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[For official use only]

REPORT  
OF THE  
UNITED PROVINCES  
JAILS REFORM COMMITTEE



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ALLAHABAD:  
SUPERINTENDENT, PRINTING AND STATIONERY, UNITED PROVINCES, INDIA.  
1938

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### Report of the United Provinces Jail Reform Committee

By notification No. 604/VI—1651-1938, dated March 2, 1938, the Provincial Government appointed a small committee of the members of the Legislature to examine the report on Jail Reforms submitted by an earlier committee of experts appointed by the Government, and to furnish their views on the report as well as generally on the following subjects :

- (1) Superintendence and staff.
- (2) Classification of prisoners.
- (3) Prison Labour and Manufacture.
- (4) Offences and punishments.
- (5) Reformative influences.
- (6) Hygiene and medical administration.
- (7) Jail visitor and Grain Purchase Committees.
- (8) General conditions.

2. The following members were nominated to be members of this Committee, called the United Provinces Jails Reform Committee :

- (1) Nawab Sir Ahmad Sa'id Khan of Chhatari,
- (2) Kunwar Sir Maharaj Singh,
- (3) Chaudhri Khaliquzzaman,
- (4) Babu Sampurnanand,
- (5) Dr. Murari Lal,
- (6) Pandit Bhagwat Narain Bhargava.
- (7) Pandit Harish Chandra Bajpai,
- (8) Pandit Vishambhar Dayal Tripathi,
- (9) Mrs. Prakashwati Suda,
- (10) Mr. Janardan Swarup,
- (11) Pandit Beni Madho Tiwari.

Babu Gopi Nath Srivastava, Parliamentary Secretary, Jails, was appointed Chairman of the Committee, the Hon'ble Minister for Jails however attended and presided at the first two meetings.

The Judicial Secretary to Government, U. P., acted as Secretary of this Committee.

3. The Committee held its sittings on April 22, 23, 24, 25 and 27. The following members attended :

- (1) Pandit Bhagwat Narain Bhargava.
- (2) Mrs. Prakashwati Suda.
- (3) Mr. Janardan Swarup,
- (4) Pandit Harish Chandra Bajpai,
- (5) Pandit Beni Madho Tiwari,
- (6) Dr. Murari Lal.

The Inspector General of Prisons was, on the invitation of the Committee, also present at the meetings of the Committee to give such information as was required by the Committee.

4. The Committee examined each subject in the order in which it has been discussed in the report of the Expert Committee on Jail Reforms and submit the following report on each subject :

#### 1. SUPERINTENDENTS AND STAFF

(i) *Assistant Inspector-General of Prisons*—The Committee accepts the recommendation of the Expert Committee regarding the appointment of an

Assistant to the Inspector-General of Prisons, because, in its opinion, there is no doubt that the work of the Inspector-General is too heavy to be efficiently carried on by him single-handed and without the assistance of a gazetted officer who may be left in charge of the office and can be entrusted with the inspection of less important jails. The Committee, however, considers that the present temporary post of personal Assistant to the Inspector-General, which has been in existence for several years past and is proposed to be made permanent, should be abolished. This officer at present looks after the office routine, but with the appointment of the Assistant Inspector-General of Prisons, this post will become superfluous.

(ii) *Wholtime Superintendents to first class District Jails*—The Committee accepts the recommendation of the Expert Committee about the establishment of a cadre of wholtime Superintendents on a pay of Rs.300 to Rs.500, but do not agree that these officers should be recruited from amongst the medical graduates. In the opinion of the Committee the Superintendents' work is of an executive character and the Superintendent is required to be a man of tact, possessing executive and administrative capacity. This is not necessarily found in medical graduates. The choice should not, therefore, be restricted to those graduates, but the recruitment to these posts should be, from all graduates, preference being given to those having qualifications in criminology and penology. A small percentage of these posts may be open to the Jailors. Jailors of proved ability and integrity will make very good Superintendents and the fact that a few posts of Superintendents are open for them will be a great incentive to the Jailors for good and efficient work. The Committee is strongly of the opinion that the Superintendent should be separate from the Medical Officer of the jail, even though he happens to be medical graduate himself. In the case of other District Jails, the present system of having Sub-Assistant Surgeons as Medical Officers works well and should be continued. In the Central Jails, if the Superintendent is not an I. M. S. officer, a medical officer of the qualifications of a provincial medical service man should be appointed. In both cases the Civil Surgeon of the District should be in visiting charge. He will not have to visit these jails daily, but may be required to pay occasional visits and may be called specially for consultation in serious cases. The Medical Department should be requested to make this a part of the Civil Surgeon's duty without any extra payment, and if this is not found to be possible, a small allowance may be allowed.

(iii) *Training School*—The Committee accepts the recommendation of the Expert Committee about the establishment of a training school at Lucknow, and also accepts the opinion of Colonel Shaikh that Superintendents should also be trained. The Committee does not accept the recommendation of the Expert Committee that the Headmaster should be a retired Jailor.

(iv) *Deputy Jailors and Clerks*—The Inspector-General says that no increase in the cadre of the Deputy Jailors is necessary and that the increase recommended by the Expert Committee is really required in the case of the clerks. The Committee also thinks that when wholtime Superintendents will be appointed in all first class District Jails, an increase in the Deputy Jailors cadre will not be necessary. As regards clerks, the Committee cannot accept the recommendation of a general increase of 25 per cent. without examining the data on which this recommendation is based, and as there are no sufficient materials before the Committee and a proper investigation would entail a detailed inquiry into the staff and work of each jail, the Committee after great discussion on this point have come to the conclusion that they

cannot make any definite recommendation, but would leave the matter to Government. The Committee recommends that the Government should carefully consider the strength of the staff and if they find that additional staff is necessary, the same may be sanctioned.

(v) *Warders*—The recommendation of the Committee about the warders is also the same as that about the clerks. The Committee endorses the recommendation of the Expert Committee that only literate persons should be recruited as warders and wishes to go further and recommends that a minimum qualification should be prescribed. In the opinion of the Committee the possession of a Vernacular Middle School Certificate or of a certificate of having passed the VIII Class examination of an Anglo-Vernacular School should be the minimum qualification for a warder and a Matriculation or School Leaving Certificate for a head warder, if recruited direct. Fifty per cent. of the posts of head warders should be filled by direct recruitment and 50 per cent. by promotion from warders. Certain posts of clerks, upto a maximum of 25 per cent. should be open to warders and head warders, who have passed the Matriculation or an equivalent examination.

## 2. CLASSIFICATION OF PRISONERS

The Committee endorses the recommendation of the majority of the Expert Committee regarding the classification of prisoners into politicals and non-politicals, and the further classification of the non-politicals as mentioned in the report, with this small modification that the two classes of casuals should be :

(a) Star class and (b) ordinary casuals.

The sub-class suggested by the Expert Committee, viz. the First offenders and star class are not mutually exclusive, because prisoners in the star class may also be first offenders. The Committee has very carefully considered the question as to who should be classed as a political prisoner and has come to the conclusion that all persons convicted of offences committed with a political motive, but not with an idea of personal gain should be classed as political prisoners, exception being made in the cases of persons convicted of offences with a communal or sectarian bias. Such latter class of offences are very injurious to the progress of the country and a man who commits them should not be entitled to any special treatment, even though he may have committed them with a political motive. It is absolutely necessary in the interest of the political advancement of the country that communal and sectarian differences should cease and the Committee does not consider even a political worker deserving of special treatment in jail if he so forgets himself as to be led away by communal or sectarian bias. The Committee endorses the recommendation of the Expert Committee that political prisoners should be kept in a separate jail and should not be required to work. The further recommendations of the Committee about the treatment of political prisoners will be detailed later.

The classification of non-political prisoners should be carefully made and promotion and reversion from one class to another for good or bad behaviour or for any other sufficient reason should always be possible. The Committee wishes to emphasize that there should, in no case, be any racial distinction in the matter of classification of prisoners, and that the status of a prisoner or his mode of living should not be a determining factor in his classification. The classification should be made only on the ground of the offence committed.

*Star Class*—The Expert Committee states in their report that the Star class should consist of the best behaved casual prisoners. This means that casual prisoners, who are in the ordinary class, should from time to time be promoted to Star class, if from their behaviour and conduct they deserve that distinction, but the Expert Committee did not make any suggestion as to whether any convict should from the very beginning be put in the Star class. In the opinion of this Committee casual prisoners convicted of offences not involving moral turpitude, riot or violence of a callous nature should be put in the Star class. The treatment of the prisoners in the Star class should, except with regard to diet, clothing and bedding, be the same as that accorded to prisoners of the present 'B' class. The diet, clothing and bedding should be the same as provided to ordinary prisoners, but a Star class prisoner may be allowed to supplement them at his own expense.

The classification of prisoners should be made by the court at the time of conviction and the order of the court in this respect should be final subject to a revision by the Provincial Government.

The Committee accepts the recommendation of the Expert Committee about keeping the prisoners of different classes separately.

### 3. PRISON LABOUR AND MANUFACTURE

The Committee has, after discussion and careful consideration, accepted the recommendations of the Expert Committee with the following modifications :

(1) To the forms of manual labours to be abolished 'Lime Mills' should also be added.

(2) Monetary awards should not be given both on the basis of remissions as well as of work done. In the opinion of the Committee where the nature of work done by a prisoner is such that it is possible to fix a standard which a prisoner is expected to do in a day, such standard should be fixed and it should be so fixed that the value of the task to be done by a prisoner in a day should be equal to the maintenance charges incurred on the prisoner. For work done in excess to the standard a monetary award at a certain prescribed rate should be given to the prisoner. In cases where the work is of such a nature that it does not admit of a standard being laid down, for example, the work of a sweeper or a cook, monetary award may be given on the basis of remissions earned by the prisoner, i.e. it should be laid down that in such cases for every day of remission earned by the prisoner, he would be allowed a prescribed monetary award.

(3) The scheme of monetary awards may, in addition to the Central Prisons, be also worked in such other Jails as may be considered suitable for the purpose.

(4) The present system of 'costing' the Jail products should be revised so as to bring down the prices to competitive rates.

(5) Handspun yarn should also be employed in the manufacture of Jail articles and spinning should be introduced as a labour in jail. The Committee does not agree with Major Malhoutra that as handspun yarn is more costly than the machine spun yarn, it will not be profitable for jails to employ it.

## 4. OFFENCES AND PUNISHMENTS

The Committee recommends that flogging and cross-bar fetters should be abolished as they are barbarious and inhuman punishments, which are condemned by all classes of the public. The Committee does not agree with the Expert Committee that flogging should be retained. Although it is understood that flogging is resorted to in a very few cases, yet that by itself is, in the opinion of the Committee, a ground for abolishing it altogether.

In the opinion of the Committee cellular confinement, as a jail punishment, should be retained and as a court sentence should be abolished. The Committee has carefully considered the recommendation of the Expert Committee that both these forms of cellular confinement should be abolished, but as it recommends the abolition of flogging and cross-bar fetters, it feels that some kind of deterrent punishment should be retained in order to keep discipline in the jails, and that the abolition of this form of punishment also may lead to indiscipline and difficulties in the administration of jails.

## 5. EDUCATIVE AND REFORMATIVE INFLUENCES

The Committee accepts the recommendations of the Expert Committee. By a majority of three to two the Committee has also decided to recommend that four Inspectors should be appointed in the same grade as wholtime Superintendents of District Jails to look after the reformative side of the jails. They should be drawn from persons who have done some social work and are known to have taken interest in the reformative and social work. Their duty will be to lay down general directions for reformation of prisoners in different ways and to make periodical inspection of jails to satisfy themselves that the instructions are carefully followed.

