeal to the District Judge?

A.—I adhere to my view that classification is not a judicial function but entirely an executive one.

Q.—Assuming that there are political and non-political prisoners should there be three classes viz., A, B and C among political prisoners.

A.—There should be one class of political prisoners. There should not be any distinction between them on account of social status, education or such other considerations.

Q.—Which class would you recommend for political prisoners?

A.—There should be one class of political prisoners. There should not be any distinction between them on account of social status, education or such other considerations.

Q.—Which class would you recommend for political prisoners?

A.—I would recommend 'B' class for all political prisoners.

Q.—Are you in favour of maintaining the classification in the case of criminals or do you favour one standard as in the case of political prisoners?

A.—The whole question has to be decided from the point of view of reformation. I will first classify prisoners into habituals and non-habituals or casuals and give them treatment differently. As far as diet and interviews with relations etc., are concerned, there need not be any classification.

Q.—So there should be one standard as regards diet and dress for non-political criminals.

A.—Yes, with one exception. A man above 50 must be given good treatment and you need not wait till a medical officer recommends it.

Q.—Assuming that there should be one standard for non-politicals as regards diet and dress, which class would you recommend for them?

A.—I do not approve of the present standard. New standards should be laid down 'C' class is far too low and bad for anybody. The standard should be somewhere between 'B' and 'C'.

Q.—As regards other privileges such as sending out letters and interviews, would you advocate a uniform standard for politicals and non-politicals?

A.—Yes. It should not be different.

Q.—You have seen barracks and you know about their size. Under the rules normally 40 or 50 prisoners are locked up in them at night, but in abnormal times the number of prisoners goes above 100. What limit would you fix as reasonable?

A.—I think the maximum number should be somewhere between 40 and 50 prisoners in each barrack.

Q.—Do not you think it would be a crowd in the barrack?

A.—It would depend upon the capacity of the barracks. They are not of the same size.

Q.—We take the average barrack to be 64' x 75'.

A.—I would suggest 40 inmates.

Q.—Would it not be conducive to have not more than 15 to 20 people in a barrack?

A.—I quite agree that a company of more than 10 persons is bad. But then you will have to remodel jails. You will have to have a larger number of barracks. I suggested 40 as the maximum number and if you reduce the number to 20 it would be highly desirable.

It is however doubtful whether Government will implement the suggestion that barracks should not ordinarily contain more than 20 or 25 prisoners.

Q.—You know that there are a number of different types of punishments. Do you think that they are far too many or just enough to secure necessary discipline in jails?

A.—I think they are far too many and the number can be reduced.

Q.—Which of them would you omit ?

A.—Chain fetters and bar fetters must first go.

(Secretary).—Would you allow their retention as security ?

A.—As a method of punishment they should go ; but as a measure of security they may remain,

Q.—Do you favour whipping, as jail punishment to continue ?

A.—No.

Q.—Would you abolish whipping even in spite of the opinion of the Inspectors-General of Prisons with long experience that it is very necessary to retain whipping punishment to deal with hardened and boisterous criminals who cannot otherwise be cowed down ?

A.—I would brush aside that opinion, at least, with a view to making a new experiment. My idea is that jails should be reformatory schools and it is against my idea of jail administration.

Q.—Do you think that other punishments would be sufficient to deal with recalcitrant prisoners ?

A.—Isolation or solitary confinement should help the jail authorities in dealing with cases of hardened criminals.

Q.—Salt kanji would also perhaps be another deterrent punishment. It is a penal diet.

A.—I believe in the efficacy of solitary confinement but not in salt kanji as a kind of corrective punishment. Even I know of cases where whipping only made the prisoners callous and they committed grievous offences.

Q.—Punishment has two objectives.—(1) to correct the prisoner himself and (2) to serve as a check on other persons.

A.—I vote for the first objective. Solitary confinement would go a long way in correcting the criminal.

Q.—But equally important is the social aspect of punishment. It is important to maintain discipline and deter others from following a bad example.

A.—I am of opinion that solitary confinement is a terrific punishment.

Q.—You know that the names of black-marketers who are punished are published in newspapers and given wide publicity with a view of checking black-marketing. This serves as an effective check.

A.—I think the analogy is not quite proper. Even if a prisoner misbehaves in spite of persistent warnings, the remedy is to isolate him.

Q.—Even after isolation, he may continue to behave badly.

A.—That is not possible. When left alone what can he do ?

Q.—Would you not advocate whipping even in cases of assaults on officers or on fellow prisoners ?

A.—Isolation is the last and best remedy. That is the maximum punishment I would recommend.

Q.—You have been proceeding on the assumption that punishment of isolation is given with the object of reformation. You can reform a non-political prisoner by this method. Can you also reform a political prisoner by isolation ?

A.—Here you have to make a distinction between the two classes. There is no question of reform in the case of a political prisoner.

Q.—Supposing that political prisoners revolt against existing government, will you not, in such a case, advocate whipping as punishment ?

A.—It is really a bigger problem. I will provide whipping if there is revolt in prison against the political administration of the country.

I would not, however, like whipping to be included as normal jail punishment in the Jail Manual. It may be resorted to in abnormal circumstances.

The Secretary.—It is seldom resorted to, although it is provided in the Jail Manual.

Q.—Hereafter we shall have to deal with the worst type of political prisoners. The agitators will have revolutionary tendencies. I know, in other countries, such prisoners are very badly and harshly treated.

A.—I think we should leave this question to the decision of Government. Perhaps there may be separate camps for political prisoners. After all this involves a question of policy which Government can lay down.

Q.—Do you agree that after undergoing a certain minimum punishment, prisoners should be released on parole for short period, provided they have been of good behaviour ?

A.—I think that only prisoners who have been sentenced to more than 7 years should be released on parole after undergoing half the sentence.

Q.—It was suggested by a witness that after a period of two years imprisonment in jail, a prisoner of good behaviour should be granted parole of 15 days and thereafter a week's parole every subsequent year of punishment. Do you agree with this view?

A.—I doubt very much if prisoners who have committed serious crimes such as murder deserve parole after two years' imprisonment. Two years period is too short for reform.

Q.—There was also another suggestion that if the prisoner was found to be of good behaviour in jail and while on parole also he behaved well then the unexpired portion of his term of imprisonment may be condoned and he may be allowed to stay outside. What is your opinion about this suggestion?

A.—I do not think we should make any such rule. Each case should be decided on merits.

(Mr. Gadgil.—I think there is some such enactment in the Punjab).

(Secretary.—We have in this Province the Advisory Board. Supposing a man is sentenced to 5 years' imprisonment and he has finished 3½ years of his sentence then it is placed before the Advisory Board especially constituted for this purpose which recommends to Government whether the offender should be released under some restriction or unconditionally).

(Mr. Gadgil.—That is done under section 401 of the Criminal Procedure Code. Col. Jatar has suggested a more liberal use of this section).

(The Secretary.—Out of 996 cases only 3 cases were given the benefit of this provision.)

Q.—Would you favour retention of simple imprisonment which is really no punishment?

A.—To remove it would involve amendment of the Indian Penal Code and I would not like to disturb the code. It is a kind of punishment to remain idle. Beyond that it has no use.

Q.—Would you agree that a man undergoing simple imprisonment, if he is medically fit, should be given some work?

(The Secretary.—That is done even now, if he volunteers to work.)

A.—I would not like to disturb the Indian Penal Code.

Q.—I shall give you an instance to show how ridiculous it sometimes becomes. A ticketless traveller is fined Rs. 5 or in the alternative to suffer 5 days' Simple Imprisonment. He prefers to go to jail rather than pay the fine and when he leaves the jail he has to be paid money to meet his transport charges. Simple imprisonment has worried every committee and it is unanimously agreed that it should be abolished.

A.—Such instances are very rare. No citizen and of course no prisoner should remain idle. He should be given some work. The High Court can issue directions to the Magistrate in this matter. Simple imprisonment should be sparingly given.

Q.—What would you suggest to rehabilitate a released prisoner back into society?

A.—It would depend upon from what social strata of society the prisoner comes. So far as farmers are concerned they can go back to their villages after release. Most of the habitual offenders come from cities and industrial towns and the real problem is how to rehabilitate them, how to provide them with jobs.

I do not know what practical suggestions I can make in this respect. However one thing strikes me. Factories, even power-driven factories, should be put up somewhere near the jail precincts. They will provide a training place to the prisoners in jail. A prisoner after going out may find out a job for himself but if he is unable to get one he may be employed, if possible, as an ordinary workman in such factories. Of course, we must see that the factories are free from prison atmosphere. I think you have Yeravda Central Prison Press which is on the border line.

Q.—So you suggest factories to be run by Government, the labour for which may be recruited primarily from released prisoners.

A.—I do not say you should give released prisoners priority over ordinary citizens. But these factories will be training grounds and a source of employment at least to some prisoners.

Q.—I do not see why prisoners should not be given preference because they find it difficult to get a job outside. Private factory owners do not accept them quite readily.

A.—I know there are some criminal tribes which do not like to take up jobs and do work. It is difficult to persuade them to do some work and lead a peaceful life.

It is also becoming increasingly difficult to find employment. The depression has started and in fact the ration of employment in Sholapur is going down.

I have only suggested a method of accommodating some released prisoners. There is also an advantage that the Superintendent or the man in charge of the factory would know the abilities of the released prisoners and he can render assistance to him in rehabilitation. This would take away the economic motive behind the crime.



*Evidence of Mr. Y. B. Chavan, M.L.A. (Parliamentary Secretary)—continued.*

A.—Economic motive will be removed.

Q.—Do you suggest any colony for such criminals as is done in many other countries?

A.—It is not practicable. I do not suggest it. It involves the question of finance.

Q.—We are out to reform the criminal. Have you any other objection, apart from the financial aspect of it?

A.—We can reform a criminal within the jail precincts.

Q.—In making our suggestions, we must look to the financial aspect also.

A.—I think so.

Q.—What have you to say about the present arrangements in lockups?

A.—They are, I think, inhuman. They are under the supervision of the Inspector General of Prisons.

*The Secretary.*—No, but only subjails.

*The witness.*—There is no difference between the two. There should be some arrangements in both for privy. At present they are a sort of hell.

Q.—Do you suggest that even under-trials should be in subjails, or lockups under the direct supervision of the Jail Authorities and the police should take them to courts on the days of trial?

A.—There should not be any police lockups.

*Mr. Gadgil.*—That is to say, an arrested person should be in police custody only for 24 hours, and thereafter, even for remand purposes, he should be under the custody of jail authorities.

*The Secretary.*—That in itself will not improve matters much unless the sub-jails, which at present consist of two rooms each, are thoroughly over-hauled. Of course, it is very desirable that subjails and lockups should be provided with privies.

*Mr. Gadgil.*—There are two aspects of the reform: first, about the provisions of certain amenities like privies, etc. and secondly the removal of the police supervision on the lockups, so that all fear of assault and other troubles would be obviated.

Q.—Would you like to suggest any dietary changes?

A.—I would introduce milk to all prisoners. That is the only thing that could be said as a change for better. We should begin to produce more milk in jails.

Q.—Would you suggest giving to prisoners tea in the morning?

A.—I would favour it. But I would prefer tobacco to be sold to prisoners.

Q.—Would you so improve the jail diet and the general standard of life in jail, without any relation to the general standard outside of the prisoners concerned?

I was a member of the Central Pay Commission, and during the inquiry I asked of the several witnesses that were examined by the Commission whether in view of the fact that the per capita annual income in India is at present Rs. 56, they would suggest that Government servants should be a privileged class of servants. They said "No." The analogy is the same here. Should we improve the condition of a prisoner in the jail so much that to be a prisoner is a good job?

A.—I accept the principle that there should be some relation between the standard of treatment inside the jail and the standard of living that the prisoner was having outside it. I would however say that there should not be monotony of diet in jail.

*Mr. Gadgil.*—Jail is a monotony!

*The witness.*—At least on some days, there should be a change in meals.

*Mr. Gadgil.*—A high penologist has said that a work must be interesting but not pleasing.

*The witness.*—I agree.

Q.—It has been suggested that a prisoner should be paid on the basis of what he would get outside, and that from such wages Government should deduct the expenses borne on his account. Do you agree to the suggestion?

A.—I do not agree. Some fair monetary reward should be paid if he is a skilled worker.

Q.—Should he be allowed to send some of his earnings to his family or spend it himself?

A.—He should be the master of what he earns, even if he earns it in jail.

Q.—Would you increase the number of interviews allowed to a prisoner ?

A.—It should be once a month. It is not possible for the relatives of a prisoner in rural areas to go and see him even once in six months.

29th May 1947.

*Evidence of Miss Gordon and Dr. (Mrs.) Irawati Karve.*

Q.—As soon as a prisoner enters the jail, what line of treatment should be meted out to him—should it be reformatory, penal or deterrent ?

A.—(Miss Gordon).—My opinion is that in every case it should be reformatory. I think you want, as far as possible, to separate a hardened criminal from the one who committed a crime in a moment of wrath and a habitual offender from a casual one. The attitude of the authorities towards such persons should be that they should not be regarded as beyond hope but that they could be reclaimed.

Q.—Is it your opinion that nobody is incorrigible ?

A.—Yes. As far as women prisoners are concerned. I feel it is very, very important to separate, from the very beginning younger women and even older women too from the women who traffic in other women.

I feel that there should be very careful assessment of each prisoner by a trained psychiatrist so that the real cause of the delinquency could be got at.

I think that jail staff should consist of the right type of people so that each prisoner can get individual attention. Of course, it is a problem from where to get the right type of staff.

Q.—Is it your suggestion that the staff should be such that it should look at the work more interestedly than as a mere routine duty ?

A.—Yes. They should feel that in the work there is something they want to devote their lives to.

Q.—If, in a prison, there are as many as 1,500 more prisoners, would it be possible to devote individual attention to the prisoners ?

A.—Adequate staffing should make it possible.

Q.—What would be the approximate staff ?

A.—I do not know.

Q.—What is the meaning of “adequacy” ? In a class, one teacher handles as many as 25 to 30 students.

A.—(Mrs. Karve).—The analogy is wrong as between prisoners and normal boys or girls. I have found that a good Superintendent has a very good insight into the character of the prisoners under his charge. Even in a big prison like the Yeravda Central Prison, he can lay his hand on the weak spots in the character of each prisoner as he goes round. He is a good guide to the Jail Committee.

Q.—What, according to you, should be the number of prisoners under the charge of a matron ?

A.—I have not the faintest idea.

(Miss Gordon).—The first question is whether every matron is qualified to do the job well. I understand that a prisoner works as a matron, though she is not qualified to do that job.

Q.—What line would you suggest for reformation ?

A.—I read the other day an extremely interesting experiment in modern methods of jails in England—the Lay Hill Experiment. They have entrusted the prisoners with some responsible work. I think the entrusting of some responsibility to a prisoner in jail is one of the best ways of reforming the character of a prisoner. I feel too that instead of awarding jail punishments, they should be offered a good many privileges for good behaviour, regular work, etc. That would have better results. The fear of losing the privileges if they did not behave well would wear them from doing anything against the rules.

Q.—Is it your suggestion that there should be inducement to become good, but that there should not be punishments for being bad ?

A.—In general, that is my opinion. I think segregation is essential, for the younger and older groups and for female prisoners of bad character and good. Classification according to standards of living is a difficult question, but in a country like this where there is a still an immense difference in the standard of living between the rich and the poor, lower classes and the middle class people, some sort of classification is still necessary. That is a very difficult problem.

Q.—Do you suggest that there should be a separate jail for women ?

A.—If segregation could be arranged in separate wards in the same jail, so that one type of prisoner cannot come into contact with the other, that is to say, there can be absolute segregation in the same jail, then there is no such need.

Q.—What type of normal education would you suggest ?

A.—Any form of moral training that would restore the self-respect of prisoners. I think the industrial work should be of a creative kind. I feel that industries in the way of looking after fowls, goats, etc. for younger prisoners will have a reformatory effect on them. Were there not the difficulty of foodgrains now, it would be a definite help to associate younger prisoners with living animals, instead of keeping them behind stone walls.

Q.—Would you suggest dairy work ?

A.—Yes.

Q.—Do you suggest this sort of association right from the beginning they enter prison or some time after they have been in jail ?

A.—I think that should depend on the individual and on the nature of the crime committed by a prisoner. A psychiatrist should be of great help in deciding the matter. Making prisoners sit idle inside prison has a demoralising effect on them—whether undertrial prisoners or otherwise. Apart from whether their case would end in acquittal or conviction, they should be made to do some work.

Q.—Would you suggest that none should be idle in jail and that every one should get work ?

A.—Yes.

Q.—In other words, there should be no simple imprisonment ?

A.—That is a technical phrase.

Mr. Gadgil.—It involves a great problem both administrative as well as financial.

Take the case of a ticketless traveller. He is sentenced to pay a fine of Rs. 5 or in lieu of payment of the fine to five days simple imprisonment. He would not mind spending the 5 days in a prison.

A.—That is why, I say the imprisonment should be with work.

(Mrs. Karve).—The prison life must on no account be easier than what the prisoner would get outside by his honest labour. By stressing reformation in prison too much, it may so happen that a prisoner may happen to live under such condition that they may not hope to get outside; especially so in the case of juveniles. Not merely younger prisoners but older ones too must work for their food.

Q.—Are you in agreement with the suggestion that every prisoner in the jail should be made to work unless he is found to be medically unfit ?

A.—I agree that punishment should be meted out to a prisoner with an eye to his reformation, but I do not agree with the proposition that it should not be deterrent, because every punishment has an element of deterrence in it. Otherwise it is no punishment at all.

Q.—(Miss Gordon).—Is it not enough if the liberty of a person is taken away ?

A.—(Mrs. Karve).—It all depends on the kind of temperament the person possesses and the kind of social surroundings from which he has come.

Punishment must be deterrent. In Indian society we have got so many not merely layers of society but different kinds qualitatively so that the moral degradation involved in the commission of a crime is different for different people. Let us take the case of Bhils. Young Bhil boys are given to commit murders etc. When you face them you feel that he is not affected by the fact or that his core is as sound as anybody else's. He does not feel for theft also. If it is a Bombay person you see depravity in his looks. The former does not even feel ashamed that he is caught. They commit robberies etc. night after night and when caught, return the loot to the police. They cannot be placed in the category of ordinary crimes.

Mr. Gadgil.—It comes to this that they practically belong to what we call criminal tribe.

The witness.—Social adjustment between them and their neighbours has not yet taken place, and we cannot apply our Penal Code to them exactly as we do to other people so that if they have prisons at all they should be situated in the Bhil tract.

Mr. Gadgil.—If the thesis were stretched to the length you would suggest, it would mean that if a person is born in a particular community he should be looked down upon as a criminal.

The witness.—That is why I said that we should not use the expression "criminal tribe" etc. They do not recognise our code at all, so that we have no right to dub them as criminal.

Q.—From the psychological point of view, will it be wrong if such prisoners are kept in a separate group segregated from other prisoners ?

A.—Our society is still so complicated that we need psychiatrists to explain our criminals.

Q.—Reformatory system should work if the motive for the crime was economic ?

A.—In so far as motive of a crime is economic, the problem is at its simplest, but we have other motives. I believe a majority of grave crimes are generally committed on other motives. For example, if you take the whole of the Satara district and the districts like Belgaum, Dharwar, etc. in the Karnatak, the motive is always family feuds.

Q.—That is a small per centage. Take for instances, cases of murder, or for that matter, of dacoities too.

A.—Dacoities apart, if we look at the social background of murders in villages, we see that the murders have the background of village politics, family feuds, etc.

Q.—How many of the 1,700 prisoners in the Yeravda Prison do you think are guilty of such offence?

A.—I believe about 40 per cent.

Q.—Percentage of prisoners convicted for the offence of murder is very small. In the case of the rest of the prisoners, would you advocate treatment of psychiatry?

A.—I am not in favour of rural area prisoners being subjected to psychiatry. It may be tried in the case of urban area prisoners where offences might be traced to the segregation and sexes and consequent perverse behaviour. I do not say that there should not be a psychiatrist.

Q.—Would you suggest classification of prisoners?

A.—There should be classification according to crime and age.

Q.—After classification, what line of treatment should be given to prisoners?

A.—In the case of illiterate prisoners, they should be made literate, and industrial training should be given in suitable cases. For instance, it is no use giving industrial training to a Bhil prisoner. Training so given should be useful to the prisoner after his release. Training should also be given with an eye to whether it would be possible to find them suitable employment on their release.

Mr. Gadgil.—As regards urban area prisoners, the problem is more of fitting them into society than of finding employment for them when once they are given industrial training and become either technicians, fitters, etc. But in the case of prisoners from the rural areas, the problem is more of fitting them into society.

A.—Yes. When the offence of murder is committed, it takes a long time to hold an inquiry and send the accused to a Magistrate for committal proceedings; after that, it takes months and months to finish his trial. From this we may say that the legal sanction behind the moral code is lacking.

Q.—So you feel that an under-trial prisoner should not be kept waiting long and that the period between arrest and conviction should be minimised. Waiting also means a great mental strain.

A.—(Dr. Mrs. Karve).—Most of the under-trial prisoners who are villagers are slow thinking people. If there is a long intervening period between arrest and conviction, the connection between cause and effect is lost on the prisoners. It is for this reason that under-trial prisoners should be dealt with early.

Q.—What type of treatment and education would you suggest for the prisoners? You suggested literacy and then we were talking about craft and thereafter there was some disgression.

Dr. (Mrs.) Karve.—The basic principle should be that the prisoner must earn his livelihood and for that the must do some work. He should not be allowed to remain idle. There will, of course, be some prisoners who may not require any training being themselves skilled artisans in some line or another. So it cannot be work for reformation in all cases.

Q.—Will you allow prisoners remuneration for work done by them.

A.—Dr. Mrs. Karve.—Here again I am reactionary. I feel the system of remuneration is bad. Prisoners have to be fed and clothed at State expense and if in addition they are going to be remunerated for their work it would mean that you are giving a class of people who have proved themselves unworthy socially better treatment than people outside.

Q.—But in the absence of remuneration, would it not be slave labour?

A.—The labour and the work you take from prisoners should not be in competition with outside agencies such as mills and factories. Government should see to it that goods prepared by prisoners are not sold in open competition in the market. The point is that some work is necessary for the prisoners and they have no right to remain idle.

Q.—But would you not agree that remuneration for work has some inducement value?

Dr. (Mrs.) Karve.—In my opinion, parole would be a better inducement to work than remuneration. If at all you insist on money remuneration, it might be given to the family members of the prisoner but not to the prisoner himself.

Q.—Should the amount of remuneration be the same as wages normally paid outside?

Dr. (Mrs.) Karve.—I have heard complaints that whenever articles made in jail are offered for sale they do not sell as articles made outside do. In fact, there is some antipathy to buy prison-made articles. They say the articles are not the product of sweated labour and, therefore, they cannot be compared with articles made outside. If the wage system is introduced, the tendency will further accentuate.

*Miss Gordon.*—I personally feel that all work should be paid. Payment for work is a sort of stimulant to do more and better work. Of course, the prisoner should not get the full value of the work he does. You can lay down a certain proportion and this would naturally be something less than what he would receive for similar work outside. He should be allowed to use this earned income of money for small amenities such as soap, oil etc. and the amount standing to his credit at the time of his release may be handed over to him. It will be a great help to him.

Then I have found that a male prisoner goes back to his village after release as there is no stigma on him, but a female prisoner cannot easily do so. I feel, therefore, very strongly that arrangements should be made in good time, before a woman prisoner is discharged, to see that if the woman is unable to go to her village she is received and cared for in some local home till such time that she can resume her normal life. The Ashrams or Homes should be furnished with the previous history of the woman-prisoner and asked what they can do for her. Especially this sort of arrangement is very necessary in the case of young and middle class women who otherwise would be ruined. It is a very serious thing to leave young women uncared for after their release from prison.

*Q.*—I would even go further and ask whether you would not like that female prisoners, who are sentenced to three or six months or such short duration, should not be sent to Ashrams instead of to jails. Would you favour such an arrangement?

*A.*—(*Miss Gordon.*)—I quite agree. Especially cases of infanticide, husband-murder and the like should be treated with great care. If you know the whole story behind the crime you would take a different view of the offence. You require a very careful handling of such cases.

*Dr. (Mrs.) Karve.*—As regards rehabilitation I would say that women who are convicted of offences against morality (e.g. faithlessness to husband) find it difficult to go back to their villages. There is a permanent stigma on them. Crimes which have economic motives behind them are not very seriously looked upon by the village people and men and women convicted of such offences can go and settle in their villages.

*Miss Gordon.*—I quite agree.

*Dr. (Mrs.) Karve.*—As regards social security I would suggest that influential local residents of the village should be made responsible for it. A few years back I remember that in the Konkan villages it was an unwritten law that once a week the poor (beggars) went from door to door and collected alms and they did not bother the villagers rest of the week. The village people also gave willingly some fixed alms. So it was a mutually convenient arrangement for all. We have in life all sorts of accidents and moral depravity is also a kind of accident. And just as you make provision for those physically unfit so also I think you must make provision for those who are morally unfit and this should be a local responsibility. I, therefore, do not favour the idea of sending women to Ashrams or Homes because it would mean uprooting them from the society to which they belong.