## 6. DIET

The Committee endorses all the recommendations of the Expert Committee with regard to diet, and wishes to add that the suggestion of the Inspector-General, that the quantity of Dal issued to prisoners should be increased from one *chatak* to two *chataks* per day should be accepted. It is also recommended that the morning meal recommended by the Expert Committee for undertrials should also be allowed to prisoners undergoing simple imprisonment, and that on festival days the jails should accept articles of food from the public for feeding the prisoners with such restrictions as may be prescribed by the Inspector-General.

## 7. BEDDING AND CLOTHING

The Committee accepts the recommendations of the Expert Committee with this modification that the substitution of a *pyjama* in place of a *janghia* should be at the option of the prisoner.

## 8. GENERAL CONDITIONS

The recommendation of the Expert Committee about letters and interviews is accepted and it is further suggested that if a reply prepaid postcard or a postage stamp for reply is received by a prisoner, he should be allowed to send a reply in addition to writing one letter every one month or two months. It should also be made clear that all letters received during the interval should be delivered to the prisoner once in one month or two months as the case may be and not only one letter as is understood to be the practice in some jails.



The recommendation of the Expert Committee, that the concession in respect of letters and interviews should be introduced when the jail staff has been raised, is not accepted. In the opinion of this Committee this reform should be carried out at once.

The other recommendations of the Expert Committee under this head are also endorsed.

5. This finishes the recommendations of the Expert Committee. This Committee makes the following further recommendations to Government :

(1) *Political Prisoners*—Special rules should be framed for the treatment of political prisoners in jails and such rules in particular should provide for the following :

(a) All political prisoners should be concentrated in one or more jails.

(b) There should be freedom of association of the political prisoners amongst themselves.

(c) One daily paper of their own choice should be provided at the cost of Government, and any further magazines and books should be allowed at their own cost.

(d) Writing materials should be provided at the cost of the prisoners.

(e) Sufficient arrangement for lighting should be made in their barracks for reading purposes at night.

(f) Diet, bedding, clothing and furniture should be on the same scale as are at present allowed to "B" class prisoners, but the political prisoners should be permitted to supplement this at their own cost.

(g) Political prisoners should be allowed to despatch one letter every week. They may be allowed to receive once a week any number of letters that may be addressed to them, provided that any letters, which are urgent, should be delivered to the prisoner immediately.

(h) One interview should be allowed every week.

(i) The same games should be allowed to political prisoners as are allowed to "A" and "B" class prisoners at present.

(j) They should be allowed to keep musical instruments at their own expense.

(k) They should be allowed to sleep outside and any additional staff and light which may be necessary for this purpose should be provided.

(l) Political prisoners should not be compelled to do any labour, but doing any labour and the choice of such labour should be at their own option.

(m) The following punishments only should be awarded to political prisoners for jail offences :

(i) Separate confinement for a period not exceeding 15 days at a time in cases of violence only,

(ii) Deprivation, for a period not exceeding one month, of the special privileges of his class except those relating to diet, clothing and bedding.

(n) They should be released on parole in cases of serious illness or calamity in the family.

(o) In cases of illness, they should be allowed to consult any physician or surgeon at their own expense.

(p) Oil, comb, *sendur*, *churis* should be allowed to female prisoners.

(q) Handfans should be allowed to all prisoners.

(r) Any other facility which is at present allowed to "B" class prisoners should also be allowed to them.

(2) *Advisory Committee*—An Advisory Committee should be established at the headquarters of the province consisting of the Parliamentary Secretary, Jail Department, the Inspector General of Prisons, four members of the Legislative Assembly, and one member of the Legislative Council. This should be the Standing Committee and its functions should be to advise the Government in all administrative and financial matters relating to jails and to suggest ways and means for carrying out the jail administration. The Parliamentary Secretary should be the President and the I.-G. the Secretary of this Committee.

(3) *Medical Officers*—The Jail Department should have its own separate cadre of medical officers and the present system of posting officers of the Medical Department to jails should be discontinued. The system is unsatisfactory both from the point of view of the officers as well as of the jail administration on account of the dual control of the officers and the absence of really any effective control of the Jail Department.

(4) *Jail visitors*—The delegation of power to appoint jail non-official visitors should be withdrawn from the Commissioner and should in future be exercised by the Government. The Chairman of the District Board and the Chairman of the Municipal Board at the headquarters of the jail should be *ex officio* visitors. The other non-official visitors should be appointed by the provincial Government on the recommendation of the District Committee of the Discharged Prisoners' Aid Society wherever such a Committee is established, and in other cases on the recommendation of the District Officer. There should be three such visitors for every district jail and six for every Central Prison and no one should be appointed who is not able to write inspection notes in his own hand.

All the non-official visitors of the district should constitute a Board of Visitors to be presided over by the District and Sessions Judge or where there is no District and Sessions Judge by the Civil and Sessions Judge. If there is no Civil and Sessions Judge at the headquarters of the District, the District and Sessions Judge, who has jurisdiction in the district, shall preside when he visits the district on circuit. Meetings of this Board should be called at least twice a year and special meetings should be called by the President on the requisition of at least three members.

5. *Clerks*—Clerks of the jails should be called Assistant Jailors. This the Committee understands is an old grievance of the clerks, who have to do not only clerical work but also much executive work—almost equal to that done by the Deputy Jailor, and the Committee can think of no reason why they should give a name which does not correctly represent the nature of the work which they really have to do.

(6) *Female prisoners*—The Committee makes the following recommendations about female prisoners :

(a) A female jail should be opened for concentration of all female prisoners and it should be managed entirely by female staff.

(b) Half *chatank* of oil, which is at present allowed to female prisoners for hair, should be raised to one *chatank*.

(c) *Churis* of female prisoners should not be removed on entry and should be renewed at their own expense.

(d) In place of *lahenga* and *chaddar*, which are at present allowed *saris* of 5½ yards should be allowed to female prisoners.

(e) Undertrial females expecting confinement and not let out on bail should be treated by maternity nurses and suitable arrangements should be made with regard to this.

(f) During the period of menses, lighter labour should be taken from the female prisoners and sterilized rags should be provided to them to ensure cleanliness.

(7) *Fasting days*—On fasting days, i.e. on the days which will according to the recommendation of the Expert Committee be declared by the Government as fasting days in jails, the prisoners, who observe fast, should be given lighter labour.

(8) The Jail warders should be given umbrellas or *barsatis* to protect them from rains.

(9) Sufficient arrangements should be made to protect the barracks from rains.

(10) The Committee understands that the jail staff posted to jails, which are at considerable distance from the city, feel considerable inconvenience in the matter of education of their children. The Committee recommends that where the number of children is sufficient, primary schools should be opened and in other places, conveyances should be provided at public expense for children going from the jail quarters to the public schools.

(11) The Reformatory School of Chunar is at present under the Education Department. The Committee considers that the proper department to administer and control this school is the Jail Department. The Committee has already held that for the prevention of further crime and the restoration of the criminal to society as a reformed character it is essential that the care of criminals should be entrusted to men who have received an adequate training in penological methods and has therefore recommended the opening of a training school for jail staff. This school will impart training for the treatment of delinquency in all its three phases, child, adolescent and adult. While the adult are detained in the jails, the adolescent in the Borstal Institute, the child is generally detained in the Reformatory. The jails are under the Jail Department and the Borstal Institution will also be under that department. There is no reason why the Reformatory School should continue to be under Education Department. As the problem of child delinquency is also a part of the general problem and can be tackled only by those who have been trained in this modern science, the Committee strongly recommends that the administration of the Reformatory School at Chunar should be transferred to the Jail Department.

(12) As regards Grain Purchase Committees, the Committee understands that at present a Central Grain Purchase Committee is formed every year, composed of the Judicial Secretary, the Inspector-General of Prisons, two members of the Legislature nominated by the Government, one representative of the Industries Department and one representative of the Agriculture Department. The Central Committee decides on the mode of purchase of grain and lays down the rules for the superintendence of officers making the purchase. The rules and directions are issued by the Inspector-General.

In every district a district grain purchase committee is formed which supervises the purchase and decides all questions connected with it. This system, which has been in vogue for some years, is said to be working well and this Committee recommends that it may continue.

The Committee is grateful to Lieutenant-Colonel H. M. Salamat Ullah, Inspector-General of Prisons, for placing before it all the necessary facts and figures in connection with the jail administration. The committee also records its appreciation of the valuable assistance rendered by Rai Bahadur P. C. Mogha, Judicial Secretary, in its deliberations and in the preparation of this report, in spite of his other onerous duties.

A summary of the recommendations of the Expert Committee which have been accepted by this committee and of the additional recommendations of this committee is given in the appendix.

GOPINATH SRIVASTAVA.

BHAGWAT NARAIN BHARGAVA.

(Mrs.) PRAKASHWATI SUDA.

BENI MADHO TIWARI.

(Dr.) MURARI LAL.

HARISH CHANDRA BAJPAL.

P. C. MOGHA. \*JANARDAN SWARUP.

\*Attended only two meetings held on April 22 and 23, 1938.

APPENDIX

*A summary of the recommendations of the Expert Committee on Jail Reforms, which were accepted by the United Provinces Jails Reform Committee and also the additional recommendations made by the United Provinces Jail Reform Committee*

**Superintendence and Staff**

1. The appointment of an Assistant Inspector General of Prisons.
2. Abolition of the temporary post of Personal Assistant to the Inspector General of Prisons.
3. Appointment of wholetime superintendents of first class district jails, on a scale of Rs.300 to Rs.500. Selection not to be restricted to medical graduates, but should be open to all graduates, preference being given to those persons possessing qualifications in criminology and penology. A small percentage of the posts to be open for competent jailers, if available.
4. Superintendents should be separate from the medical officer. The jails should have a separate cadre of medical subordinates of its own. District jails should continue to have sub-assistant surgeons and in central jails where, in course of time the Superintendent may not be a medical man, a medical officer having the qualifications of a provincial medical service man, should be appointed. Civil Surgeon to be in visiting charge.
5. A training school for Superintendents, deputy jailers, clerks and head-warders, should be established at Lucknow.
6. Government should carefully examine the question of increase in clerks and warders and make any increase that may be necessary.
7. Clerks in jails should be called assistant jailers.
8. Warders should either possess a vernacular middle school certificate or have passed the VIII class of an Anglo-Vernacular school and the head-warders, if recruited direct, should be matriculates or have a school-leaving certificate.
9. Fifty per cent. of the posts of head-warders should be filled by direct recruitment and fifty per cent. by promotion from among the warders.
10. Twenty-five per cent. of the posts of clerks (assistant jailers), should be open to head-warders.

**Classification and treatment of prisoners**

11. There should be two classes of prisoners—political and non-politicals.
12. *Politicals*—Should be those convicted of an offence committed with a political motive but not with the idea of personal gain, exception being made in the case where the offence has been committed with communal or sectarian bias.
13. *Treatment of politicals*—(a) All political prisoners should be concentrated in one jail.  
(b) They should have freedom of association.  
(c) They should be allowed one paper of their own choice at Government expense and be allowed to purchase others at their own expense.

(d) They should be supplied with writing materials and proper arrangements for lighting should be made.

(e) The diet, bedding and clothing allowed to them should be the same as is at present allowed to "B" class prisoners, with permission to supplement it at their own expense.

(f) They should be permitted to write one letter a week and should be allowed any amount of letters addressed to them. Urgent letters should be delivered at once.

(g) They should be permitted one interview per week.

(h) The games at present allowed to "A" and "B" class prisoners should be allowed to them and they should be permitted to keep musical instruments at their own expense.

(i) They should be permitted to sleep outside.

(j) They should not be compelled to do any work except such as they voluntarily choose to do. Both the doing of labour as well as the choice of the form of labour should be left to them.

(k) Release on parole should be allowed in cases of illness or calamity in the family and they should be allowed to consult any physician or surgeon at their own expense, in case they are themselves ill.

(l) Female prisoners should be allowed oil, comb, *sendur* and bangles.

(m) They should be allowed handfans.

(n) They should also be allowed other facilities at present allowed to "B" class prisoners.