*Q.*—But you seem to be going on the presumption that Ashrams will be inaccessible. That is not quite true.

*Dr. (Mrs.) Karve.*—What I feel is Ashrams will be generally possible in the Cities and not in villages.

(*The Chairman.*)—If they are possible in the Cities they can be possible in rural areas. We shall provide them).

*Dr. (Mrs.) Karve.*—But then you have also to remember that Ashrams bear such a stigma that I know many girls and their parents just weep because it is an Ashram. It is not so pleasant as you imagine.

(*Mr. Gadgil.*)—That is true. That consciousness cannot be avoided.

*Dr. (Mrs.) Karve.*—We have been able to get over it to some extent in the case of girls who are at Hingne. There it is not an Ashram but a school for girls. There are about 70 juveniles and they are quite happy. They stay there and get education.

*Q.*—Will such institutions be ready to help us?

*A.*—I doubt whether they would undertake it.

*Miss Gordon.*—Sir, with your permission I want to say a word about the conditions in the Borstal School. I do not think it should be under the Jail Department but under the Juvenile branch of the Home Department. The age-group admitted is from 18 to 23 with an extension up to 25 to include some difficult cases.

Girls who are bordering on 15 or 16 years of age and who come before the Juvenile Court do not find the atmosphere congenial. It is definitely bad. We really want a separate Borstal school for girls.

And, in addition, in order to attract the right kind of persons to conduct them I think the conditions of service must be better than what they are today. You cannot expect a woman of 25 to 26 to run a home for girls satisfactorily, but that is what is actually being done today. You must have someone who has 15 or 20 years' experience in the educational Department and knowledge and experience of social service. She should also get adequate remuneration and adequate conditions of life so that she can devote herself to work wholeheartedly. You must have some one who has experience to deal with normal girls before she can be entrusted with abnormal girls.

*Dr. (Mrs.) Karve.*—Our social structure is such that a woman gets married and that is her vocation. In a society where a lot of women remain unmarried, it is possible to get women who can devote themselves to social service.

*(Mr. Gadgil).*—In the course of evidence a witness remarked that we could easily get at least a dozen women in Poona who would daily go to Yeravda, talk to young female prisoners and win them back to society. I said that it was not possible at all. Some women workers may find time once a week at the most).

*Dr. (Mrs.) Karve.*—And since widows now-a-days remarry we have lost a class of useful workers in society. In the last generation there was a huge class of these women who more or less renounced their earthly life with widowhood and were available for service in the families to which they belonged. Personally I believe that no such class should exist but the fact is that they used to render useful service.

*Miss Gordon.*—This means that if you get a married woman with her husband for the Borstal School the problem would be solved.

*Q.*—What type of moral education would you suggest for prisoners inside the Jail.

*A.*—What Ramabai Ranade used to do was I think good moral education and the prisoners seemed to like and enjoy it. She used to recite and teach them *Shlokas* and *Abhangas*. She used to tell them about Eknath and Tukaram and this had good moral influence.

In addition, I would suggest that lectures of eminent persons, leaders of society, may be arranged and an attempt should be made to keep the prisoners in touch with the world outside.

You may also utilise the talent inside the jail itself for arranging singing parties for playing music etc.

It is true that women of the type of Ramabai Ranade are not to be found in the present-day society.

*Q.*—Would you suggest employment of voluntary workers or paid workers?

*A.*—If you can find people to do honorary work, so much the better. They may be paid conveyance charges. Then as I said the talent inside the jail may be utilised. There may be some good singers and musicians. They may not be useful to give moral education but it will be a kind of cultural education.

*Q.*—You know the present diet and dress of women prisoners. Do you suggest any change in them so far as women are concerned?

*Miss Gordon.*—I think women should be allowed to do their own cooking.

*(The Secretary.*—They used to do it before but since it was found that they quarrelled the system was discontinued. Then another reason was that whereas in Yeravda we used to have 80 to 90 women prisoners now the figure is somewhere between 40 and 50, and so they would not find it possible to do all the cooking. Hence cooking is now done by men).

*Miss Gordon.*—Why I am insisting on this is because cooking is a part of domestic life in which women are better than men.

*(The Chairman.*—It is now admitted by all that for cooking on mass scale men are better while for cooking on a small scale, say for a family, a woman is better fitted).

*Dr. (Mrs.) Karve.*—Another reason may be that women require so many things for cooking and the cooking becomes expensive.

*Q.*—What should be the age-limit when the child should be separated from its mother who is undergoing sentence? At present the child is removed from the mother after it becomes 2 years' old.

*Dr. (Mrs.) Karve.*—The joint family system is fast disappearing from the Hindu society. The child will certainly be happier at home in a joint family. But in case there is no joint family where the child can be looked after then it should remain with the mother. The child will be a government ward and should be handed over to the mother when she goes out.

*Miss Gordon.*—If arrangements could be possible the child may remain with the mother till it is four or five years. It would be a great pity to sever completely a child from its mother. It is a good influence on the mother if the child is with her. I know of cases where the mother behaved well only because her child was with her.

If you are going to have Ashrams for female prisoners then the child can be with the mother in the Ashram.

*Q.*—So would you advise extension of the present two years' limit to five years which is generally the school-going age?

*A.*—Yes. We have no objection.

*Q.*—Then what about the dress given to female prisoners?

*A.*—*Dr. (Mrs.) Karve.*—The prison dress should not be compulsory. The dress should not be a constant reminder that the woman is in prison. This will also save Government linen.

*(Mr. Gadgil.*—It makes no difference what dress you wear so long as you are within prison walls. The question only comes in when the prisoners move out and can be seen by others. If we decide to send them into Ashrams they should be allowed to use private dress).

*Q.*—Women are at present given 2 sarees a year? Is that quite sufficient?

*A.*—*Miss Gordon.*—The sarees are hand woven and two sarees a year should, I think, suffice.

*Dr. (Mrs.) Karve.*—Whatever a man or woman prisoner gets in jail should not exceed what he or she would ordinarily get outside by honest labour.

*(Mr. Gadgil.*—It is always an important consideration that the standard of life in jail must have fair relativity to the standard outside).

*Q.*—Do you believe that even a confirmed criminal can ultimately be improved, that reformation is possible in every case?

*Dr. (Mrs.) Karve.*—As a matter of faith I quite agree with Miss Gordon and her creed. But to translate it into actual practice is a different thing. Especially as regards parole the American opinion is that where the original crime committed related to moral depravity, it meant another opportunity to commit one or two more murders, and the criminal returned to jail once again. This of course does not apply to crimes of casual nature.

*(The Chairman.*—But there is an important catch. If the prisoner is sent exactly in the same surroundings and locality from which he came he committed the offence again. But if the prisoner on parole is put into altogether different surroundings, say a new colony, he would not be harmful to society).

*Miss Gordon.*—There should be some kind of supervision.

*Dr. (Mrs.) Karve.*—Parole should be a kind of license with supervision.

*(Mr. Gadgil.*—The conditions in Satara are today so bad that if anyone is granted parole it would be utilised to commit fresh outrages, fresh murders).

*Dr. (Mrs.) Karve.*—The remedy to deal with crimes in Satara would be quite different. There you must have swift justice. There should be a few hangings on the road. We know that the disturbances in Bombay stopped as soon as it was announced that offenders would meet with capital punishment.

*Mr. Gadgil.*—These would be remedies to deal with abnormal times. We are here to make provision for normal times.

*Dr. (Mrs.) Karve.*—If you know the conditions in Karnatak, people go to any length to gratify personal vendetta. They do not wait for public justice and there must be some agency to teach them a lesson.

*The Chairman.*—So far as the Ordinance issued by the Bombay Government goes, it was merely an accident that the situation in Bombay eased after its promulgation. The Home Minister was congratulated on taking the step but I told the Home Minister that I was not prepared to congratulate him. The political situation had eased and the force of the disturbances was almost spent up. Even without the Ordinance the conditions would have returned to normal.

*Dr. (Mrs.) Karve.*—Some of the juveniles are so clever that they soon come to know that Juvenile Court is a bit of fun and that they will not be treated harshly even if they behave as they like. The only remedy to deal with them is to be deterrent.

Q.—So you advocate deterrent punishment in some cases?

A.—You must be deterrent with boys who are not amenable to any kind of reformatory teaching. I know a boy who was quite intelligent but was mischievous and boasted "what can these people do to me?" It became difficult to check that boy. We had to ask then the Superintendent to give him the hardest imaginable work and then the boy came round. We should not be unnecessarily harsh with the boys but there are some cases when you have to be hard. Otherwise the danger is the other boys are also spoiled.

It also happens in the case of our wards. When we threaten to be strict or take disciplinary action against them they say "We will report the matter to Government". You must certainly deal firmly which such boys and girls if discipline has to be maintained.

(Mr. Gadgil.—You are a believer in the old saying "Spare the rod and spoil the child".)

Dr. (Mrs.) Karve.—We very often have to enforce certain behaviour from our children. They must first behave as we bid them. You cannot teach all things by argument and logic. You first inculcate a type of social behaviour in your children and as they grow up the logic of such behaviour dawns on them.

Mr. Gadgil.—Personally I do not believe in moral education on mass scale. I rather feel that 4 or 5 visitors they may be officials, with requisite training should mix with the prisoners, gain their confidence, be their companions and gradually bring them back to the path of virtue.

Dr. (Mrs.) Karve.—Here again there are some difficulties. Christian religion is very active. They have clergymen who devote their life to the spread of religion. Hindu religion, on the other hand, is polytheistic. It has moral, religious and intellectual side and our leadership has itself no faith in religious sanctions.

Miss Gordon.—Same is the case with Christian religion in foreign countries. More and more people are losing faith in religion.

Dr. (Mrs.) Karve.—There are other factors also why moral education is difficult under the existing conditions in jails. We have mixed jails. We should first group together prisoners belonging to the same culture and this will facilitate moral education being introduced. Homogeneity, therefore, is the first essential. From the administrative point of view also grouping of homogeneous people will be useful. It will facilitate catering arrangements for the habits of the group will be the same. There should be cultural background before religious education can be given.

Dr. (Mrs.) Karve.—Moral education has to be a part of the cultural education whether you use all or some of the festivals of a religion.

Q.—On the release of female prisoners, would women's organisations like the Seva Sadan in Poona be able to look after them?

A.—(Miss Gordon).—Women's rescue home should be able to do something in the matter.

Mrs. Karve.—What kind of help these women should receive? On release, prisoners from brothels should not be mixed up with ordinary prisoners.

(Miss Gordon).—Bombay Presidency Women's Council have attained a measure of success in rehabilitating some of the released female prisoners. We usually send more difficult cases to them.

(Mrs. Karve).—I am despaired completely of all those cases. I do not remember of a single case that they have handled. The best time to rescue a woman is before she is in this profession. Otherwise, it would be impossible to wean them away.

Miss Gordon.—It is rather a black picture! We have had some such women rehabilitated.

The Chairman.—I quite realise it has to be tackled in a different way, as they have done in Russia.

Dr. (Mrs.) Karve.—Russia is a sort of Arabian Knights. One does not know what is really happening there. In one way, the system of concubinage is better than the present prostitution. If at all we are to have "ashrams", then they should be for cases different from the economic cases. Rescue Homes should not be mixed up with these "Ashrams".

Miss Gordon.—We must believe that these women can be saved to society.

Mrs. Karve.—As a creed it is a good thing, but from the practical point of view, it is a difficult thing. When they are old and not marriageable then they can be rescued.

Miss Gordon.—For every fallen woman, there is a fallen man!

The Chairman.—I entirely disagree with the proposition!

Dr. (Mrs.) Karve.—All this is merely academic discussion, and it does not carry us any further,



23rd June 1947.

*Evidence of Messrs. S. S. More, S. M. Joshi, B. R. Joshi and T. R. Deogirikar.*

Prisoners should not be classified into politicals and non-politicals. The present classification of prisoners into A, B and C classes should go. There should be one class for all prisoners. It is for no fault of theirs that some people are not educated or are not economically better off than others. For social inequalities outside, persons should not suffer inside prison walls.

There should be classification of prisoners on the nature of offences committed by them. For example, persons convicted of heinous offences may be classed separately; persons convicted of offences committed by them as a result of social stress should be classed separately; persons convicted of offences like forgery etc. should be classed separately and so on. Prisoners should also be classified according to age groups. There will have to be some difference in the treatment when classification is there, but it should be confined for the purpose of improving particular criminals in the different categories. In future no person should be given simple imprisonment. Every prisoner should be made to do some work and he should be paid for that work, taking into consideration the rate paid for similar work outside. Payment should be full if cost of maintenance of the prisoner is to be deducted from his wages. The balance should be allowed to be spent by him either on himself or on his family. Or, if he so desires, it should be allowed to be accumulated for use after his release.