(o) The following punishments only should be awarded to political prisoners for jail offences :

(i) Separate confinement for a period not exceeding 15 days at a time in cases of violence only.

(ii) Deprivation for a period not exceeding one month, of the special privileges of his class, except those relating to diet, bedding and clothing.

14. *Non-Politicals*—Should be divided as follows :

*Casuals*—

Star Class.

Ordinary casuals.

(2) *Habituals*—

Ordinary habituals.

Prisoners convicted of offences involving moral turpitude.

Incorrigibles and Professionals.

15. The star class should consist of the best behaved casual prisoners. A convict may be promoted to or reverted from the star class if his conduct is good or bad as the case may be. Only prisoners convicted of offences not involving moral turpitude or violence of a callous nature should be admitted to this class. The star class prisoners should receive the treatment accorded to the present "B" class prisoners, except in the case of diet, bedding and clothing, which should be the same as is allowed to ordinary prisoners, they should, however, be permitted the option of supplementing these three items at their own expense.

16. *Adolescents and Juveniles* should be detained in the Borstal Institution.

17. The classification of all prisoners should be done by courts with the power of revision resting with the Provincial Government and no racial distinction should be made.

18. Different classes of prisoners should be confined in different jails.

#### Prison Labour

19. The following forms of prison labour should be abolished :

- (1) Oil mills.
- (2) Drawing water with *charsa*.
- (4) Lime Mills.
- (4) Aloe Pounding.

The first three should be worked by animals and the last should be given up altogether.

20. Monetary awards should be given to prisoners doing woolcarding.

#### Prison Manufactures

21. Prisoners should be given monetary awards at a prescribed rate, for work done in excess of a given standard. This standard should be so fixed as to cover the maintenance charges of the prisoner. Where it is not possible to fix a standard of work, awards should be given on the basis of remissions earned. This scheme of giving monetary awards to prisoners should be tried in all central jails and selected district jails suited for the purpose.

22. Present system of "costing" jail articles should be so revised as to bring it into line with competitive prices.

23. The committee was against the use of machinery in jails except in a few cases. They agreed, however, that the new type of looms and the machine for spinning of yarns, invented by Mr. Pande of Almora, should be employed in the manufacture of jail-made goods.

24. Government Department should be made to buy jail products as far as possible, a ten per cent. preference being made in favour of jail goods. The Accountant General should only pass a bill, for purchase of articles manufactured outside the jails, when a certificate showing that the articles was not available from the Jail Department is attached. There should be close co-operation between the Jail and Industries Department.

25. There should be a wholetime superintendent of jail industries recruited from the Industries Department and attached to the Inspector-General's Office. His duties should be to supervise the working of jail industries and he should draw his grade pay plus an allowance of Rs.50 per mensem.

26. Raw materials should be purchased in the open market, for which tenders should be invited.

27. A depot for jail-made goods should be opened at Lucknow.

28. Open air industries, such as vegetable growing, should be encouraged.

29. No profit should be charged on prison labour in calculating the prices on jail-made goods.

30. Hand-spun yarns should be introduced.

31. Spinning on *takli* should be encouraged.

### Offences and Punishments

32. Flogging and cross-bar fetters should be abolished.
33. Cellular confinement as a sentence by a court should be abolished but it should be retained, as a jail punishment.

### Educative and Reformatory Influences

34. Compulsory primary education for prisoners, up to the age of 45 years, should be introduced.
35. Prisoners should be permitted to sing for half an hour after lock-up.
36. Jail libraries should be improved and suitable games should be introduced in jails.
37. Lantern lectures should be arranged for and a technical official should be employed for the purpose and he should be given proper equipment.
38. Radios should be installed in the Borstal Institution and also in the star class. The star class prisoners should also be given gramophone records.
39. The present arrangement for lighting should also be improved and the electrification of one jail each year should be undertaken.
40. Four inspectors should be appointed, on the same scale as the wholtime superintendents, proposed for first class district jails. Their work will be to attend to the reformatory side of the jails and they should be drawn from persons having experience of social work.

### Diet

41. Greater variety should be allowed as regards the morning meal given to prisoners.
42. The supply of *dal* should be increased from one *chhatak* to two *chhataks* per day.
43. Prisoners should also be given tobacco or *biri*, and those who do not smoke should be given *gur*.
44. On festivals prisoners should be allowed special diet, such as sweets, *puris*, etc. On such days all prisoners should be given an allowance equal to two days' rations.
45. Undertrials and prisoners undergoing simple imprisonment, should in the opinion of the committee, be given a morning meal like all other prisoners.
46. Special facilities should be allowed to prisoners who have to fast. These fasting days should be those recognized by the Government. On fast days the prisoners who are fasting should be given lighter labour.
47. On festival days the jails should accept articles of food, presented by members of the public, for feeding the prisoners, subject to any restrictions laid down by the Inspector General.

### Bedding

48. During the winter months prisoners should receive three blankets instead of two already supplied. Prisoners over the age of 50 years, convict overseers, convict warders, and convict night warders should be given one extra blanket, one waistcoat and one woollen cap.
49. The life of cotton clothing should be fixed at nine months and not one year as at present.



50. Prisoners should have the option of substituting one *pyjama* for a *janghia*.

51. In the summer and rainy season prisoners should be given one blanket in addition to the *chaddar* at present allowed to them.

52. The star class prisoners should be given *durries* instead of *moonj* mats. In the case of ordinary prisoners the *moonj* mats should be replaced by hemp ones when funds permit.

53. Star class prisoners and convict overseers should be allowed to purchase shoes at their own expense.

54. Soaps should be supplied to prisoners in place of *sajji*, for washing their clothes. This soap should be manufactured in the jails. Body oil should also be allowed to prisoners to save them from mosquito bites.

#### General Conditions

55. Star class prisoners should be allowed to receive and write one letter a month. Other prisoners should be allowed to receive and write one letter in two months. All letters received by prisoners should be delivered to them once a month and not only one letter as is the practice at present. Further if a letter is received with a stamp for reply or a reply pre-paid post card, the prisoner should be allowed to reply to the letter in addition to the letters allowed to the prisoners in every month or two months as the case may be. These recommendations should take effect immediately.

56. Special arrangements should be made to separate undertrials who are first offenders, from those who have previous convictions.

57. Proper arrangements should also be made in Magistrates' lock-ups to separate confessing undertrials from other undertrials.

58. Female undertrials should as far as possible be kept in separate barracks, the entrance to which should be through a separate door, from that of the male undertrials.

59. Greater facilities should be given to Superintendents of jails in regard to visiting jails in other provinces. They should also be allowed to have study leave in order to visit foreign countries.

60. Havalats at present under the Police Department should be transferred to the Jails Department and the necessary staff for their administration and supervision should be provided.

61. Advisory committee should be established at the headquarters of Government and should consist of the Parliamentary Secretary who should be the Chairman, the Inspector General of Prisons who should be the Secretary, three members of the Legislative Assembly and one member of the Legislative Council. The duties of this committee should be to advise Government in financial and administration matters and to suggest ways and means for carrying out the jail administration of this province.

62. The following are the recommendations of the committee about female prisoners :

(a) There should be a female jail for the concentration of all female prisoners and it should be managed by female staff.

(b) All female prisoners should be allowed one instead of half a *chhatak* of oil for their hair.

(c) *Churis* should not be removed and should be replaced at the expense of the prisoners.

(d) *Lahnga* and *chaddar* should be replaced by *saris* of five and a half yards.

(e) Undertrials who are expecting confinement and not let out on bail should be treated by maternity nurses, for which suitable arrangements should be made.

(f) During the period of menses, these prisoners should be put on lighter labour and sterilized rags should be supplied to them to ensure cleanliness.

63. *The Reformatory School, Chunar*, should be placed under the Jail Department.

64. The present arrangements regarding the purchase of grain should continue as the system is working well.

65. Suitable arrangements should be made for the education of the children of the jail staff where jails are situated at a distance from schools. Where the number of children justify it, primary schools should be opened and in other cases proper arrangements for conveyance should be made.

66. During the rainy season, warders should be given waterproofs and proper arrangements to protect the barracks from rain should also be made.

67. The appointment of non-official visitors should be made by Government on the recommendations of the District Committee of the United Provinces Discharged Prisoners Aid Society and where no such society is in existence on the recommendations of the District Officers. The Chairmen of the Municipal and District Boards at the headquarters of the district should also be *ex officio* non-official visitors. There should be three non-official visitors for each district jail and six for every central jail. No person should be appointed who is unable to write his own inspection note.

68. All the non-official visitors of the district should constitute a Board of Visitors. The President of this Board should be the District and Sessions Judge and where there is no District and Sessions Judge, the Civil and Sessions Judge. If there is no Civil and Sessions Judge at the headquarters of the district then the District and Sessions Judge, who has jurisdiction in the district, shall preside when he is visiting the district. Meetings of the Board should be held at least twice a year and special meetings at the requisition of at least three members.

REPORT  
OF THE  
EXPERT COMMITTEE  
ON  
JAIL REFORMS

2



ALLAHABAD:  
SUPERINTENDENT, PRINTING AND STATIONERY, UNITED PROVINCES, INDIA  
1938

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## REPORT OF THE EXPERT COMMITTEE ON JAIL REFORMS, UNITED PROVINCES, 1938.

The Government of the United Provinces, under order no. 2516/VI, dated the 16th December, 1937, Judicial (Criminal) Department, appointed a committee to consider and report what reforms are possible in the jails of the United Provinces, particularly in respect of the following matters :

- (1) Superintendence and staff.
- (2) Classification of prisoners.
- (3) Prison labour and manufacture.
- (4) Offences and punishments.
- (5) Educative and reformative influences.
- (6) Diet and bedding.
- (7) Probation and Borstal Act.
- (8) General conditions.

The following were nominated to be the members of the committee :

- (1) The Inspector General of Prisons, United Provinces.
- (2) The Inspector General of Police, United Provinces.
- (3) Lt.-Col. A. H. Shaikh, I.M.S., Superintendent of Jails, Agra.
- (4) Lt.-Col. M. A. Jafarey, I.M.S., Superintendent of Jails, Lucknow.
- (5) Major G. D. Malhoutra, I.M.S., Superintendent, Central Jail, Bareilly.
- (6) Mr. Madan Mohan Sinha, Rai Bahadur, M.B.E., Bar.-at-Law, Deputy Commissioner, Partabgarh.
- (7) Mr. Hirday Narain Sapru, Divisional Superintendent of Industries, United Provinces.

The Inspector General of Prisons, United Provinces, was appointed President of the committee and Lt.-Col. M. A. Jafarey, I.M.S., was appointed the Secretary under G. O. no. 2516(1)/VI—1651-1937, dated the 25th December, 1937.

The name of Dr. B. S. Haikerwal, Head Master, Reformatory School, Chunar, was subsequently added to the committee, and Mr. B. G. P. Thomas, Deputy Inspector General of Police, was nominated in place of the Inspector General of Police, United Provinces. Mr. Gopi Nath Srivastava, Parliamentary Secretary, also attended.

The first meeting of the committee was held in the Committee Room of the Council House, Lucknow, on 3rd January, 1938, at 2 p.m.

Lieut.-Col. H. M. Salamat Ullah, M.C., I.M.S., Inspector General of Prisons, United Provinces—the President of the committee—opened the proceedings with a speech in which he pointed out certain salient features of the Jail Administration of the province, viz.—

1. The United Provinces has the largest number of jails, i.e., 57, compared to other provinces of India, and also the largest number of prisoners, i.e. 31,000, in its jails. This is made clear in Appendix A which gives the comparative figures of prisoners in all the provinces of India.

2. The United Provinces Jails are the healthiest in India and at the same time they are the cheapest—the mortality rate during 1936 was only 8·2 per mille, while the cost of maintenance per prisoner during the same period was only Rs.74-12-11. Appendix B gives figures as regards the cost of maintenance per prisoner, and the mortality rate of all the provinces in India during 1936.

3. The United Provinces Jails employ the smallest staff compared to the jails of other provinces, e.g. for a prison population of about 2,000, the United Provinces jails employ about 60 warders in a Central Jail while for the same population, Bengal employs 187 warders and the Punjab 167 warders. This is made clear in Appendix C which gives the comparative figures of warder staff in the jails of the provinces in India.

4. The paucity of funds have held up a number of reforms which are essential for the progress of the administration. Similarly want of funds have stood in the way of providing a third blanket to prisoners during winter which is considered necessary on medical grounds. Owing to large prison population even the cost of this item would run into big figures, i.e. about rupees one lakh initial and Rs.30,000 recurrent will be required to provide a third blanket to all the prisoners.

The full speech is given in Appendix D.

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The United Provinces Jail Reforms Committee held all its meetings in the Committee Room of the Council House, Lucknow, from the 3rd January, 1938 to 6th January, 1938.

On the first day there was only one meeting in the afternoon, but on the 4th, 5th and 6th there were two meetings each day—one in the morning and one in the afternoon. All the members were present in all the meetings except Mr. B. G. P. Thomas, who was absent in the afternoon meeting on the 5th January, 1938.

The committee discussed all the subjects referred to it under G. O. no. 2516/VI—1651-1937, dated the 16th December, 1937, and also certain matters brought before it by Mr. Gopi Nath Srivastava, Parliamentary Secretary.

The recommendations of the committee on the various points have been arranged according to the subject matter mentioned in the above Government Order.

Individual opinions of the members, as given in their notes, have been given in the appendices attached at the end of the report.

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### 1. SUPERINTENDENCE AND STAFF

The suggestion made by Mr. Gopi Nath Srivastava on the subject was considered by the committee and the following recommendations were made :

**(1) Deputy Inspector General of Prisons, or Assistant to Inspector General of Prisons**

The committee recommends the appointment of an officer to help the Inspector General of Prisons in the discharge of his multifarious duties as it is of opinion that the Inspector General of Prisons at present is overburdened with work.

In the opinion of the committee, if that officer is to be designated "Deputy Inspector General of Prisons", he should be the seniormost officer amongst

the Superintendents of the Central Prisons. He should draw his grade pay with Rs.150 jail allowance and Rs.250 special allowance to compensate for free house and garden, etc., which other Superintendents of Central Prisons enjoy.

The committee is, however, of opinion that it is likely to be an expensive item and is, therefore, of opinion that a junior officer from amongst the officers of the Central Prison should be appointed who should be designated "Assistant to the Inspector General of Prisons". He should draw the pay of his grade plus Rs.150 as compensation for a free house. It is understood that such an officer would probably be from amongst the newly created cadre of "Superintendents, Central Prisons, United Provinces".

The duties of such an officer would be to help the Inspector General of Prisons in his heavy duties in the office and to inspect second, third, fourth and fifth class District Jails. As a rule, he should not inspect first class District Jails or Central Prisons.

### **(2) Whole-time Superintendents for first class District Jails**

The committee is of opinion that it is desirable to have a cadre of whole-time Superintendents for first class District Jails. The pay should be from Rs.300 to Rs.500, with free quarters near the jail. These officers should be recruited from amongst the medical graduates with M.B., B.S., and D.P.H. qualifications.

On the recommendation of Colonel Shaikh the committee considered it desirable that those possessing diplomas in medical psychology should be given preference. They should be eligible for promotion to the higher grade of newly created cadre of the Superintendents, Central Prisons, United Provinces, on condition that they obtain qualification in "Medical Psychology."

Dr. Haikerwal was of opinion that these posts should not be confined to medical men only. They should be thrown open to all graduates who have special qualification in criminology and penology. The committee did not agree to this view as the appointment of non-medical Superintendents would involve an additional appointment of a medical officer for jails.

### **(3) Training School for Jail Staff**

The committee recommends the establishment of a training school for the Jail Department. The school may be located in the Camp Jail, Lucknow, and be placed under the charge of the Assistant to the Inspector General of Prisons, when that officer is appointed. The staff should consist of a full-time head master, who may be a retired jailer, a full-time drill master, and a few part-time lecturers from other departments, such as Health Department, Police Department, etc. The school should train deputy jailers, clerks and head warders of the department.

Colonel Jafarey was of opinion that the warders should also be sent for training in this school, but his suggestion was not accepted.

Colonel Shaikh was of opinion that the school should be for the training of the Superintendents as well, and he suggested a big staff for the school. (Details of his scheme are given in his notes Appendix E.)

### **(4) Deputy Jailers and Clerks**

The committee is of opinion that the cadre of the clerks and deputy jailers should be increased by at least 25 per cent. The present number, in its opinion, is very inadequate.

**(5) Warders**

The committee is unanimously of opinion that the cadre of the warders in the jails is hopelessly inadequate. An increase in their number is one of the most urgent needs of the department. An all-round increase, at least, of 25 per cent. is strongly recommended.

The committee further recommends that the pay of the warders should be arranged on a progressive scale. The details to be left over to the Jail Department to arrange.

The committee further recommends that warders should be allowed full travelling allowance as third class officials and not as fourth class officials as at present which does not allow travelling allowance for their children.

The committee also recommends that the posts of clerks and warders which have been temporary for a long time should be made permanent in addition to the increase of cadre already recommended.

The committee further recommends that only literate persons should be recruited as warders.

Dr. Haikerwal suggested that warders should be recruited from amongst the educated classes only. This was not accepted as it would exclude ex-military classes who are most suited for the warder's work.

The committee recommends that the temporary warders should also be provided with uniforms at State's expense.

Major Malhoutra suggested recruitment of trained male nurses for jail hospitals. He also suggested that jails reserved for habituals should have more warders in their staff than those reserved for casuals. He further suggested that a special cadre of warders should be started at Rs.30—40 to work as gate-keepers for Central Prisons and 1st class District Jails.

Colonel Shaikh was of opinion that the clerical grade should be abolished and that the pay of the warders should be on the following scale :

Rs.	
25—30	in five years.
30—35	in "
35—40	in "
40—45	in "
45—50	in "

- Other members of the committee thought the scale too ambitious. The full scheme of Colonel Shaikh is given in his notes Appendix E.

The committee recommends that an overseer should be appointed and attached to the office of the Inspector General of Prisons who should advise on all matters concerning jail buildings and draw out plans for them.

The committee desires to emphasize the point that the whole question of Jail Reforms hangs on the increase in jail staff and unless this is provided for as a preliminary step, it will not be possible to give effect to other reforms recommended by the committee.



## 2. CLASSIFICATION OF PRISONERS

There was a great diversity of opinion amongst the members of the committee about the classification of prisoners. After a great deal of discussion the following classification was agreed to by the majority :

### A.—POLITICALS.

### B.—NON-POLITICALS.

1. *Casuals*—
    - (a) First offenders,
    - (b) *Star class*.
  2. *Habituals*—
    - (a) Ordinary habituals.
    - (b) Prisoners convicted of offences involving moral turpitude.
    - (c) Incurrigibles and professionals.
  3. Adolescent
  4. Juveniles
- } To be confined in special institution like Borstal institution.

The committee recommends that the present classification of prisoners into A, B and C classes should be abolished, but it is of opinion that better facilities, as regards diet and clothing, be given to those who are accustomed to a particular mode of living.

Dr. Haikerwal was of opinion that all non-political prisoners should be put in one class. He further suggested the following classification :

- (1) Incurrigibles ;
- (2) Habituals ;
- (3) Accidentals ;
- (4) Child Criminal ; and
- (5) Politicals.

• This was not approved by the majority of the members.

Mr. Madan Mohan Sinha suggested the following basis of classification :

- (1) Prisoners convicted for offences involving moral turpitude, and
- (2) Prisoners convicted for offences not involving moral turpitude.

His full views on the point are given in his notes Appendix H.

Colonel Shaikh gave a different classification for prisoners which is described in detail in his notes Appendix E.

Mr. B. G. P. Thomas was against the classification of prisoners as politicals merely because political motives were claimed. He considered that classification under the head political was justifiable in the case of prisoners convicted under Chapter IV of the Indian Penal Code having due regard to all circumstances of the case but that in other cases the principles applied in classifying prisoners under the heads casuals, habituals, and incurrigibles and professionals should be followed.

The committee recommends that classification of prisoners should be done by courts and finally approved by the Local Government.

The committee recommends that political prisoners should be kept in a separate jail and should be treated as "A" division prisoners in England.

As "A" division prisoners in England are not required to do any work, it was suggested by the President that this could only be done if the courts sentence political prisoners to "simple imprisonment" only; otherwise the Jail Department was bound under the law to take work from them.

The committee recommends that there should be separate jails for the different class of prisoners. They recommend that two of the Central Prisons should be reserved for the habituals and four for the casuals, one of which, preferably Lucknow, should be reserved for the "Star" class prisoners only. The "Star" class should consist of the best behaved casual prisoners.

The committee also recommends that all professional and incorrigible-habitual prisoners should be kept in a separate part of the habitual Central Prison, preferably in cells. There should be special staff for watch and ward of these prisoners and they should get the least of the amenities given to other prisoners.

### 3. PRISON LABOUR AND MANUFACTURE

The committee recommends that the following forms of manual labours in jails should be abolished :

- (1) Oil mills;
- (2) Drawing water with *charsa*;
- (3) Aloe pounding.

The committee was of opinion that oil mills and *charsa* should be worked by animals and that aloe pounding should be given up altogether on medical grounds as it causes blisters in the hands.

The committee recommends that electrical power should be utilized wherever available for raising water.

Colonel Shaikh suggested the abolition of wool carding by hand, but it was not accepted by the committee as there are no small carding machines suitable for jails available for this purpose.

The committee, however, approved the suggestion of the President that prisoners employed in wool carding should be compensated by monetary award.

Colonel Shaikh suggested that the present rule of employing prisoners on certain forms of hard labour for a period of three months at a time only should be abolished and the Superintendent should be given the discretion to employ them as long as they like. The suggestion was not approved by the committee.

The committee accepts the principle that monetary award should be given to prisoners for their labour. The committee was of opinion that it should consist of two parts :

(a) That all prisoners should be given a small monetary award which should be calculated on the basis of remissions earned by prisoners. A monetary value should be given to each day of remission earned.

(b) In addition to the above, remuneration should be given to prisoners employed on manufacture who do more than their allotted task. Such remuneration should be given only when prisoners do appreciable amount of extra task daily. Fifty per cent. of the extra value of their labour should be credited to the account of the prisoner.

For this purpose, prisoners should be classified according to the labour they are put on.

The details of the monetary award as suggested in (a) are given in the notes of Colonel Jafarey in Appendix F.

The committee approves the suggestion of Mr. Sinha that the jail officials, who take special interest in factory work and are helpful in increasing the profits of the jail appreciably, should be given a monetary reward by the Inspector General of Prisons for which special funds should be provided.

The committee recommends that this scheme of monetary award should be worked first in all Central Prisons.

Colonel Shaikh wanted that this should be done in one Central Prison only as an experimental measure.

The committee examined the scheme of improvement of industries submitted by Messrs. Sapru and Agrawala of the Industries Department and was of opinion that only certain parts of the scheme could be introduced in the jails at present. Majority of the committee was against the introduction of machinery for jail industries, except in cases of few industries. The whole scheme submitted by Messrs. Sapru and Agrawala is given in Appendix J.

The committee recommends that the new types of looms suggested in the scheme should only be tried in one jail first.

The committee accepted the proposal of Mr. Sinha for the introduction of a new type of machine for spinning wool yarns prepared by Mr. Pande of Almora.

The committee recommends that in order to improve the industries of the jail it was necessary that all Government departments should make their purchases from the jails only. It is recommended that the Government should frame rules so that no Government department could purchase articles from outside unless they produce a certificate from the Jail Department that such articles could not be manufactured there. The Accountant General should not pass a bill unless this certificate is attached. This is being done in N.-W.F. Province and in Hyderabad State.