Classification may also be made on psychological grounds. A prisoner should be kept under observation, say, for a month, and, after taking into consideration his social and economic conditions, he may be put in a suitable class. However, it is a work for experts.

We emphasise reformative aspect of punishment.

We should be very definite and precise as to what is meant by "good conduct" on the part of a prisoner. We do not think that more comforts should be given to a prisoner for good conduct because it would lead to social inequalities; nor should a well-to-do man when convicted should receive particularly bad treatment in jail. We must narrow down social inequalities as much as possible in jail life.

In the morning, a prisoner may be given conjee, some jaggery to be added to it if the prisoner wants it. If outside a prisoner was normally used to tea, tea may also be given to him. In that case, conjee may not be given to him. Bread or chapati should be given with tea. Bread and vegetables may be given for the first meal and rice and bread for the second meal. There should be some variation in diet so as to avoid monotony in diet. If prisoners want it, raw onion (2 ozs. per prisoner) may be issued.

In order to ensure that prisoners get the diet as prescribed in the jail manual, prisoners should be given an opportunity of constituting their own committees and such committees should be a sort of liaison between jail authorities and prisoners. A complaint book should be maintained and whenever a complaint or grievance is found mentioned therein the Committee as also the Advisory Committee (it should not be of the present type) should look into it. If cooking is done at more than one place by batches of prisoners, it would improve matters though it may lead to more fuel expenses.

*Mr. More.*—I would not leave it either to the executive or to the judiciary to define who is a political offender. Nor can I make a suggestion in that behalf on the assumption that there should be a class of political prisoners.

*Mr. Joshi.*—Public opinion should be the guide in this matter.

*Mr. More.*—A trying court should decide whether an accused before it is guilty or not; if it convicts a person, then the task of awarding punishment should be entrusted to an expert committee consisting of psychologists and psychiatrists. Classification inside jail should also be done by a committee, after taking into consideration a prisoner's past history, his social environment etc.

A criminal should be treated, and not the crime committed by him. At present, in India, the most important cause for crimes is poverty and not mental deficiency.

Imparting of education in jails should not be restricted to merely making a prisoner know the three Rs— but it should enable him to develop his power of understanding, widen his outlook, and political education should also be given, so as to awaken his social consciousness. I agree that it is the duty of Government to make every illiterate prisoner literate, but the present emphasis on literacy may lose its significance within the next ten years. I do not believe in religious or moral education, but in secular education; teaching a prisoner about his duties and responsibilities as a citizen constitutes moral education. No separate moral teaching need be given.

Prisoners should be allowed to mix almost daily. The present system of locking prisoners is bad. The number of prisoners in a barrack should not exceed 20. Not more than ten should be allowed to sleep in one compartment.

Nothing to add to the schedule of jail industries. Repetition of crimes is mainly due to want of employment. The State should realise their primary responsibility of ensuring employment to every released prisoner. Mere training of prisoners will not solve the problem. Prisoners should be trained in modern machinery as there is at present a dearth of trained technicians.

The warder system that is at present in vogue in jails should be abolished as it is based on the practice of divide and rule. This system makes prisoners more immoral. Prisoners should be organised into groups and groups should elect their own committee of management. It should be an autonomous organisation. It should deal with lazy and recalcitrant prisoners. In other words, there should be a prisoners' panchayat and jail authorities should supervise the work of this panchayat. Group committees of prisoners should be responsible for the proper outturn of allotted work by the prisoners. For breach of work privileges should be withdrawn instead of infliction of punishments.

Corporal punishment, bar chain and fetters and whipping should go. However, in certain cases, whipping may have salutary effect. But before it is inflicted an expert committee should be consulted. Government should pay compensation to the aggrieved prisoner if it was found that he was whipped for no fault of his.

Prisoners who have behaved well may be allowed the benefit of parole.

The present system of having Jail Advisory Boards should go. They should be formed on better lines.

Prisoners' colonies should be opened where well behaved and better type of prisoners can be put and allowed, under certain restrictions, to mix with their family members. There need be no other restriction than that such a prisoner should return to his residence by night time. If he shows signs that he has taken a turn for better, he should be released forthwith.

In the case of such offences as ticketless travelling, imprisonment in default of payment of fine should be rigorous.

Prisoners should be allowed to wear their own clothes. Jail uniforms should be abolished. In Russia, released prisoners come back to jails! There they have got a system of open colony jails. We should learn to trust human beings more and more. The present uniform gives one a nauseating feeling.

A prisoner must feel that society is taking the greatest care about him and that he is sent there for reformation and that when reformed he will be taken back.

Conservancy work should not be given to a particular class. Prisoners of higher strata of society should be allotted this work as punishment in place of whipping.

In the case of poor prisoners, their family members should be given travelling allowance for interview once a month. In lieu of interview, an extra letter should be allowed to be written. To avoid cost of transport, prisoners should as far as possible be kept in their own division.

Records in jails, e.g. registers, history sheets of prisoners etc. should be maintained in the regional language of the place where the prison is situated.

Jail staff should have special qualifications like a diploma or degree of the Tata School of Social Sciences.

*Mr. More.*—Women prisoners should be treated on the same lines as male prisoners.

*Mr. Joshi.*—Female prisoners should be given more facilities than male prisoners.

Children should be with their mother prisoners up to the age of two years. Thereafter they should be removed to some nursery. Children should not be allowed to develop the feeling that they are children of convicted persons. Children may be removed earlier to a nursery if their mothers are willing.

Prisoners should be permitted to purchase their own food from outside.

Prisoners should not be a burden on Government. Jails should be as self-supporting as possible. Prisoners should be made to work and paid for their labour.

Powerlooms should be introduced in jails.

There should be a colony of prisoners as in the Punjab. Well-behaved prisoners should be sent there. Government should start industries in jails and make it self-supporting. Technicians may be requisitioned from outside if sufficient number is not available in jails. Productive capacity of jails should be increased as much as possible.

Lockups and sub-jails should either be abolished or considerably improved.

Cooking in jails should be done for a unit of 100 prisoners. Tobacco should be freely allowed at Government cost. It should be part of jail ration.

Grinding should be done by machines.

*Mr. B. R. Joshi.*—Chakkis should be retained. It improves one's health. Nobody should be asked to work it by way of punishment, but on a voluntary basis, for one hour a day.

23rd June 1947.

*Evidence of Sir N. S. Jatar.*

Personally I think the present classification should be abolished, but if it is to be continued, prisoners should pay for the extra facilities they get. The provision of these extra comforts do not matter if such prisoners are made to work compulsorily along with other prisoners.

Now that we have a popular Government, the question of having political and non-political prisoners does not arise. Classification of prisoners by the British Government resulted in deterioration in jail administration. Conscientious objectors may be classed as C class simple imprisonment prisoners. If there is conscription, they may be sentenced to rigorous imprisonment. If any distinction is to be made between political and non-political prisoners, the former should be detained in some concentration camp but not sent to jails. Otherwise it would be throwing unfair burden on the jail staff and might result in corruption etc.

Reference to classification of prisoners in paragraph 5 of my note is for segregation of prisoners and not for providing them with additional amenities.

Examination of prisoners by psychologists or psychiatrists should be before conviction. After conviction, if a prisoner is found to be mentally defective, he is sent to a mental asylum.

The main instrument of reformation is to give prisoners inducements of rewards for good behaviour. That works well in the large majority of cases of prisoners that are likely to be reformed.

Short-termers should be treated on deterrent lines. Otherwise it would be encouraging them to repeat crimes.

In Central Provinces and Berar out of 1,200 boys in the Borstal School only 7 boys came back.

Parole in the case of short term prisoners convicted of such offences as excise offences etc. would benefit.

Prisoners should be taught to be industrious, and to form such habits as would help mental development. Work should be allotted after medical examination of a prisoner, and with due regard to his physical capacity to do a work.

Whipping, etc. should be there for certain cases. They should be awarded by Superintendents and a *post facto* report sent to the Inspector-General of Prisons. It is difficult to take previous sanction in such cases. Execution of such punishments instantaneously has good effect.

As regards moral education, we used to show cinemas of holy places. If people from outside can be got, they may be allowed to visit jails and give moral instruction to prisoners.

Jail staff should be recruited from members of families, having some "izzat", having regard to personality, qualification etc. of the candidate. It should be taught elementary knowledge of sociology, criminology etc. Staff should work as a labour officer rather than as a warden. I attach more importance to the families from which the staff comes.

Vernacular school final should be the minimum for a sepoy in jail. He should also undergo some sort of training in elementary knowledge of psychology etc. In England in the Wakefield prison they have a good system in this behalf.

*Evidence of Dr. Nulkar and Mr. LaTouche, Superintendents.*

If the present comforts available to A class prisoners are extended to B class prisoners, after abolishing A class, it will mean more clerical labour.

Reaction of a prisoner seeing another getting some additional amenities will be good because it would induce him to emulate his industrious habits.

Smoking should be allowed because there will be more satisfaction amongst prisoners and to a certain extent it will reduce pilfering. Each prisoner should be given six bidis a day. The concession should be withdrawn if anybody is found smuggling. Annual cost would come to Rs. 2 lakhs. Administratively it would be difficult to ensure the safety of stocks of bidis in jail premises. We think that smoking should be allowed as a concession to good and regular workers. Prisoners may be allowed to buy some other things out of their earnings from a co-operative stores, run in the jail.

Such things as "bhajas", tea, etc. may be sold there to avoid prisoners monotony in diet. Majority of prisoners are not accustomed to tea, and tea should not be included in their diet. If tea is substitution of conjee is given to prisoners, they would lose in weight. Tea has not the same food value as conjee has. However, a prisoner may be allowed to have tea from a canteen out of his earnings. Also, there would be the difficulty of getting the required quantity of milk and sugar if tea was to be supplied to prisoners as part of their diet.

Distribution of gur daily at the rate of an ounce a prisoner is not a difficult job but it would be difficult to store gur in jail. There will be no administrative difficulty in giving raw onions to prisoners.

Rice may be issued to prisoners in their evening meal but not in the morning meal, as rice will not fill their belly a bread would.

If prisoners agree to spare some of their oil for use on Sundays and holidays, it could be arranged as was done in the Visapur Jail.

Cooking should be done at a central place but in units for 500 prisoners. Such kitchens should be re-built on a scientific basis. It would ensure better distribution of food to prisoners if cooking was decentralised and prisoners were associated with distribution work. That would also help ensure that all the stuff issued from store reaches kitchen. If more supervision staff is employed, it would lessen chances of pilfering. Today, supervision staff is hopelessly inadequate.

It is very desirable that during winter and monsoon pyjamas should be given to all prisoners and shirts and shorts in summer. Muslim prisoners might use trouser at the time of their prayers. Every prisoners should be given a long trouser and a short. We do not think supply of bed sheets to prisoners, is really a necessity.

We think that all the punishments now provided for in the Jail Manual should continue, but used less frequently. Otherwise it would result in lack of discipline. Each prisoner should be informed "Dos" and "Don'ts" of crimes, extent of punishment should not be told to the prisoners.

Chain fetters, bar fetters, penal diet and whipping should be retained; otherwise it would mean practically removing the sanction behind the jail administration. If the reformatory aspect of the jail administration becomes successful it would not be necessary to resort to these punishments. Prisoners should be told what rewards they would get if they did certain things.

Three or four more clerks would be required if more letters are allowed to be written by prisoners per month. A third class prisoner may be permitted to send two letters a month one at his cost and one at the cost of Government. The quota may be doubled in the case of B. class prisoners. If interview is allowed once a month to C class prisoners, it would create administrative difficulties because the existing staff is not adequate. There is no objection to allowing it if the staff is increased. Also, if the time of interview is increased to 30 minutes, it would need more staff. It may be tried in one jail by having the necessary additional staff. If found satisfactory the system may be extended to other jails.

Earning of ordinary remission will be on fulfilling the daily allotted task and special remission or remuneration or both should be based only on additional work done by a prisoner.

Every prisoner should look to his own scavenging work, and by mechanical appliances night soil so collected should be removed to pits or trenches. Also, first the task should be given to those who follow the profession; secondly, those who volunteer to do the work if more remission and/or remuneration is granted to them; and thirdly, to habitual offenders or those prisoners convicted of heinous offences like rape etc. To enforce the suggestion, more staff would be required. At present, there is difficulty of getting professional "bhangis". Even now, whoever does his own conservancy work gets 7 days remission in a quarter. If some extra remission is to be granted, the rule will have to be altered.