The committee recommends that in order to improve jail industries it is necessary to have a Superintendent of Jail Industries who should be attached to the office of the Inspector General of Prisons. Such an officer should be selected from the Industries Department and paid his grade pay plus Rs.50 as allowance.

The committee recommends that a show and sales room for jail articles should be opened in Lucknow and should be under the charge of the Superintendent of Jail Industries.

The committee recommends that there should be more co-operation between the Industries Department and the Jail Department.

It was felt that the cost of articles manufactured in jails was unnecessarily high due to the fact that raw materials had to be purchased through the Industries Department. It was particularly so in the case of cotton yarn.

The committee, therefore, recommends that the tenders for cotton yarn should be put before a committee consisting of the Inspector General of Prisons, Assistant to the Inspector General of Prisons, Superintendent of one of the Central Prisons and representative of the Industries Department, who shall decide the purchase.

Mr. Sinha suggested that cotton yarn used for articles manufactured for Government departments should be purchased through the Stores Purchase Department, while cotton yarn used for the manufacture of articles for sale

to the public should be purchased in the open market. The suggestion was not approved by the committee.

Major Malhoutra suggested that hand-spun yarn was more costly than the machine-spun yarn and so it would not be profitable for the jail to employ hand-spun yarn in the manufacture of its articles. He, however, suggested that prisoners should be encouraged to spin yarn on *takli* in their spare time for which they may be remunerated. The committee accepted this suggestion.

The suggestion of Major Malhoutra that all dyeing of jail yarn should be centralized in Cawnpore was given up as it was pointed out that Cawnpore District Jail was already overcrowded and there was no room for its extension.

Mr. Sinha proposed that open air industries like vegetable growing, seeds and seedlings, flowers, grafting and budding, etc. should be further encouraged in the jails. This was accepted by the committee.

Colonel Shaikh suggested that all jail labour should be paid for at the market rate. The committee did not approve of the suggestion as it would involve enormous cost to the Government. Full details of Colonel Shaikh's scheme of remuneration are given in his notes, Appendix F.

The committee recommends that no profits should be charged on prison labour in calculating the price of articles manufactured in jails as the labour of prisoners is already charged separately.

#### 4. OFFENCES AND PUNISHMENTS

The committee recommends that "Cellular confinement" as a form of jail punishment should be abolished.

The committee is also of opinion that "Cellular confinement" as ordered by courts, should also be abolished.

Colonel Jafarey proposed that cross-bars as jail punishment should be abolished. Other members of the committee did not agree to its total abolition but recommended that it should not be imposed for more than seven days at a time.

The committee was of opinion that flogging as a jail punishment should be retained.

Dr. Haikerwal was of opinion that flogging should only be given to prisoners when they are violent.

The committee was satisfied that the present rules for restricting flogging as jail punishment were sufficiently rigid to avoid any abuse, and did not think it advisable to further restrict the discretion of the Superintendent in this matter.

Colonel Shaikh wanted to reintroduce penal diet as a form of jail punishment. He suggested half the ration of *chappaties* to be given for not more than three days at a time. This suggestion was not approved by the committee, as reintroduction of penal diet was regarded to be a retrograde step.

#### 5. EDUCATIVE AND REFORMATIVE INFLUENCES

The committee recommends that a form of compulsory education should be introduced in jails for all prisoners up to the age of 45 years.

Full report as to the manner in which it has been introduced in the Bareilly Central Prison is given in Major Malhoutra's note, Appendix G.

The committee recommends that two paid teachers should be appointed in each Central Prison to supervise the introduction of compulsory primary education in jails.

The committee accepted the suggestion of Major Malhoutra that prisoners may be allowed to sing for half an hour after lock-up.

The committee recommends that two moral teachers—one Hindu and one Muhammadan, should be attached to each Central Prison. They should not only attend to the needs of the inmates of the Central Prison but also visit the District Jails affiliated to Central Prison. They should be appointed by Government on suitable salaries and should be all-time officials of the department.

The committee recommends that the jail libraries should be further improved.

The committee accepted the view that out-door games should be introduced in jails. What games are suitable for the jails is left to the Jail authorities to decide.

The committee also recommends that the Jail Department should arrange for lantern lectures for the inmates of the jail. For this purpose they should employ a technical official and should have their own equipment.

The committee accepted the suggestion that Radio may be installed in "Star" class jails and in Borstal Institution. Gramophones with records may also be allowed to "Star" class prisoners.

The committee are of opinion that present arrangement of lighting in jails was unsatisfactory. They further recommend that very early steps should be taken to introduce electric light in jails in those places where electric light exists. It is recommended that at least one Central Prison should be electrified each year.

The committee are of opinion that the introduction of games and other amenities of this kind will necessarily involve greater freedom to prisoners and will increase the work of the supervising staff of the jails. It, therefore, recommends that these reforms should only be introduced after the jail cadre has been increased as recommended elsewhere.

Dr. Haikerwal suggested that well-behaved prisoners may be allowed to go outside the prison to visit cinemas, etc. This proposal was, however, not accepted by the committee.

### 8. DIET

The committee recommends that greater variety should be allowed in the morning meal to prisoners. Various combinations for the variety of morning meal were suggested but their adoption was left over to the discretion of the Jail authorities.

The President suggested that the quantity of *dal* issued to prisoners should be increased and they should be given 2 chhataks of *dal* per day instead of 1 chhatak as is being done in all other provinces.

Colonel Jafarey, Major Malhoutra, and Mr. Sapru were in favour, but other members thought that this was not necessary.

Colonel Jafarey suggested that 1 chhatak of *gur* should be given as part of diet to each prisoner. Other members were of opinion that *gur* should be issued to prisoners as reward for good conduct or good work only.

The committee was of opinion that prisoners should be allowed to purchase *gur* and other small articles of diet from their earnings.

The committee recommends that on days of festivals prisoners should be allowed special diet which may contain sweetmeats, *paries*, etc. Every prisoner should be given an allowance for festival days which would be equal to the value of two days jail rations.

The committee recommends that undertrials should also be given morning meal as it is being given to other prisoners.

The committee recommends that special facilities in diet should be provided to prisoners observing fasts, both Hindus and Muhammadans. The days of fasting should be fixed by Government. On these days the prisoners observing fasts should be allowed the following concessions :

(1) Hindus should be given fruits and other articles which they can take on a fasting day, which should be equal to the value of the jail ration. In addition, they should be given  $\frac{1}{2}$  chhatak of *gur* per day.

(2) Muhammadans should be allowed rice diet in place of wheat diet if they so desire. In addition they should be given  $\frac{1}{2}$  chhatak *gur* per day. Arrangement should be made to serve their morning diet (i.e., *sahri*) hot.

Colonel Shaikh suggested that *dalia* and *gur* should be given as morning diet instead of parched gram. The committee was of opinion that it would lead to monotony of diet, but was of opinion that it could be used as one of the varieties for morning meal.

Colonel Shaikh's suggestion that *dal* should be given in one meal only and vegetable in the other was not accepted by the committee.

The committee recommends that tobacco be allowed to all prisoners who smoke at Government expense and *gur* should be issued to prisoners who are non-smokers. The tobacco may be grown in jails for this purpose.

## 7. BEDDING

The committee was unanimously of opinion that during the winter months three blankets should be issued to every prisoner instead of two as is being done just now.

The committee recommends that during the winter months all prisoners above the age of 50 years should be supplied with one blanket, vest-coat and one woollen *topa*. This concession should be extended to all C. Ws, C. Os. and C. N. Ws.

The committee accepts the recommendation made by Colonel Jafarey that the life of cotton clothing should be fixed at 9 months and not one year as it is at present.

The committee recommends that one suit of the cotton clothing should consist of a *pyjama* instead of a *janghia*.

The committee is of opinion that during rainy season prisoners should be given one blanket in addition to a *chadar*, which is being issued now.

The committee accepts Colonel Shaikh's suggestion that *langotas* should be abolished, but does not agree with his suggestion of issuing two *tikonies* instead of one.

The committee recommends that *moonj* mats be replaced by durries in case of " Star " class prisoners. It further recommends that *moonj* mats be replaced by hemp mats in case of other prisoners when funds permit.

The committee recommends that " Star " class prisoners may be allowed to purchase shoes at their own expense. This concession should be given to all C. Os. of the jails also.

The committee recommends that soap be issued to prisoners instead of *sajji* for washing their clothes. This soap should be manufactured in jails.

The committee recommends that body oil should be given to all prisoners to save them against mosquito bites.

Mr. Sinha's suggestion to provide wire gauze fencing to all the openings in the barracks was not accepted by the committee.

Dr. Haikerwal's suggestion that " Star " class prisoners be allowed to wear their own clothes was not accepted by the committee.

## 8. GENERAL CONDITIONS

The committee recommends that greater facility as regards receiving and sending letters should be given to " Star " class prisoners. They may be allowed to receive and write one letter in a month.

The committee recommends that all other prisoners may be allowed to receive and write one letter every two months.

This concession should only be introduced when the jail staff has been raised as suggested above.

The committee accepts Mr. Sinha's recommendation that better arrangement be made for transportation of undertrials from jail to courts. Lorries should be provided in places where they are not available now.

The committee accepts Mr. Sinha's suggestion that better arrangements should be made in Magistrates' lock-ups for separating undertrials who are first offenders from other undertrials. There should be separate lock-ups for prisoners who are already convicts and are sent up for trials in other cases.

The committee accepts the recommendation of Mr. Thomas that suitable arrangement should be made in Magistrates' lock-ups to keep confessing undertrials separate from others.

The committee accepts Mr. Sinha's suggestion that female undertrials, as far as possible, be kept in barracks whose access should be through separate doors from those meant for male prisoners.

The committee did not accept Mr. Sinha's suggestion that " Star " class prisoners should be allowed to sleep outside the barracks.

Major Malhoutra suggested that Superintendents of Jails should be sent on deputation by Government to other provinces and foreign countries to study the conditions of the jails there. The committee did not accept this suggestion but is of opinion that greater facility should be given to officers in the Jail Department to visit jails in other provinces and greater facilities should be given to officers to go on study leave and visit foreign countries.

Mr. Gopi Nath Srivastava wanted the committee's opinion about the *havalats* which are under Police Department.

The committee is of opinion that these *havalats* may be placed under the Jail Department provided a separate staff, both for administration as well as supervision, is provided by the Government.

Colonel Shaikh suggested that all insane, habitual criminals, mental defectives, etc. should be sterilized. They form about 20 per cent. of the population according to him. Colonel Shaikh's views on this point are given in his notes, Appendix E.

H. M. SALAMAT ULLAH,

LIEUT.-COLONEL, I.M.S.,  
*Inspector General of Prisons,*  
*United Provinces,*  
*President,*

B. G. P. THOMAS, I.P.

*Deputy Inspector General of Police,*  
*United Provinces.*

A. H. SHAIKH,

LIEUT.-COLONEL, I.M.S.

M. A. JAFAREY,

LIEUT.-COLONEL, I.M.S.

G. D. MALHOUTRA,

MAJOR, I.M.S.

M. MOHAN SINHA,

BAR.-AT-LAW,  
*Deputy Commissioner,*  
*Partabgarh.*

H. N. SAPRU,

*Divisional Superintendent of Industries,*  
*Cawnpore.*

B. S. HAIKERWAL, PH.D.,

*Superintendent,*  
*Reformatory School,*  
*Chunar.*



## APPENDIX J

*Report of MESSRS. SAPRU AND AGARWAL*

**Scheme for the Development of Jail Industries**

1. Efforts made in the past to so adapt the jail industries that they should be able to meet the requirements of the consuming departments of Government to the maximum extent, did not meet with much success. Government, therefore, issued orders, vide G. O. no. 2854/VI—1818/1931, dated the 15th June, 1933, that Government departments should make the greatest possible use of articles made in the jails and further advised the indenting officers that other things being equal, preference should be given to jail-made articles. The Stores Purchase Department has been trying year after year to give to the jails as much custom as possible. A start was made with the tailoring of uniform and supplies of tents. Durries, netbags, cotton putties, newar, ropes, dusters and bastas were added to the list later on. More recently it has been possible to entrust the supply of brass gongs, stencil figures, dak bags, wicks, union jacks, blue fringes, whistle cords and some furniture to the jails. The total supplies are worth about Rs.1,60,000. But there is a common belief that jails have not been receiving sufficient number of orders and more Government work should be provided to them. We were accordingly asked to prepare a scheme which can be worked out in the jails.