*The Secretary.*—Whoever does conservancy work should be paid some remuneration every month. If the present rule regarding conservancy work is changed and if it is provided that those who are convicted of heinous offences irrespective of their caste or creed would be made to do conservancy work, it might lead to some trouble. Therefore, money inducement should be tried first.

*Dr. Nulkar.*—For easy detection when a prisoner runs away, some distinctive dress for him is necessary.

We have no objection to allowing C class prisoners articles like soap, comb etc. at their own cost. It is a nuisance to allow prisoners to grow long hair.

23rd June 1947.

Dr. Nulkar

*About grievances of staff.*

At Belgaum there is no school nearby the prison. A jailor has to spend Rs. 50 per month for educating his children. Higher educational allowance should be given to jail staff or each jail should maintain one conveyance for taking and bringing back the children of the staff to a nearby school. If the number of such children is sufficiently large, a school near the prison may be opened.

Visapur Jail staff should be given some allowance like the bad climate allowance. At present they get local allowance. It should be increased as it is insufficient.

Jail department being a part of security service, it should be put on the same footing as the other security departments.

*The Secretary.*—Clerical staff should get more pay because it has more work and suffers from the disadvantage of staying far away from city. If extra payment is made for overtime work there may not be any demand for union. If a union of the staff is allowed to be formed it might hinder jail administration. It would be possible to paralyse the work of the security department.

We might try and have monthly meetings with members of the staff to hear their grievances, if any, there should be monthly meetings of all the Superintendents with the head of the Department.

23rd June 1947.

*Evidence of Mr. Khan, Chief Inspector of Certified Schools and Backward Class Officer.*

At present, After-Care Associations are in 12 districts. There is a central Body called the Bombay Provincial After-Care Association. Its managing committee consists of officials and non-officials, with a non-official as President and the Chief Inspector of Certified Schools as Secretary. The Committee is appointed by Government. The Management of the Body is actually in Government hands. Government sanctions expenditure etc. Non-officials are associated with its management in order to attract non-official support to the body. In districts, 60 per cent. of the cost of probation officers is paid by Government and the balance of 40 per cent. by the district Association concerned, which is supposed to raise the necessary funds. Actually, they have not been doing so, and that is why Government is meeting the whole expenditure.

Probation Officer's work begins after release of a prisoner. It is better to treat the criminal than the crime. Punishment should have some relation with circumstances. We are collecting information about children, and if we were to do likewise in the case of adults it would need more staff.

In the matter of administering the three Acts, our chief difficulty is that we have not got enough staff. It must be double or treble of what we have at present got. Even for preliminary inquiry we require more staff.

Giving aid to released prisoners is one of the objects of the Provincial Association. In towns there are probation officers for keeping contact with released prisoners. In district places it is not possible to do that. For those who have no homes, there are hostels for them. Those who have homes are helped in finding out suitable employment. The attitude of private employers towards such released prisoners is absolutely hostile as also against borstal boys. I do not think we will be able to rouse the moral consciousness of society for generations to come. I have failed to do that so far. In 98 per cent. of the cases, relatives of boys take them back and they are not hostile towards the boys. The problem is more acute with homeless children. We have got hostels for them, at Hubli, Sholapur, Poona, Bombay and Ahmedabad. We do not fix any age for their leaving hostel. When we find employment for them they go, otherwise not. We keep contact with boys sent back to their homes by writing letters and through police department and taluka officers. Employers of labour who have dealings with Government must be compelled to employ a certain percent of such released children, boys and adults. Government also should employ some of them, but to employ them in schools is dangerous. Government officers themselves are not sympathetic towards our children.

Borstal School is merely for higher age group boys. The school may be transferred to the juvenile branch, i.e., to our Department. That is the suggestion which the State Committee made. Of course, it does not mean any reflection on the Jail Department.

I would not raise the age of boys to be kept in Borstal School to 23. It should be at 21 only as at present. Boys should be sent to Borstal School on their first conviction and not on their third or fourth conviction, as is done at present. I would prefer the agency of Probation Officers and not the police for reports to Magistrates That would involve expansion of the staff.

Q.—Do you think it should be part of the duty of the prosecution to bring it to the notice of the trying Magistrate that the boy accused before him is a first offender and therefore entitled to consideration, but on that the Magistrate ought not to pronounce his sentence straightaway but insist on a report from the probation officer concerned?

A.—Yes. The Magistrate has to ascertain the antecedents of the offender, his age and mental condition etc., etc.

23-6-1947.

Mr. Khan—

If the management of the Borstal School is transferred to my department, training of boys can be better organised, preliminary work connected with them would be done by my department in an improved way and when higher age group boys have to be dealt with by my department there will be some saving in the staff. The standard of punishment would be different from what the jail authorities now impose on the boys. There is not much difference between a certified school and a borstal school except the age groups of boys therein. Uniformity in the treatment of boys would be ensured if the Borstal School is transferred to my department. We will develop our department.

Worse boys are reserved for being sent to Shradhanand Ashram, which is a rescue home. Bombay Presidency Women's Association are very good and would be able to do this work, but they have not got buildings and funds. In this Ashram and in similar other homes for boys and girls, there is no distinction in the treatment of boys and girls sent by us and other students there. We immediately take action if in our visits we find that there is any distinction in the treatment of our boys and girls.

24th July 1947.

*Evidence of Mr. Sawarkar, Governor, Borstal School, Dharwar.*

I do not think the age limit of Borstal school boys should be raised to 23. Nor do I think any reduction in the present age limit is necessary. The present age limit is quite good.

The percentage of return at present is 19 to 20. Within three or four months after release, boys relapse into crime. First experience of freedom puts them off the rails at present.

In very few cases extension of probation has been resorted to so far. However, there is provision at present to send an incorrigible boy immediately to juvenile section, and sometimes we make use of the provision. Provision for employment after period of probation will reduce chances of repetition. In other words, there will be less Borstal failures. These failures are also partly attributable to boys being under the supervision of untrained probation officers like village police patils, who are unskilled and careless probation officers.

Seventy-five per-cent. of released boys go to their houses, except in a very few cases who refuse to go home if they have a step-father or step-mother. The general attitude of parents in the beginning is not very favourable, but in course of time we bring the parents round. At present no attempt is made to send a boy back to his parents on probation before the completion of his period of detention. Parents are not reluctant to accept boys if released on probation earlier. It would not be suitable to make parents of a boy to act as his probation officer; who should be a stranger not belonging to the family. It is not, in my opinion, advisable to release boys early on probation, for, if the period is long the boy feels it. Boys take to offences because they are controlled by agencies other than their parents, and the only way to remove such control, as a last resort, is to detain them. There may be probation before detention; a boy may be kept in an institution or as a free person under probation. If a boy happens to stay in a locality where under the influence of others he is likely to commit a crime, he should be kept in Borstal School though he may not have actually committed any crime. For this purpose, Magistrates should be given more discretion to order detention of such boys as would, under the baneful influence, be induced to commit crimes, even before conviction, if the circumstances are so bad, unless the Magistrate thinks that a free check would be enough. It would be better if boys who have shown tendency to commit crimes and those who have actually committed crimes are kept separately. Unconvicted boys may be kept in some institution under the same discipline as in the Borstal School.

The present staff which has been working for the last seven or eight years is quite all right. For the new staff a special training is needed to fit them for work of this type. However, it would be better if the present staff also could be given some training.

The argument advanced by Mr. Khan, Chief Inspector of Certified Schools, for transfer of Borstal School control to his department is not, in my opinion, sound; for, that department deals with juveniles, and not adolescents. I do not think there is any possibility of better working if the Borstal School is transferred to his department. A Borstal School boy is more an adult than adolescent and juvenile and therefore should remain with the authority dealing with adult prisoners. Therefore the suggested transfer to his department is not desirable. I do not think there is any extra advantage by the proposed transfer. After-care work should be more of the public than of an Institute. Moreover, there is a difference in the treatment of boys in the Borstal School and in a certified or an industrial school. There cannot be any comparison between the two. A child below 14 years of age requires different handling than a boy of 21 would. A Borstal School is not in need of reading and writing or other educational type of training than a child of 14 does. He will require more of industrial training. Borstal School is meant to give some industrial training to boys for fitting them in their life. In the case of certified school, emphasis is more on the education of the children. Borstal school contains adult boys with criminal tendencies and therefore needs trained staff to handle them. Between a Deputy Jailor and a man selected by the education department I do not think there is anything to choose. I think the Borstal School should

24th July 1947.

Mr. Sawarkar.

remain under jail department because the staff in the school is almost the same as in other prisons except for the fact that it is slightly lower in age group. Educational department work is different from Borstal School work. Without its going under the educational department, the school could be developed. The school could be run with more co-operation from the educational department. At present, Educational Inspectors are examining our school boys.

Instead of making the school teachers inter-changeable with the educational department, the grade of the teachers should be improved.

The staff should get special training for the work in the school.

Borstal School can also be a training centre for the jail staff because it is here that the latest ideas of penology are actually put into practice. If the jail staff is associated early in their career with this type of work it will mean additional and useful knowledge and progressive attitude on their part before their actual working in the jails.

Before a Jailer is confirmed, he must be made to spend some three months in the Borstal School for training.

#### APPENDIX V.

No. Tech. 2115.

OFFICE OF THE DIRECTOR OF INDUSTRIES,

OLD CUSTOM HOUSE YARD :

Fort, Bombay, 20th June 1947.

To

The Hon'ble Mr. M. M. PAKVASA,  
The President, Legislative Council, Bombay.

SIR,

With reference to the oral evidence given by me before the Jails Reforms Committee on the 27th ultimo and as directed by you, I have the honour to submit herewith a draft scheme for training of the inmates of the Reformatory in different trade courses.

#### (a) Proposed Trades :—

Trades.	Number of Trainees.	Duration of the Course.
Fitters	12	1 year.
Carpenters	12	1 year.
Cabinet makers	12	1 year.
Pattern makers	12	1 year.
Turners	12	1 year.
Machinists	12	1 year.
Moulders	12	1 year.
Welders-Gas	12	1 year.
Welders-Electric	8	1 year.
Painters—Brush and spray	8	1 year.
Blacksmiths	12	1 year.
Watch Repairers.	12	8 months.
Upholsters	12	8 months.
Electricians	12	8 months.
Tin and Copper smiths	12	1 year.
Draughtsmen (Mech.)	12	1 year.
	12	1 year.

Total ... 180

*Note.*—Facilities exist at the Yeravda Prison Press for imparting training in composing and typography. Details of this course are therefore not worked out on the presumption that the existing facilities will suffice for a suitable training in this trade.

(b) *Qualifications.*—For achieving best results it is essential to stipulate certain minimum educational standards but as these will depend largely upon the educational qualification of the inmates of the Reformatory no educational limit is indicated except for the following trades:—

(1) Draughtsmen	...	...	Up to Matric.
(2) Electricians	...	...	Up to Matric.
(3) Turners and Mechanists	...	...	VII Standard vernacular or III Standard English.

The training proposed is of a practical nature which would enable the trainees at the end of the course to take up salaried jobs in the respective trades. The major portion of the training would be in the workshop and of a practical nature but I suggest that about two hours additional classes per day may, if possible, be arranged which may also include one period for teaching workshop arithmetic.

(c) *Capital cost.*—A list of equipment and tools required for each of the courses will be found at pages 5 to 17. The list is compiled on the basis of average equipment required for imparting a thorough training in the various trades and though it looks bulky it is, in my opinion necessary for the type of training envisaged.

(d) *Cost of tools and equipment.*—The cost of tools and equipment is given at page 18. The total cost as detailed therein works out to Rs. 1,15,500. This is subject to variations depending upon the prices of machinery and equipment ruling at the time of actual purchase.

(e) *Buildings.*—The statement at page 19 gives details of the approximate space required for each course together with class rooms, store rooms, administrative offices etc. Basing the cost of the buildings at Rs. 8 per square foot which is the minimum possible the total cost of the buildings is estimated by me at Rs. 82,400. Very likely this cost is low and will be exceeded at the time of actual building depending upon the circumstances and price of raw materials, labour charges, etc., prevailing then.

(f) *Recurring expenditure*—(i) *Staff.*—Separate details for each course are not shown in the statement at page 20 on the presumption that the scheme will be accepted as a whole because it comprises various allied courses. As detailed therein the expenditure by way of pay of the staff (excluding dearness allowance and other allowances) comes to approximately Rs. 3,100 per month.

(ii) *Raw materials and contingencies.*—In addition to this there will be a recurring expenditure in the form of raw materials required during the actual training period of the various trades. A part of this expenditure will naturally be recovered by way of receipts from the sale proceeds of the finished articles. The extent and nature of the raw materials and the receipts from the finished articles would be governed mainly by (1) the number of trainees available for each course, and (2) whether it is intended to restrict the activities of the workshop to only imparting training proper or also to accept outside work (Government as well as public); I am therefore unable to indicate the recurring expenditure required in the form of raw materials, contingencies, etc., but if it is to be restricted only to imparting training proper, I estimate that an additional provision of about Rs. 30,000 per year for raw materials and contingencies after taking into account the receipts would be necessary.

2. *Syllabus.*—Details of the syllabus of various trades will follow.

3. *Certificates, etc.*—The trade courses indicated above differ from the courses recognised by the Board of Technical and Industrial Training. The Board should therefore be moved to recognise these courses or separate arrangements should be made so that at the end of the training and on successfully passing the examination, appropriate certificates are issued by Government which will assist the trainees in securing jobs outside. The main difficulty in the way of these trainees in securing jobs would be the reluctance of the industry to employ them in view of their past records. I therefore, feel that some agency should be instituted by Government with a view to helping the successful trainees in securing suitable jobs after their release. It should also be clarified that their past records do not constitute a permanent disqualification for jobs in Government Departments.

4. The capital cost for tools, equipment and recurring expenditure by way of staff and raw materials indicated in the statement attached is approximate and will vary according to the final acceptance of the scheme in respect of the number of trainees, the type of courses, the duration of each, etc. If it is intended to omit some courses with a view to reducing the non-recurring and recurring cost I shall revise the estimates and submit a fresh scheme upon intimation from you.

Your obedient servant,  
(Signed) R. U. PATEL,  
Deputy Director of Industries.

Through the Director of Industries.

Forwarded with compliments to the Chairman, Jail Reforms Committee. I generally concur with the Draft Scheme suggested herein.

(Signed) M. P. KANGA,  
Director of Industries.



Number to be trained. Courses of training.	12	12	12	12	12	12
	Fitters	Carpenters:	C. Makers.	P. Makers.	Turners.	Macinists
	1	2	3	4	5	6
Ball P. Hammer 1½ lb.	24	..	..	..	4	4
Hammer B. P. 2 lbs.	..	..	..	..	..	..
"    "    2½ "	..	..	..	..	..	..
Carpenters 10 ozs.	..	12	12	12	..	..
Hammers Exeter type	..	..	..	..	..	..
"    Sledge	..	..	..	..	..	..
Files Flat Rough 10"	24	..	..	..	4	4
Files Hand 2nd	24	..	..	..	4	4
"    H. Rd. Rough 10"	24	..	..	..	..	..
"    "    2nd at 10"	24	..	..	..	4	4
"    "    smooth 6"	6	..	..	..	2	2
"    Rd. 2nd at 10"	6	..	..	..	..	..
"    "    "    8"	6	..	..	..	..	..
"    Sqr. 2nd at 10"	6	..	..	..	..	..
"    "    "    8"	6	..	..	..	..	..
"    Three Sq. at 8"	24	..	..	..	4	4
"    "    "    at 6"	..	3	3	3	..	..
Scrapers Flat	24	..	..	..	3	3
"    B. H. Rd.	24	..	..	..	3	3
"    Triangular	24	..	..	..	3	3
Chisel Flat 1"	..	..	..	..	..	..
"    ¾"	24	..	..	..	3	3
"    ½"	24	..	..	..	3	3
"    Cressnut 1¼"	24	..	..	..	2	2
"    Rd. Nose	24	..	..	..	3	3
Steel Rule 24"	1	..	..	..	..	..
"    12"	24	..	..	..	4	4
"    6"	24	..	..	..	12	12
Fourfold Wooden Rule 2'	..	12	12	12	..	..

12	8	8	12	21	12	12	12	12	12
Moulders.	Welders- Gas.	Welders- Ele.	Painters- B & P.	B/ smith.	Watch repair.	Up- holsters.	Elec- tricians.	C. Smiths.	D/man (Mech.).
7	8	9	10	11	12	13	14	15	16
6	..	..	..	..	..	..	..	3	..
..	..	..	..	12	..	..	..	..	..
..	4	4	..	..	..	..	..	..	..
..	..	..	6	..	..	..	..	..	..
..	..	..	..	..	12	..	..	..	..
..	..	..	..	7	..	..	..	..	..
..	2	2	..	7	..	..	..	..	..
..	..	..	..	..	..	..	..	3	..
..	2	2	..	7	..	..	..	..	..
..	..	..	..	..	..	..	..	3	..
..	..	..	..	..	..	..	..	..	..
..	..	..	..	..	..	..	..	2	..
..	..	..	..	..	..	..	..	2	..
..	..	..	..	..	..	..	..	1	..
..	..	..	..	..	..	..	..	1	..
..	..	..	..	..	..	..	..	3	..
..	..	..	..	..	..	..	..	..	..
..	..	..	..	..	..	..	..	..	..
..	..	..	..	..	..	..	..	..	..
..	..	..	..	..	..	..	..	..	..
..	..	..	..	..	..	..	..	..	..
2	..	..	6	..	..	..	..	..	..
..	4	4	..	..	..	..	..	6	..
..	..	..	..	..	..	..	..	6	..
..	..	..	..	..	..	..	..	..	..
..	..	..	..	..	..	..	..	..	..
..	..	..	..	..	..	..	..	..	..
..	4	4	6	6	..	..	..	6	..
..	..	..	..	..	..	..	..	..	..
..	..	..	..	..	..	..	..	..	..
..	..	..	12	..	..	..	4	4	..

	12	12	12	12	12	12	
Number to be trained.	Fitters.	Carpenters.	C. Makers.	P. Makers.	Turners.	Machinists.	
Courses of training.	1	2	3	4	5	6	
Wooden Rule 12"	..	..	..	..	..	..	
Calliper o/s 6"	..	24	5	6	6	12	12
" I/s "	..	24	6	6	6	12	12
" 0/s spring	..	4	..	..	..	3	3
" I/s "	..	4	..	..	..	3	3
Divider Ord. 12"	..	..	..	..	..	..	..
" " 6"	..	12	3	3	3	6	6
" Spring	..	2	..	..	..	1	1
Hermophrodite	..	24	..	..	..	12	12
Centre Punch	..	4	3	3	3	3	3
Vee Block Pairs	..	2	..	..	..	1	1
Surface plates 3' x 2'	..	..	..	..	..	1	..
" 18" x 18"	..	2	..	..	..	..	..
Engineers Sq. 8"	..	12	..	..	..	..	..
" Sq. 6	..	12	..	..	..	6	6
Square 18" x 12"	..	..	..	..	..	..	..
B/smith Sq.	..	..	..	..	..	..	..
Pliers ord	..	3	..	..	..	2	2
" Insulated	..	..	..	..	..	..	..
" Heavyduty	..	..	..	..	..	..	..
" Gas	..	..	..	..	..	..	..
Screw Drivers' 8"	..	12	..	..	..	3	3
" " 4"	..	12	..	..	..	..	..
London Pattern S. Driver	..	..	6	6	6	..	..
Bench vices	..	24	1	1	1	1	1
Hand "	..	2	..	..	..	..	..
Leg "	..	..	..	..	..	..	..
Elec. "	..	..	..	..	..	..	..
Carpenter's vice	..	3	3	3	..	..	..

12	8	8	12	12	12	12	12	12	12
Moulders.	Welders- Gas	Welders- Elec.	Painters- B & P.	B/ smith.	Watch repair.	Up holders.	Electri- cians.	C. Smith	D/man (Mech).
7	8	9	10	11	12	13	14	15	16
..	..	..	..	..	..	..	..	..	..
..	3	3	..	6	..	..	..	6	3
..	3	3	..	6	..	..	..	6	3
..	..	..	..	..	..	..	..	..	..
..	..	..	..	..	..	..	3	..	..
..	2	2	..	6	..	..	3	..	..
..	..	..	..	..	..	..	..	..	..
..	..	..	..	..	..	..	..	..	..
..	..	..	..	3	..	..	..	3	..
..	6	..	..	..	..	..	..	..	..
..	..	..	..	..	..	..	..	..	..
..	..	..	..	..	..	..	..	..	..
..	..	..	..	..	..	..	..	6	..
..	..	..	..	..	..	..	..	3	..
..	..	..	..	2	..	..	..	..	..
..	..	..	..	..	..	..	..	3	..
..	..	..	..	..	..	..	12	..	..
..	..	..	..	..	..	..	2	..	..
..	..	..	..	..	..	..	..	..	..
..	..	..	..	..	..	..	12	3	..
..	..	..	..	..	..	..	12	..	..
..	..	..	..	..	..	..	..	..	..
1	1	1	..	..	..	..	2	3	..
..	..	..	..	..	..	..	6	..	..
..	..	..	..	3	..	..	..	..	..
..	..	..	..	..	..	..	3	..	..
..	..	..	..	..	..	..	..	..	..

Number to be trained. Courses of training.	12	12	12	12	12	12
	Fitters.	Carpenters.	C. Makers.	P. Makers.	Turners.	Machiusts.
	1	2	3	4	5	6
Raspe assorted .. ..	..	12	12	12	..	..
Hacksaw Frames .. ..	12	..	..	..	3	3
Pincers .. ..	..	12	12	12	..	..
Braderls .. ..	..	..	..	..	..	..
Drawing sets ordinary ..	..	..	..	..	..	..
Drawing sets ordinary ..	..	..	..	..	..	..
D/man .. ..	..	..	..	..	..	..
Compass wooden .. ..	..	..	..	..	..	..
.. ..	..	..	..	..	..	..
Setsquare wooden .. ..	..	..	..	..	..	..
Setsquare wooden Celluloid ..	..	..	..	..	..	..
Protector .. ..	..	..	..	..	..	..
Micrometer 0"—1" .. ..	1	..	..	..	1	1
.. " 1"—2"    .. ..	1	..	..	..	1	1
.. " 2"—3"    .. ..	1	..	..	..	1	1
.. " I/side set .. ..	..	..	..	..	..	..
Vernier Calliper 12" .. ..	..	..	..	..	..	..
Vernier Ht. Gauge .. ..	..	..	..	..	..	..
Feeler gauge narrow type ..	..	..	..	..	..	..
Screw pitch gang B. S. W. ..	..	..	..	..	..	..
Centre gauge (Turner) .. ..	..	..	..	..	2	..
Combination square set .. ..	1	..	..	..	..	..
Dial Test Indicator .. ..	1	..	..	..	..	..
Ratchet Brace complete .. ..	2	..	..	..	..	..
Ratchet Drills 3/8" .. ..	3	..	..	..	..	..
.. " 1/2" .. ..	3	..	..	..	..	..
.. " 5/8" .. ..	3	..	..	..	..	..
.. " 3/4" .. ..	3	..	..	..	..	..
Hand Drill M/C .. ..	1	1	1	1	..	..
Breast " M/C .. ..	1	..	..	..	..	..



Number to be trained. Courses of training.	12	12	12	12	12	12
	Fitters.	Carpenters.	C. Makers.	P. Makers.	Turners.	Machinists.
	1	2	3	4	5	6
Ratched Bit Brace	..	..	6	6	6	..
” ” 1/4"	..	..	6	6	6	..
” ” 3/8"	..	..	6	6	6	..
Spirit level	..	..	1	1	1	1
Key Drifts Sq.	..	6	..	..	..	..
Key Drifts H. Rd.	..	6	..	..	..	..
Drift Sockets assorted	..	..	..	..	..	..
Drill Chucks	..	..	..	..	..	..
Scribing Block	..	2	..	..	1	1
Surface gauge	..	2	..	..	1	1
Centre Drill	..	..	..	..	12	..
Gimlet 1/4"	..	..	2	2	2	..
Saw Pad and Blades	..	..	2	2	2	..
Goggles (Ord.)	..	..	..	..	..	..
Dimond Dresser	..	..	..	..	..	..
Twis Drill S. S. 1/16"	..	..	..	..	..	..
” ” 3/32"	..	..	..	..	..	..
” ” 1/8"	..	..	..	..	..	..
” ” 9/64"	..	..	..	..	..	..
” ” 5/32"	..	..	..	..	..	..
” ” 3/16"	..	..	..	..	..	..
” ” 1/4"	..	..	..	..	..	..
” ” 5/16"	..	..	..	..	..	..
” ” 9/64"	..	..	..	..	..	..
” ” 3/8"	..	..	..	..	..	..
” ” 13/32"	..	..	..	..	..	..
” ” 7/16"	..	..	..	..	..	..
Twist Drill T. S. 1/8"	..	..	..	..	..	..
” ” 3/16"	..	..	..	..	..	..