2. It was necessary to visit some of the jails and study the various industries on the spot and see what further industries could be started. We visited the following jails during the last two months :

- (1) Central Jail, Lucknow.
- (2) Ditto, Agra.
- (3) Ditto, Bareilly.
- (4) Ditto, Benares.
- (5) Ditto, Naini.
- (6) District Jail, Cawnpore.
- (7) Ditto, Agra.
- (8) Ditto, Bareilly.
- (9) Ditto, Benares.
- (10) Ditto, Allahabad.
- (11) Ditto, Lucknow.
- (12) Juvenile Jail, Bareilly.

3. The problem of the jail industries is a difficult one and requires considerable study and thought. We must admit that owing to the pressure of our normal duties we have not been able to give the matter as much time and thought as we would have liked to do.

4. During our visits to the various jails we have found that—

- (1) Very little technical staff is available.
- (2) The jail labour is mostly unskilled.
- (3) Satisfactory marketing facilities do not exist.
- (4) The arrangements for the purchase of some of the raw materials are unsatisfactory.
- (5) Some of the jail factories are overcrowded and ill-suited for the work carried on there while others are lying vacant and useless.
- (6) Most of the equipment and implements are old and require immediate replacement.

(7) The existing jail staff is overworked and cannot give sufficient time to jail industries.

(8) There is no incentive for convicts to work.

(9) More than half the jail population is employed on unremunerative work.

(10) No stocks are maintained and consequently supplies cannot be made at short notice.

5. Before we proceed to recommend what industries can profitably be taken up by the jails we think it necessary to examine the above in detail. The orders of Government are that everything else being equal, preference should be given to jail manufactures. But in practice this is not possible. The quality of the jail articles is generally poor and the prices high. It is therefore difficult to question the decision of the Government departments which refuse to purchase them. We think it necessary that Government should lay down as a principle that consuming departments will not expect a high standard in jail articles and will give at least 10 per cent. quality preference. Government departments are forced to make their purchases in the cheapest market as their budgets have been considerably cut down during the last ten years due to financial stringency and rigid rules of economy have to be followed. Some time back the Inspector General of Prisons made a suggestion that no Government department should be allowed to purchase any article from the market unless he gives a certificate that the article was not available from the jails. This needs due consideration.

6. From the inquiries made at the jails visited by us, we understand that the following technical staff is employed by the jail department :

A—Weaving instructors (pay Rs.30—60)	..	4	Central Jails, Lucknow, Agra, Benares and Fatehgarh.
B—Dyers (pay Rs.40—60)	..	2	Central Jails, Lucknow and Agra.
C—Carpenters (pay Rs.70—80)	..	2	Central Jails, Bareilly and Naini.
D—Blacksmiths—			
(payload Rs.60—80)	..	1	Central Jail, Naini.
(payload Rs.40—60)	..	1	
E—Shoemaker (pay Rs.35)	..	1	Juvenile Jail, Bareilly.
F—Tent mistri (pay Rs.75)	..	1	Central Jail, Fatehgarh.
G—Mechanic (pay Rs.50)	..	1	Central Jail, Agra.

The total annual expenditure on the technical staff is about Rs 7,500. We have not been able to collect figures for all the manufactures in the jails, but taking into account the supplies made to Government through Stores Purchase Department, supplies to jails, and supplies to the public, we assume that the total business would not be less than Rs.10,00,000. The total expenditure on technical staff is less than 1 per cent. which is very inadequate. Of the above we were not able to meet the staff at Fatehgarh as we did not get time to visit the place and weaving instructor, at Benares, the carpenter at Bareilly and the blacksmiths at Naini. We found that the weaving instructor at Lucknow (pay Rs.60) had in his charge 50 fly-shuttle and 25 hand-looms. In addition he was required to write up the task of each prisoner in his charge and do other odd jobs. We are convinced that it is not possible for one man to look after so many looms efficiently. On the other hand we found that there was not enough work for the dyers. Some of the jails dyed their own yarn without any technical supervision instead of obtaining it either from Lucknow or Agra, on the ground that dyed yarn supplied by these two jails was more costly. The weaving instructor at Agra appeared to know very little about spinning, weaving and finishing of wool. The carpenter at Naini appeared to us inefficient. The work that was being done by the

prisoners was of very poor quality, the joinery being extremely bad, and output meagre. We were told that two convict carpenters made a pair of doors in seven days, after they had two years' training as carpenters. The Principal of Government Carpentry School, Allahabad, reported to the Stores Purchase Section last year—"Naini Central Jail is not equipped with the personnel necessary or the materials for producing goods for sale to Government departments." We entirely agree with this remark. We examined the furniture made at the Bareilly Central Jail and found that some of the chairs were made of sap wood. They would not pass Government specifications. At Naini we saw some of the articles produced in the smithy shop. They showed very poor workmanship. Judging from the products we think that the instructor is not a capable man. It should be possible to have a more efficient man on a lower pay. We are not much impressed with the work produced under the charge of the shoemaker at the Juvenile Jail, Bareilly. We are convinced that it is futile to try for the Jail Department, to manufacture any of the Stores Purchase leather articles under his guidance. It was pointed out to us that most of these instructors were duly qualified and they were supplied by the Industries Department. It may be true. But we cannot ignore the fact that even the best instructors are likely to deteriorate and become inefficient and out of date, if they are not properly guided, controlled and supervised. For this work a Superintendent of Jail Industries should be appointed.

7. Eighty per cent. of the convicts come from rural and are agriculturist by profession. They have no idea of manufactures and no liking for the same. From inquiries made by us from some of the prisoners we found that they would like to revert to agriculture on release from jail, rather than take to industry. It is therefore, necessary to engage them in such cottage industries which can successfully be run in villages. Spinning and weaving are the two most popular industries. The remaining 20 per cent. consisting of people from urban areas should be engaged in other occupations such as carpentry, smithy, etc. Most of the jails visited by us make durries and carpets. It took an average convict about two months to learn ordinary durrie weaving, six months to learn flowered durrie weaving and about a year to make good carpets. These industries are all right for convicts who were sentenced for very long terms and who will pass most of their life in the jails making these articles. But for short-term prisoners it was necessary that they should learn handicrafts which they can pick up in very little time and which will be useful to them in village life.

8. We have found that no marketing facilities exist. Apart from the goods that are sold through the Stores Purchase Department, there is no organized system. Most of the jails are situated at long distances from the city and other Government offices and keep no stocks. It is more convenient for the indentors to obtain articles from the bazar rather than to wait for months to get them from the jails. We propose that a central depot and a marketing organization should be set up at Lucknow or Cawnpore and it should either have branches or agencies at other important towns. The sales organization will watch the changing demands of the market and indicate to the jail authorities what articles to manufacture and their designs, etc. The central depot should be able to secure advance orders and sell manufactured goods from stock. Such a central depot, we believe, exists in Calcutta. A sum of Rs.6,000 recurring and Rs.3,000 non-recurring will be required to set up this organization. It is expected that the expenditure will be fully justified by the increased sale of jail made articles. The present restriction

in marketing and salesmanship will have to be removed. The marketing organization should be in charge of the Superintendent of Jail Industries.

9. We found that the quality of certain raw material was poor and good articles could not be made from them. We examined the raw wool both at Agra and Benares. It appeared a mixture of dead wool, goats' hair and slaughter-house shavings, devoid of all lustre and spinning qualities. The cotton that was being used at Agra for spinning was of a poor quality, with the result that it was impossible to spin good yarn out of it. We learnt in one of the jails that the cotton yarn supplied recently was not of good quality and difficulty was experienced in its use. We recommend that all raw materials should be purchased through the Stores Purchase Department.

10. We found that some of the factories in the Central Jail, Lucknow, were overcrowded with looms and prisoners found great difficulty in carrying on their work. There was not enough space for us to go from one side to another, without jumping over. These factories were made some forty years back and are mostly ill-ventilated and badly lighted. In some other jails we found that big sheds are lying useless for want of work and convicts. It should be possible to so arrange the distribution of work that this defect may be remedied. We have found that convicts are not distributed properly in the different jails. We were told that the Naini Central Prison wanted more prisoners as there was plenty of work and accommodation available. But they were not getting the necessary men in spite of repeated requests.

11. We noticed that the equipment and implements provided in the jail factories are very old and out of date. The tools were mostly worn out and inefficient. It is impossible to expect good work from the convicts under these conditions. Very little money is spent on replacements. The *charkhas* provided in the Agra Central Prison and other jails were old and rickety. It is not possible to spin even yarn on such *charkhas*. The carpenters' tools in both the Central Jails were of very poor quality. We did not find a suitable work-bench, without which it is impossible to turn out reasonably good work. It might be one of the reasons on account of which the output is so low. The looms in almost all the jails are very old, some being as old as 40—50 years. The worn-out parts have not been replaced with the result that the convicts find great difficulty in working them. The same is true of some of the sewing machines in the District Jail, Cawnpore. The equipment in the blacksmith's shops both at Naini and Benares is very poor. We suggest that improved appliances should be provided wherever possible. It will then be possible to increase the output and improve the quality of goods. Multiple new looms can be introduced in the jails with great advantage. For the production of drill and twill cloths and other heavy cloths, Salvation Army and Hattersley looms should be provided.

12. In all the jails we visited we found that the jail staff was overworked. They do not receive any leave or holidays. The hours of duty are too long, 12—14 hours. In addition they have to go round the jails during the night. On holidays their duties are further increased. The conditions under which they live near the jails and work, provide them with no amenities of life. Under these circumstances they cannot be expected to contribute their thought and energy towards the advancement of industries. It is for this reason that we recommend that there should be a separate technical staff for jail industries.

13. At present there is no attraction for convicts to work efficiently. The system of remitting a part of the sentence does not appeal to the majority

of prisoners especially long-term convicts. Payment of wages beyond a certain production will induce the convict to work harder and more efficiently. It will also encourage the idlers and shirkers to apply themselves on remunerative task. The wage earned by a convict should be allowed to accumulate till his release. It will serve him as capital when jail authorities try to settle him down individually or collectively in business, industrial colonies or agricultural farms. The payment of wages to convicts for extra work will not be burden on the jail finances. It was pointed out to us that the system of wages has failed in the Punjab. We believe that this failure was due to the fact that the amount given to the convicts was only Rs.15 per year. We do not regard this as sufficient inducement. The quota of work should be so fixed that an average good worker should be able to earn about Rs.4 per month, i.e. Rs.50 a year. From inquiries made at the District Jail, Cawnpore, we understand that this is not difficult. It would, however, be not possible for a spinner to earn anything like this. We therefore suggest that a spinner should be allowed to do weaving or other more remunerative job for half the month to make up his short earnings. This formula may be applied to other less remunerative tasks. Certain difficulties have been pointed out to us in calculating wages for certain tasks but we think that they are not insurmountable. Provision of certain luxuries of life such as tobacco and *gur* also may induce the convicts to show better standard of work. We have found that there is a certain class of prisoners which does not want to work and is prepared to be reported to the Superintendent. The above system may have a reformatory effect on such prisoners.

14. There is a general complaint that the jail prices are high. The system of costing needs looking into. There seems to be no uniform system throughout the province. In a recent inquiry made by the Stores Purchase Department, the prices quoted for the same article by the different jails differed from Re.1-11 to Rs.2-8. Such a large difference is unexplainable. The labour charges could not be very much different in the different jails for the production of the same article and the cost of raw material very much the same. With a central depot it should be possible to collect the articles from the different jails and select a really good sample at a reasonable price for the Stores Purchase Department.