Number to be trained. Courses of Training.	12	12	12	12	12	12
	Fitters.	Carpenters.	C. Makers.	P. Makers.	Turners.	Machinists.
	1	2	3	4	5	6
Twist Drill T. S. 1/4"	..	..	..	..	..	..
" " 15/16"	..	..	..	..	..	..
" " 3/8"	..	..	..	..	..	..
" " 7/16"	..	..	..	..	..	..
" " 1/2"	..	..	..	..	..	..
" " 33/64"	..	..	..	..	..	..
" " 17/32"	..	..	..	..	..	..
" " 9/16"	..	..	..	..	..	..
" " 5/8"	..	..	..	..	..	..
" " 11/16"	..	..	..	..	..	..
" " 47/64"	..	..	..	..	..	..
" " 3/4"	..	..	..	..	..	..
" " 12/16"	..	..	..	..	..	..
" " 27/32"	..	..	..	..	..	..
" " 7/8"	..	..	..	..	..	..
" " 15/16"	..	..	..	..	..	..
" " 1"	..	..	..	..	..	..
" " 1 1/8"	..	..	..	..	..	..
" " 1 1/4"	..	..	..	..	..	..
Dies and Taps B. S. W. 1/8" to 1" x 1/16"	..	..	..	..	..	..
Mallets	..	3	16	16	16	3
Oil stones	..	3	3	3	..	..
Oil Cane (Middle)	..	2	..	..	..	..
Oil Cane (Big)	..	..	..	..	..	1
Bevel Protractor	..	..	..	..	..	1
Sliding Tea Bevel	..	12	12	12	..	..



Number to be trained. Courses of training.	12	12	12	12	12	12
	Fitters.	Carpenters.	C. Makers.	P. Makers.	Turners.	Machinists.
	1	2	3	4	5	6
Auger Hard 1/2"	...	...	...	...	...	...
"  "  3/4"	...	...	...	...	...	...
"  "  1"	...	...	...	...	...	...
<i>Milling cutters—</i>						
Side and Face cutters 1/4"	...	1	...	...	...	...
"  "  "  3/8"	...	1	...	...	...	...
"  "  "  1/2"	...	2	...	...	...	...
"  "  "  3/4"	...	2	...	...	...	...
Angular cutters 45° × 90° R.H.	1	...	...	...	...	...
"  "  "  L.H.	1	...	...	...	...	...
Double Angular cutters	...	1	...	...	...	...
Slitting saws 1/16"	...	1	...	...	...	...
"  "  1/8"	...	1	...	...	...	...
"  "  3/32"	...	1	...	...	...	...
Cylindrical cutter 2 1/2" × 3"	1	...	...	...	...	...
"  "  2 1/2" × 4"	1	...	...	...	...	...
Convex cutters	...	1	...	...	...	...
Concave cutter	...	1	...	...	...	...
Hand mills (B. & S.T. 1/4")	...	1	...	...	...	...
"  "  3/8"	...	1	...	...	...	...
"  "  1/2"	...	1	...	...	...	...
"  "  5/8"	...	1	...	...	...	...
"  "  3/4"	...	1	...	...	...	...
"  "  1"	...	1	...	...	...	...
Tee Blot Cutter	...	1	...	...	...	...
<i>Gear Cutters—</i>						
6 D. P. (1, 2, 3)	...	3	...	...	...	...
8 B. P.  "	...	3	...	...	...	...
10 D. P.  "	...	3	...	...	...	...
12 D. P.  "	...	3	...	...	...	...



Number to be trained. Courses of training.	12	12	12	12	12	12
	Fitters.	Carpenters.	C. Makers.	P. Makers.	Turners.	Machinists.
	1	2	3	4	5	6
14 D. P. (1, 2, 3) ...	3	...	...	...	...	...
16 D. P. „ ...	3	...	...	...	...	...
18 D. P. „ ...	3	...	...	...	...	...
20 D. P. „ ...	3	...	...	...	...	...
Thread Chasers 3/8" to 1" x 1/8" o/side and i/side.	1 set of each	...	...	...	...	...
Reamers Fixed 1/4"	...	...	...	...	...	...
„ 3/8"	...	...	...	...	...	...
„ 1/2"	...	...	...	...	...	...
„ 5/8"	...	...	...	...	...	...
„ 3/4"	...	...	...	...	...	...
„ 7/8"	...	...	...	...	...	...
„ 1"	...	...	...	...	...	...
Reamers Adjustable 17/32" to 21/32"	...	...	...	...	...	...
„ 19/32" to 21/32"	...	...	...	...	...	...
„ 21/32" to 23/32"	...	...	...	...	...	...
„ 23/32" to 25/32"	...	...	...	...	...	...
„ 25/32" to 27/32"	...	...	...	...	...	...
„ 27/32" to 29/32"	...	...	...	...	...	...
„ 29/32" to 31/32"	...	...	...	...	...	...
Spanners sets D.E. Fix 1/4" to 3/4"	...	...	...	...	...	...
Spanner assorted 1/4" to 1 1/2"	...	...	...	...	...	...
Spanner set box ...	...	...	...	...	...	...
Spanners (Adj.) ...	...	...	...	...	...	...
<i>Carpenter Tools—</i>						
Firmer Chisels 3/4"	...	48	...	...	...	...
„ „ 3/8"	...	48	...	...	...	...
„ „ 1/2"	...	60	...	...	...	...
„ „ 3/4"	...	48	...	...	...	...
„ „ 1"	...	48	...	...	...	...
Firmer Gauges 3/8"	...	36	...	...	...	...



Numbers to be trained. Courses of training.	12		12		12		12		12	
	Fitters.		Carpenters.		C. Makers.		P. Makers.		Turners. Machinists.	
	1	2	3	4	5	6				
Firmer Gauges 3/4"	...	...	...	...	...	36	...			
„ „ 1"	...	...	...	...	...	36	...			
Monrtic Chisels 1/4"	...	...	...	...	...	36	...			
„ „ 3/8"	...	...	...	...	...	36	...			
„ „ 1/2"	...	...	...	...	...	36	...			
Jack Planes	...	...	...	...	...	48	...			
Smoothing Planes	...	...	...	...	...	36	...			
Rabbet „	...	...	...	...	...	36	...			
Rounding „	...	...	...	...	...	36	...			
Plough „	...	...	...	...	...	36	...			
Spoke Shave	...	...	...	...	...	9	...			
Hand saws 24"	...	...	...	...	...	9	...			
Tenon Saws 24"	...	...	...	...	...	40	...			
Ros saws	...	...	...	...	...	9	...			
Compass Saws	...	...	...	...	...	9	...			
Glue pots	...	...	...	...	...	2	...			
Cramps 3'	...	...	...	...	...	2	...			
„ 5'	...	...	...	...	...	2	...			
Marking gauges	...	...	...	...	...	36	...			
Nail Punches	...	...	...	...	...	36	...			
Adze	...	...	...	...	...	2	...			
<i>Draughtsmen—</i>										
Drawing Board 30" × 24"	...	...	...	...	...	13	...			
Tee Square	...	...	...	...	...	13	...			
Cardboard scales	...	...	...	...	...	13	...			
Radios Stencils	...	...	...	...	...	3	...			
<i>Wire-men—</i>										
Rd. nose Plier	...	...	...	...	...	...	...			
Electrician knives	...	...	...	...	...	...	...			
Conductor wire gauge	...	...	...	...	...	...	...			
Wooden boards 3' × 2'	...	...	...	...	...	...	...			
Rawl Plug set	...	...	...	...	...	...	...			
Soldiering Irons	...	...	...	...	...	...	...			





	12	12	12	12	12	12
Number to be trained. Courses of training.	Fitters.	Carpenters.	C. Makers.	P. Makers.	Turners.	Machinists
	1	2	3	4	5	6
<i>Moulders—</i>						
Set of smoothers	...	...	...	...	...	...
Comprising of 6 tools various	...	...	...	...	...	...
Set of hearts, sq. & scopes 10 tools.	...	...	...	...	...	...
Set of Trawels assorted & tools	...	...	...	...	...	...
Set of Beads assorted & tools	...	...	...	...	...	...
Set of cleaners	...	...	...	...	...	...
Moulding Boxes assorted	...	...	...	...	...	...
<i>Tin and Coppersmiths—</i>						
Crossing Iron	...	...	...	...	...	...
Dick Iron	...	...	...	...	...	...
Funnel Stake	...	...	...	...	...	...
Half moon stake	...	...	...	...	...	...
Hatchet stake	...	...	...	...	...	...
Ball stake	...	...	...	...	...	...
Hd. Bottom stake	...	...	...	...	...	...
Block Hammer	...	...	...	...	...	...
Planing hammer	...	...	...	...	...	...
Creasing Hammer	...	...	...	...	...	...
Punches assorted	...	...	...	...	...	...
Mallets assorted	...	...	...	...	...	...
Snips straight	...	...	...	...	...	...
„ Bert	...	...	...	...	...	...
Horse	...	...	...	...	...	...
<i>Welders (Gas &amp; Elec.)—</i>						
Welders goggles	...	...	...	...	...	...
„ Screens	...	...	...	...	...	...
„ Spoons	...	...	...	...	...	...
Gantlet Gloves	...	...	...	...	...	...
Cylinder keys	...	...	...	...	...	...
Spanner $\frac{1}{2}$ " $\times$ $\frac{5}{8}$ "	...	...	...	...	...	...

12	8	8	12	12	12	12	12	12	12
Moulders.	Welders- Gas.	Welders- Elec.	Painters B. & P.	Black- smith.	Watch repair.	Up holsters	Electri- cians.	C. Smiths.	D/man- (Mech.)
7	8	9	10	11	12	13	14	15	16
...	...	...	...	...	...	...	...	...	...
...	...	...	...	8	...	...	...	...	...
...	...	...	...	3	...	...	...	...	...
...	...	...	...	3	...	...	...	...	...
...	...	...	...	3	...	...	...	...	...
...	...	...	...	3	...	...	...	...	...
...	...	...	...	12	...	...	...	...	...
...	...	...	...	pairs...	...	...	...	...	...
...	...	...	...	2	...	...	...	...	...
...	...	...	...	2	...	...	...	...	...
...	...	...	...	2	...	...	...	...	...
...	...	...	...	2	...	...	...	...	...
...	...	...	...	2	...	...	...	...	...
...	...	...	...	2	...	...	...	...	...
...	...	...	...	2	...	...	...	...	...
...	...	...	...	2	...	...	...	...	...
...	...	...	...	2	...	...	...	...	...
...	...	...	...	2	...	...	...	...	...
...	...	...	...	6	...	...	...	...	...
...	...	...	...	sets.	...	...	...	...	...
...	...	...	...	6	...	...	...	...	...
...	...	...	...	sets.	...	...	...	...	...
...	...	...	...	6	...	...	...	...	...
...	...	...	...	6	...	...	...	...	...
...	...	...	...	2	...	...	...	...	...
...	...	...	...	8	...	...	...	...	...
...	...	...	...	8	...	...	...	...	...
...	...	...	...	8	...	...	...	...	...
...	...	...	...	8	...	...	...	...	...
...	...	...	...	...	...	...	...	...	4
...	...	...	...	...	...	...	...	...	4





## Watch-makers.

## Trainees Kit.

Screw Driver 1/32"	...	12
Screw Driver 1/16"	...	12
Tweezer set	...	12
Eye Glass Focus 3"	...	12
Eye Glass Focus 1/2"	...	12
Nipper	...	12
Pliers, square nose	...	12
Pliers, round nose	...	12
Pliers, taper nose	...	12
Pliers, Brass lined	...	12
Head lifting lever (Pair)	...	12
Hammer 4 ozs. with handle	...	12
Lever notch opening tool	...	12
Tool with prong end for bending lever	...	12
Cleaning Brush	...	12

## Shop out-ft.

Oilers for watch	...	2
Oil stand	...	1
Pitch Holder	...	2
Scraper	...	1
Hammer 8 ozs. with handle	...	1
Poising tool	...	1
Pivoting tool	...	1
Hole Plate	...	3
Needle file assorted set	...	1
Oil stone 3 cornered 1/2"	...	6
Watchmaker lathe with the set of 6 grovers	...	1
Wheel stretching block	...	1
Rivetting Block	...	1
Watchmaker's miller	...	1
Oiler for clock	...	2
Bluing pan	...	1
Bellow	...	2