15. From inquiries made at the different jails we find about 35—40 per cent. people are employed in the factories on remunerative work. The balance is employed on work which does not bring any direct income to the Jail Department. These works are wheat-grinding, oil pressing, drawing water, growing of vegetables, gardening, farming, repairing of jail uniform, shaving of prisoners, wood cuttings, etc. We are of the opinion that machinery should be employed for works such as wheat-grinding, oil pressing and water lifting, etc., and the men thus released should be employed on remunerative work. It should be possible to employ at least 50 per cent. convicts on productive work. We think that short-term prisoners should be employed on vegetable growing, gardening, cook-houses, and cleaning, etc. If necessary the system of distribution of convicts between Central and District Jails should be revised, according to the type of labour required for the various jails.

16. We have found that as a rule jails do not keep stocks of manufactured articles and make them only to order. This principle is sound as there is no danger of unsold stocks accumulating. But from a business point of view it is not satisfactory. No indentor wants to wait only to get the article

from the jail when he can readily obtain the same from the bazar. We suggest the jails should study their own sales for the last five years and work out averages. Articles within these averages should always be kept ready in stock. We have learnt that the Jail Department made a good sale in the last Lucknow exhibition. During our visits we found in some of the jails that articles were being made for the Lahore exhibition. Jails should be encouraged to participate in local exhibitions and book orders.

17. We now suggest what further industries can be taken up by the jails with a view to make supplies to Government.

#### *Textiles*

- (1) Spinning of yarn cotton and wool on *charkha*.
- (2) Manufacture of khaki drill or a suitable substitute.
- (3) Manufacture of khaki twill or a suitable substitute.
- (4) Manufacture of thin pugrie cloths, khaki, red and other colours.
- (5) Manufacture of dhoties.
- (6) Manufacture of white drill or suitable substitute for tent manufacture.
- (7) Manufacture of police durries.
- (8) Manufacture of lining cloth for liveries.
- (9) Manufacture of kit bags.
- (10) Manufacture of water-proof coats.
- (11) Manufacture of handcuff ropes.
- (12) Manufacture of chevrons and badges.
- (13) Manufacture of mosquito nets.

#### *Woollen*

- (1) Blankets—  
Horse,  
Chaukidars,  
Recruits.
- (2) Woollen putties.
- (3) Jerseys.
- (4) Hose-tops.

#### *Woodwork*

- (1) School and other furniture.
- (2) Police batons and bludgeons.
- (3) Stationery racks, ink-stands, rulers, etc.

#### *Leather*

- (1) Cash bags.
- (2) Police accoutrement.
- (3) Belts for Office peons.

#### *Metal*

- (1) Gardening and agricultural implements.
- (2) Handcuffs.
- (3) Persian wheels.
- (4) Despatch boxes, paper trays, waste-paper baskets, button-sticks, etc.
- (5) Road watering and sanitary carts.
- (6) Spears.
- (7) Stamp punches.
- (8) Locks.

*Miscellaneous*

- (1) Chalk crayons.
- (2) Chicks.
- (3) Brushes.
- (4) Hand-made blotting paper and file covers, etc.

*Agricultural*

- (1) Farming of food grains, cotton and oil-seeds.
- (2) Sheep farming for wool.

18. Along with the above, a few other industries can profitably be started for supplying the public demand. It must be clearly understood that the idea is not to compete with the trade or cottage workers, but to teach the prisoners some art or handicraft and give him enough practice with a view to reforming and settling him in life when he goes out of the prison.

A list of such industries is given below :

*Cottage industries*

- (1) Spinning and weaving of sun hemp.
- (2) Block printing and stencilling.
- (3) Basket making (munj, bamboo, cane, arhar, jhao, twigs, palm leaves, paper).
- (4) Fans of palm leaves and khajur.
- (5) Biri making (if it is decided to give them tobacco).
- (6) Bricks and tiles.
- (7) Knitting, embroidery and needle work (for females).

*Agricultural industries*

- (1) Dairy farming for milk, butter, ghee and manures.
- (2) Piggery (for bristles).
- (3) Poultry.
- (4) Bee-keeping for honey and wax.
- (5) Seed growing.

19. Tuitional classes, consisting of real experts will have to be run in all the important jails to train the inefficient, unskilled and constantly changing jail labour. These expert artisans will also give a finishing touch to the jail products, so that they may fetch better prices in the market. The best convicts trained in these tuitional classes will ultimately be engaged in jail factories for the production of standardized goods for the Stores Purchase Section. A tuitional class will consist of one *ustad* and one assistant. Temporary technical staff will also be necessary to start unorganized small industries such as brush-making, basket work, lock-making, hand-made paper, etc. The articles made in tuitional classes will be either utilized for jails or sold in the market through the Central Store.

20. As it is not feasible to start all the industries given in paragraphs 17 and 18, we recommend that the following industries should be started to begin with. Financial statements, showing details of expenditure are appended :

(a) *Spinning and weaving (cotton and wool)*—The Jail Department purchases cotton yarn of coarse counts worth over a lakh of rupees. Most of this can be spun in jails and used in weaving cloth, newar and durries. Wool spinning is already done in a few jails but the yarn produced is very unsatisfactory. It would be necessary to engage carding and spinning masters for all the jails. They will teach the art, keep *charkhas* in efficient working order

and grade the different qualities of yarn. They will be available on Rs.20—1—30. Besides these, there should be weaving masters in all the bigger jails to teach and supervise the production of saleable cloth. They will get the help of spinning masters working under them. The weaving masters will be of three different classes—foremen type who know machine work on Rs.80—2—100, master weavers (experts in handloom) on Rs.50—2—80, and weaving assistants with knowledge of spinning on Rs.30—2—50. Men engaged for wool must know milling and those for cotton must know *kundi* work. The existing two dyers have not got enough work. A system of central dyeing or training of more dyers will have to be followed, so that the dyed yarn used in all jails should be satisfactory. A good deal of new equipment will be necessary, if the work is to be done in a systematic way. Hattersley and Salvation Army looms for the production of drill, twill and *safa* cloth, blanket looms for woollen goods and more fly-shuttle looms for producing other cloth will have to be supplied. As more efficient *charkhas* will be introduced in all the jails, provision should be made for them as well. The existing equipment will, of course, be utilized wherever it is possible to do so. A sum of about Rs.40,000 will be required to set up all the weaving and spinning workshops.

(b) *Carpentry*—We agree that the carpentry shops be maintained at Allahabad (Naini) and Bareilly. We are not satisfied with the instructor available at Naini and a better class man will be necessary. It will also be necessary to appoint one polisher with knowledge of carpentry at each place. They should be available at about Rs.30 to Rs.40 each. It would be absolutely necessary to replace worn-out tools and add work benches. A sum of Rs.1,000 will be required for each jail. Provision of Rs.500 worth of tools should also be made for brush-making class. It will be necessary to keep in stock a fair quantity of timber to allow it to be seasoned before use.

(c) *Metal industries*—We would suggest that the heavier metal articles such as gardening and agricultural implements, Persian wheels, road-watering and sanitary carts and handcuff should be prepared in the Central Jail, Lucknow. Other articles such as despatch boxes, stationery boxes, paper trays, waste-paper baskets, button-sticks, spears, stamp punches, locks and badges should be made at the District Jail, Aligarh. Our reason for removing the smithy shop from Naini is that better facilities exist in Lucknow, due to the existence of Government Technical School and Railway workshops. It will be necessary to appoint a foreman mechanic at Rs.75—2½—100 and a fitter on Rs.35—1—50 and a moulder with knowledge of smithy at Rs.35—1—50. It will be necessary to provide a small lathe of a drilling machine and other tools costing about Rs.3,000, non-recurring. At Aligarh, we recommend that a fitter be appointed at Rs.40—2—60. It will also be necessary to provide a hand drilling machine, a polisher and some other tools, costing about Rs.1,000 in all. As regards, the painting and enamelling of despatch boxes, etc., this work may be done at the Government Metal Working School. We have particularly suggested Aligarh, as it is the centre of manufacture of such articles and expert supervision will be available from the Superintendent of the Government Metal Working School. It will be necessary to compensate him for his extra services.

(d) *Leather belts and police accoutrements*—We propose that two expert mistries—one for leather cutting and the other for sewing should be employed. They should be available at Rs.40 to Rs.60 per month each. Tanned leather of good quality should be purchased from one of the Cawnpore tanneries. One sewing machine and tools will cost Rs.1,000. Other machines will be added



as the work increases. Necessary rivets, thread, reel, etc. will be available in the Cawnpore market. We propose that this work should be started at the District Jail, Cawnpore, as the leather expert to Government is stationed at Cawnpore and he will be able to inspect and give suggestions from time to time. Jail Department should compensate for the services of the expert. It will take about 4 to 6 months to train the necessary labour. We suggest that the mochi convicts should be concentrated here, as they will be able to learn the work more quickly than others. In the first year they should try to produce simple articles such as belts, great coat straps, spur straps and satchels. Later on other articles can be taken up.

21. We are convinced that there is need of a whole-time Industrial Officer who should devote exclusively all of his time and energy to the reorganization and improvement of jail industries. Such an appointment was contemplated by the Jail Inquiry Committee of 1919 and the United Provinces Government had accepted the proposals in their G. O. no. 3674/VI, dated the 23rd July, 1924, to appoint a Superintendent of Jail Industries on a salary of Rs.500—700. The then Director of Industries had suggested in his demi-official letter no. C-72, dated the 8th May, 1934, to the Deputy Secretary to Government to appoint the Divisional Superintendent of Industries in preference to appointing an outsider, as he "would form a good link between the Industries Department and the Jail Department." The Jails Inquiry Committee of 1929 had also recommended that a special officer of the status of a Jail Superintendent should be in charge of the improvement and co-ordination of jail industries, devoting particular attention to the meeting of demand and the marketing of the jail products. He should have some practical knowledge of spinning, weaving, carpets, carpentry, metalware and leather industries. It should be the duty of the officer to supervise, guide and control the work of the technical staff. His office will be attached to the proposed United Provinces Jails, Central Depot.

B. P. AGARWALA,

*Assistant Stores Purchase Officer.*

H. N. SAPRU,

*Divisional Superintendent of Industries,*

*United Provinces.*

#### FINANCIAL STATEMENTS

##### I.—Textile Industry in all Jails (cotton and wool)

###### (A)—Staff (recurring)—

	Rs.
(1) 3 weaving foremen (machine) at Rs.80—2—100 .. ..	2,880
(2) 3 weaving assistants (handloom) with knowledge of handspinning at Rs.30—2—50 .. ..	1,080
(3) 3 weaving <i>ustads</i> (experts) at Rs.50—2—80 .. ..	1,800
(4) 3 assistants (weavers) with knowledge of handspinning and yarn grading at Rs.30—2—50 .. ..	1,080
(5) 11 weaving masters at Rs.30—2—50 .. ..	3,960
(6) 11 spinning masters with knowledge of plain weaving and yarn grading at Rs.20—1—30 .. ..	2,640
(7) 20 weaving masters at Rs.30—2—50 .. ..	7,200
(8) 20 spinning masters with knowledge of plain weaving and yarn grading at Rs.20—1—30 .. ..	4,800
(9) 19 spinning masters with knowledge of plain weaving and yarn grading at Rs.20—1—30 .. ..	4,560
	30,000

	Ra.
<b>(B)—Equipment (non-recurring)—</b>	
(1) Power looms, accessories and erecting charges—10 looms at Rs.500 each .. .. .	.. 5,000
(2) Salvation Army looms 50 at Rs.100 each (with accessories) ..	.. 5,000
(3) Fly-shuttle looms with accessories—500 looms at Rs.30—each ..	.. 15,000
(4) Blanket looms with accessories 50 looms at Rs.100—each ..	.. 5,000
(5) <i>Charkhas</i> 3,000 at Rs.2—each .. .. .	.. 6,000
(6) Improved <i>charkhas</i> treadle 500 at Rs.8—each ..	.. 4,000
	40,000

(C)—Raw materials—As required.