Chisel punch	...	1
Tool for waring	...	.....
Shellac holding Pin	...	1
Punch Box	...	6
Die-plate (threading)	...	3
Watch oil phial	...	2
Oil stone 1" x 4" x 3/8"	...	2
Main spring winder	...	1
Topping tool	...	1
Watchmaker drill with 1/64", 1/32", 3/64" and 1/16" Drill bits	...	1
Hand forge	...	1
Anvils	...	6
Set hammer handled	...	6
Swages top 3/8" to 1" x 1/8"	...	2 sets.
Swages bottom	...	2 sets.
Fullers top 1/2" and 1"	...	2
Fullers bottom 3/4" and 1"	...	2
Fluffers 2 1/2" and 3" face	...	3 of each.
Tong square	...	6
Tong Hollow	...	6
Tong open mouth	...	6
Tong close mouth	...	6
Tong side	...	6
Punches hand round, 3/8", 1/2", 3/4" and 1"	...	2 of each.
Punches hand square, 1/2", 3/4", 1"	...	2 of each.
Punches round rodded, 1/4", 3/8", 1/2", 1"	...	1 of each.
Bolsters 3/8", 1/2", 3/4", 1" and 1 1/2"	...	1 of each.
Swage Block	...	1

## Electrician's Shop out-fit.

## Meters D. O.

Voltmeter M. L.	...	0-500 V.	...	1
Ammeter	...	0-25 amps.	...	1
Ammeter	...	0-5 amps.	...	1
Volt meter	...	0-15 Volts	...	1
Energy meter A/H or W/H type	...	S.A.-225 V.	...	1

## Meters A. C.

1. Volt meter M. B. type	...	0-500 V.	...	1
2. Ammeter M. C. type	...	0-25 amps.	...	1
3. Ammeter M. C. type	...	0-5 amps.	...	1
4. Megger	...	250 volts	...	1
4. Battery charging set	...	15 V. D. C.	...	1
Stocks and dies for conduit work		( $\frac{1}{2}$ ", $\frac{3}{8}$ ", $\frac{1}{4}$ ") set	...	1
D. C. Shunt motor	...	230 V. 2-3 H. P.	...	1
A. C. Squirrel cage	...	3 phase 400 V. motor	...	1
A. C. Phase wound slipring type	...	400 V. motor 2-3 H. P.	...	1
A. C. Fan	...	...	...	1
D. C. Fan	...	...	...	1
D. C. Compound wound motor	...	230 V. 3-5 H. P.	...	1
If centre has A. C. supply	...	A. C. motor suitable to drive a 5 K.W.D.C. Dynamo and Generator at 230 v.	...	1
If centre has D. C. supply	...	D. C. motor suitable to drive a 5 K.W.A.C. Generator developing 400 V. 3 phase 4 wire system.	...	1

## Switches.

Switches single pole	...	...	48
Switches double pole	...	...	12
Switches two way	...	...	12
Ceiling roses	...	...	24
Batten holders	...	...	60
Plugs	...	...	12
Cleats (two grooves)	...	...	2 gross.
Cleats (three grooves)	...	...	1 gross.

## Machines

Lathes	...	...	...	...	...	6
Shapers	...	...	...	...	...	2
Slotter	...	...	...	...	...	1
Planer	...	...	...	...	...	1
Miller	...	...	...	...	...	1
Drillers	...	...	...	...	...	2
Power Hacksaw	...	...	...	...	...	1
Tool grinders	...	...	...	...	...	2
Wood working lathes	...	...	...	...	...	3
Circular saw	...	...	...	...	...	1
Band saw	...	...	...	...	...	1
Electric welding set	...	...	...	...	...	1
Gas welding set	...	...	...	...	...	1
Blower	...	...	...	...	...	1
Cupola medium	...	...	...	...	...	1
Crucible big	...	...	...	...	...	1
Crucible small	...	...	...	...	...	2
Electric motor 5 H. P.	...	...	...	...	...	1
Singer sewing machine heavy type	...	...	...	...	...	1
Arm strong tool holders R. H. small	...	...	...	...	...	8
Arm strong tool holders L. H. small	...	...	...	...	...	8
Arm strong tool holders for planers	...	...	...	...	...	1
Parting off tool	...	...	...	...	...	4
Knurling tool	...	...	...	...	...	1
Wood working tool sets	...	...	...	...	...	2

## Approximate cost of tools and equipments.

	Cost of tools.	Shop outfit.	Total.
	Rs.	Rs.	Rs.
1. Blacksmiths	800	2,800	3,600
2. Carpenters	1,500		
3. Cabinet Makers	1,500	3,200	7,700
4. Pattern Makers	1,500		
5. Draughtsman	1,200	.....	1,200
6. Fitters	2,400	2,000	4,400
7. Machinists	600	41,000	41,600
8. Moulders	500	1,000	1,500
9. Painters	600	1,200	1,500
10. Turners	600	35,000	35,600
11. Tin and Coppersmiths	600	.....	600
12. Welders (Gas and Electric)	500	3,100	3,600
13. Watchmakers	500	500	1,000
14. Upholsterers	500	400	900
15. Wireman	800	5,000	5,800
16. General machines such as Drilling hacksaw etc.	.....	3,100	3,100
17. Precision tools	.....	1,500	1,500
18. Drills & Reamers	.....	500	500
19. Milling cutters	.....	1,700	1,700
20. Spanners	.....	400	400
21. Drill chucks	.....	100	100
	14,100	88,400	1,02,500

Rs.

Total approximately ... 1,02,500  
 Complete Centre furniture approximately ... 13,000

1,15,500



## Space required for each trade, offices and stores and their approximate cost.

	Area in Sq. feet.	Sq. ft.
1. Blacksmiths	35' × 20'	700
2. Carpenters— 4 Cabinet makers Pattern makers	70' × 20'	1,400
3. Droughtmen	35' × 20'	700
4. Fitters	20' × 20'	400
5. Mechanists Turners	50' × 20'	1,000
6. Moulders	50' × 20'	600
7. Painters	25' × 20'	500
8. Tin and Copper smiths	25' × 20'	500
9. Welders (Gas and electric)	35' × 20'	700
10. Watch repairers	20' × 20'	400
11. Upholsterers	25' × 20'	500
12. Wireman	20' × 20'	400
13. Three class rooms each	20' × 20'	400
14. Staff room	25' × 20'	500
15. Administrative Block (3 rooms) each	20' × 20'	1,200
16. Stores	60' × 20'	1,200

Cost per square feet Rs. 8 approximate

11,900 sq. ft. × 9  
= Rs. 9,200

Cost of buildings, Rs. 95,200 approximate.

## Staff.

1. One Superintendent on Rs. 200 in the scale of Rs. 200—20—300.
2. Four Supervisors on Rs. 135 per month in the scale of Rs. 135—12—195.
3. Sixteen Instructors on Rs. 100 per month in the scale of Rs. 70—10—120—10—150.
4. Two Drawing Instructors on Rs.      per month in the scale of Rs. 70—10—120—10—150.
5. One Arithmetic Instructor on Rs. 60 per month in the scale of Rs. 50—5—80.
6. One Head Clerk-cum Accountant on Rs. 90 per month in the scale of Rs. 70—4—90—5—120.
7. Two clerks (1 stores) on Rs. 82 per month in the scale of Rs. 70—4—90—5—120.

## Inferior Staff.

Two Office peons on Rs. 20 per month.

Four Workshop attendants on Rs. 35 per month (2 for stores and 2 for workshops).

Two Sweepers on Rs. 20 per month.

Two watchmen on Rs. 30 each.

## 1st year Expenditure on staff per month.

	Rs.
1. One Superintendent on Rs. 200 per mensem	200
2. Four Supervisors on Rs. 135 per mensem	540
3. Sixteen Instructors on Rs. 100 per mensem	1,600
4. Two Drawing Instructors on Rs. 100 per mensem	200
5. One Arithmetic Instructor on Rs. 60 per mensem	60
6. One Head Clerk cum Accountant on Rs. 90 per mensem	90
7. Two Clerks on Rs. 82 per mensem	164
8. Four Inferior Staff on Rs. 20 per mensem	80
9. Four Workshop attendants on Rs. 25 per mensem	100
10. Two Watchmen on Rs. 30 per mensem	60
Total	3,094
	Dearn e s s and other allowances.

## APPENDIX VI.

## Visapur Prison Farm Scheme.

(1) The Prison Farm will be an Institute where prisoners, agriculturist by profession will be transferred by the Inspector General of Prisons, with a view to give them training in the latest methods of cultivation. Long term prisoners will also be transferred about a year before their release, so that they will refresh their knowledge and get themselves trained in modern Agricultural methods, before they are released.

(2) The present land consists of 104 acres and additional land area about 150 acres will have to be acquired thus making the whole area of about 250 acres for being converted into an agricultural farm for training prisoners in the latest agricultural methods. The present area of 104 acres is composed of 4 or 5 different blocks situated round about the prison within a distance of about a mile or so. An area of about 54 acres only out of this can be irrigated under well irrigation remaining 50 acres can grow only dry crops. Out of the 150 acres that are now proposed to be added only about 70 acres are cultivable and could be brought under irrigation either by digging new wells or preferably by use of the pumps installed on the lake. The total irrigated area of the estate will be about 124 acres. The area fit for dry crops will be 70 acres and the rest, i.e. 80 acres will be grass area for grazing the animals.

The soils are mostly of a light type with a depth of 1 to 1½ feet. They are well drained being in most cases under laid by murum substrum and are thus suited for irrigated crops like vegetables and fruit crops. Farm yard manure will, however have to be added to the soils under irrigation at regular intervals for maintaining the fertility of the soil. The present system of continuous cropping, will also be detrimental to the soils and a regular system of rotations will have to be followed. Although this is a tract of scanty rainfall, sufficient water for irrigation will always be available at a fairly high level on account of the percolation from the tank. In high lying acres boring will have to be resorted to in wells for increasing the water supply. The water will, however, have to be lifted either by "mots" or by means of pumping sets. The defects in the estate are that the soils are all light requiring frequent irrigation and that it is scattered about in several blocks and does not exist in one compact block. There is also not much scope for expansion. But considering the advantages, viz. the availability of buildings for housing the prisoners, supply of water and the possibility of growing different kind of crops under irrigation the existing site is considered as suitable for conversion into a training centre for the prisoners not only in agriculture and horticulture but also in the allied industries like dairying and poultry.

The cropping may be done as follows :—				Acres.
1.	Dry crops	...	...	50
2.	Vegetables	...	...	60
3.	Other irrigated crops	...	...	20
4.	Sugarcane	...	...	2
5.	Fodder crops	...	...	30
6.	Fruits and flower garden	...	...	12
				174
	Waste lands for grazing	...	...	80
<b>Total</b>				<b>254</b>

For detailed scheme in dairy and poultry and accessories the Live Stock Expert to Government, Bombay Province, Poona, and for horticulture and floriculture, the Horticulturist to Government, Bombay Province, Poona, will be consulted.

*Special Additional Staff.*

1.	The Superintendent of Farm—	...	...	An experienced graduate in agriculture.
2.	Graduate assistants	...	2	
3.	Agricultural Assistants trained in agriculture	...	4	
4.	Agricultural Assistants trained in dairying	...	1	
5.	Agricultural Assistants trained in Poultry	...	1	
6.	Field Pamgars trained in Agriculture, Poultry, Dairy, and Horticulture	...	8	
7.	Engineer driver and fitter (for pumps)	...	1	

*Live stock.*—In addition to the present stock of 10 pairs of animals, 10 more pairs may be added.

*Dead stock.*—The following implements will be necessary as suggested by the Director of Agriculture, Bombay Province, Poona :—

1.	Heavy plough—Kirlosker No. 9 or Bahadur 1	...	...	2
2.	Light ploughs—Kirlosker No. 15 or 11	...	...	3
3.	Disc harrows (8 Disc.)	...	...	2
4.	Shovel cultivators (7 shovels)	...	...	2
	Shovel cultivators (9 shovels)	...	...	2
5.	Ridger (Heavy)	...	...	1
	Ridger (Light)	...	...	1
6.	Sugarcane crusher, Kirlosker Kamal	...	...	1
7.	Gul boiling accessories, furnace, etc.	...	...	1 set
8.	Winnowers	...	...	.....
9.	Wooden implements such as harrow, seed drills hose, etc. can be locally obtained as required.			
10.	Peerless dust gun	...	...	1
11.	Sprayers	...	...	2
12.	Hand tools, pick-axes, spades, kudalis, khurpis, scickles, ghamelas, etc. may be purchased locally according to the needs.			

For the necessary buildings for the dairy, poultry, etc., the Agricultural Engineer to Government, Bombay Province, Poona, will be consulted. Cost for the whole scheme (recurring and non-recurring) will be worked out in consultation with the Director of Agriculture, Bombay Province, Poona, and submitted if the scheme is approved.