### II.—Carpentry (*Bareilly and Allahabad*)

	Ra.
<b>(A)—Staff (recurring)—</b>	
(1) 2 carpenters (masters) at Rs.50—2—80 .. .. .	.. 1,200
(2) 2 polishers at Rs.30—1—40 .. .. .	.. 720
(3) 1 brush-maker at Rs.30—1—40 .. .. .	.. 360
(4) 1 carpenter-mistri at Rs.30—1—40 .. .. .	.. 360
	Total .. 2,640

**(B)—Equipment (non-recurring)—**

(1) 20 sets of tools including work-benches at Rs.100 each set ..	.. 2,000
(2) Tools, etc. for brush-making section .. .. .	.. 500
	Total .. 2,500

(C)—Raw materials—As required.

### III.—Metal working (*Lucknow and Aligarh*)

<b>(A)—Staff (recurring)—</b>	
(1) 1 foreman mechanic at Rs.75—2½—100 .. .. .	.. 900
(2) fitter at Rs.35—1—50 .. .. .	.. 420
(3) 1 moulder at Rs.35—1—50 .. .. .	.. 420
(4) 1 fitter (Aligarh) at Rs.40—2—60 .. .. .	.. 480
	Total .. 2,220

**(B)—Equipment (non-recurring)—**

(1) Tools, Lucknow workshop .. .. .	.. 3,000
(2) Tools, Aligarh workshop .. .. .	.. 1,000
	Total .. 4,000

(C)—Raw materials—As required.

### IV.—Leather Working (*Cawnpore*)

<b>(A)—Staff (recurring)—</b>	
(1) 2 instructors (artisan <i>ustads</i> ) at Rs.40—1—60 .. .. .	.. 960
	Total .. 960

**(B)—Equipment (non-recurring)—**

(1) Machines one and other tools .. .. .	.. 1,000
	Total .. 1,000

(C)—Raw Materials—As required,

		Rs.
<b>V.—Supervisory staff</b>		
<b>(A)—Staff (Recurring)—</b>		
(1) Superintendent of Jail Industries at Rs.500—40—700 ..	..	6,000
(2) Camp clerk (typist) at Rs.40—2—60 ..	..	480
(3) 1 clerk at Rs.40—2—60 ..	..	480
(4) 1 orderly and 1 office peon at Rs.10-8 each..	..	252
<b>Total</b>		<b>7,212</b>
<b>(B)—Equipment—</b>		
(1) One typewriter ..	..	300

**VI—Central Jail Depot**

		Rs.
<b>(A) Staff (recurring)—</b>		
(1) 1 manager at Rs.75, 1 per cent. commission on sales ..	..	900
(2) 1 accountant at Rs.40—2—60 ..	..	480
(3) 1 store-keeper at Rs.40—2—60 ..	..	480
(4) 1 designer at Rs.60—2—80 ..	..	720
(5) 1 typist clerk at Rs.30—1—40 ..	..	360
(6) 1 packer-cum-daftri at Rs.20 ..	..	240
(7) 2 peons at Rs.10-8 each ..	..	252
(8) 1 chowkidar at Rs.10-8 ..	..	126
(9) Rent at Rs.120 per mensem ..	..	1,440
(10) Contingencies ..	..	1,250
<b>Total</b>		<b>6,248</b>
<b>(B) Equipment non-recurring—</b>		
(1) Fittings and furniture, etc. ..	..	3,000
<b>Total</b>		<b>3,000</b>

**Summary**

	Recurring Rs.	Non-recurring Rs.
I.—Textile workshops ..	30,000	40,000
II.—Carpentry workshops ..	2,640	2,500
III.—Metal workshops ..	2,200	4,000
IV.—Leather workshops ..	960	1,000
V.—Inspecting staff ..	7,212	300
VI.—Central depot for sales and samples ..	6,248	3,000
<b>Total</b>	<b>49,288</b>	<b>50,800</b>

[It was not considered necessary to print other appendices.]



**Government of the United Provinces**

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**REPORT**

OF THE

**Departmental Jail Committee**

**JANUARY 1939**

3

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LUCKNOW :

PRINTED BY THE ASSISTANT SUPDT.-IN-CHARGE, GOVERNMENT BRANCH PRESS

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To

THE HON'BLE MINISTER-IN-CHARGE FOR JAILS,  
UNITED PROVINCES GOVERNMENT, LUCKNOW.

SIR,

THIS Departmental Committee for Jail Reforms was appointed as per D.-O. no. 174, dated September 29, 1938 and comprised of the following :

- (1) SRI GOPINATH SRIVASTAVA, M.L.A., Parliamentary Secretary to the Minister for Jails ;
- (2) LIEUT.-COLONEL H. M. SALAMAT ULLAH, M.C., I.M.S., Inspector General of Prisons, United Provinces ;
- (3) LIEUT.-COLONEL A. H. SHAIKH, I.M.S., Superintendent, Bareilly Central Prison and Juvenile Jail.

The Committee was required to examine the recommendations of the two jail committees appointed by the Government—one consisting of experts and the other of the members of the United Provinces Legislature, with a view to give effect to those recommendations after examining their financial aspect and if need be of spreading out the expenditure involved in the acceptance of the recommendations from three to five years.

The Committee met on October 17, 19 and 20, 1938. Colonel J. A. S. Phillips, C.I.B., I.M.S., Inspector General of Civil Hospitals, United Provinces, Lieut.-Colonel G. D. Malhoutra, I.M.S., Civil Surgeon, Shahjahanpur, who was, prior to his transfer in charge of the Bareilly Juvenile Jail, Mr. S. D. Joshi, Assistant Cane Commissioner, Dr. B. S. Haikerwal, M.A., Ph.D., Superintendent, Chunar Reformatory, Mr. D. P. Mukerji, Director of Public Information and Mr. Muhammad Mushtaq, Director of Jail Industries, United Provinces also attended the meetings by special invitation.

After going through the recommendations of both the Committees referred to above this Committee decided to entrust the work of drawing out a practical scheme together with a financial statement of the different recommendations to individual members and adjourned till November 29.

It re-assembled on November 29 and continued its sittings till December 9, 1938.

The Committee appointed another sub-committee consisting of Col. A. H. Shaikh, Mr. T. P. Bhalla, Mr. D. P. Mukerji, Professor Kali Prasad of the Lucknow University and Dr. R. U. Singh, M.L.C., to draw out a syllabus and a course of training for the students of the proposed Training School which will be found in Appendix A. This sub-committee had had the advantage of technical advice by a number of departmental heads of the Government.

Another small committee consisting of Lieut.-Col. M. A. Jafary, I.M.S., Superintendent, Lucknow Central Prison, Mr. Iqbal Bahadur, Jailer, Meerut District Jail, Mr. Nazibuzzama Khan of the Lucknow Central Prison and Sirdar Bahadur Sirdar Ganda Singh, Assistant Secretary of the United Provinces Discharged Prisoners' Aid Society was appointed to report on the curtailment of the clerical work in the jails, which in the opinion of the Committee has increased beyond proportion. The recommendations of that committee will be found in Appendix B. The Committee suggests that the recommendations of this sub-committee be referred to the department concerned with the direction that as far as possible its recommendations should be given effect to at an early date.



In Appendix C will be found a list of recommendations which entail no expenditure whereas in Appendix D are incorporated the financial statement of the approved recommendations spread over a period of three years. A large number of reforms, though of minor nature, have already been given effect to since the assumption of office by the present Government and they will be found incorporated in Appendix E.

An attempt had been made by the Committee, not only to tinker with the present system of penal administration but to introduce, wherever possible and feasible, radical changes. The Committee has however been fully conscious of the great handicap because of the lack of trained men on the staff without which a good many useful and urgent measures of reform cannot be given immediate effect to. It is the considered opinion of the Committee that in due course of time the name of the department and the institutions connected thereto need a change but for the present and at this stage it has not insisted on it.

In regard to the recommendation of the Committee for having a separate cadre of medical subordinates, which will be found in the following pages, the Committee is pleased to note that it has the entire and whole-hearted approval and support of Col. Phillips, Inspector General of Civil Hospitals, United Provinces.

As the money required for carrying out all the recommendations of the Committee may be difficult to find in any single year it has been decided by the Committee to spread it out during a period of three years. While the financial statement has been made for three years we have been very particular about figures for the first year, i.e. 1939-40. As regards figures for subsequent years they should be subject to such modifications as our experience of the first year may indicate.

With the acceptance of the recommendations of the Committee by Government it will be necessary to materially amend the Jail Manual; the Committee therefore suggests that a small sub-committee should be appointed to revise the Manual.

It is evident that some of our recommendations will involve increased expenditure. We would however like to point out that some of our proposals like the establishment of Borstal Institutions together with the application of First Offenders and the Probation Acts, After-care of discharged prisoners, Institution for Mental Defectives, better staff, systematic supervision of convicts and introduction of up-to-date machinery and other reformatory influences, if carried out, should furnish a substantial set-off to some of this increase in outlay. As pointed out by the Indian Jails Committee of 1919-20 even if our recommendations involve a net increase in expenditure we would urge that increased outlay is here a necessary condition of reform and progress and that it is essential that there should be reforms and progress if our Province is to keep up to the standard of a civilized country in the matter of prison administration. We repeat another argument of that Committee when we say that this extra expenditure will in the long run work as a real economy. The present criminal population of convicted prisoners in the Provinces may be taken at 28,000. If it is assumed that the net value of labour of these prisoners, when at liberty, is Rs.100 per annum, the loss to the Province through their detention in prison amounts to Rs.28 lakhs a year. To this must be added the net cost of guarding, feeding and clothing them in jail, which amount comes to something like Rs.30 lakhs a year. The total loss to the Province is therefore Rs.58 lakhs a year. If the population of convicted prisoners could be reduced even by 20 per cent. it would represent a saving of nearly Rs.12 lakhs a year. And we have no doubt in our mind that if our recommendations are given effect to it will not take more than five years to reduce

the population by at least 20 per cent. It will thus be seen that the increased expenditure which may be involved in the adoption of our recommendations will prove in the long run to be real economy.

The Committee is grateful to the many officers and gentlemen who have helped it in its deliberations and particularly to Sirdar Bahadur Sirdar Ganda Singh for the help rendered in the drafting of its report.

LUCKNOW :  
*January 19, 1939.*

GOPINATH SRIVASTAVA,  
*Chairman.*  
H. M. SALAMATULLAH,  
A. H. SHAIKH,  
*Members.*

Inspector General of Prisons to relieve the Inspector General of routine duties, the inspection of less important jails and to carry out surprise visits”.

Having regard to the financial condition of the Province, we do not consider it necessary to recommend the appointment of a Deputy Inspector General of Prisons who would have to be a senior officer; but content ourselves with the appointment of an Assistant Inspector General when a suitable officer for such appointment is available.

We hope it will be possible to get a suitable officer during the course of the next year and therefore under this head provision for Rs.6,000 be made under recurring expenditure for the year 1940-41.

2. We recommend that the appointment of a Reforms Officer who should be attached to the Inspector General of Prisons' Office is essential for a period of at least one year.

In view of the already heavy duties of the Inspector General of Prisons, we do not consider it possible that he can reasonably be expected to carry out without the help of a special officer, the programme of reforms recommended by us. Our recommendations will involve radical changes in the existing system of prison administration and detailed schemes will have to be worked out and put into practice for which work the appointment of a whole-time officer is absolutely essential for at least one year. We recommend that the post of Principal for the Training School proposed in the following pages should be advertised immediately and the incumbent appointed. He should act as Reforms Officer. He will gain intimate knowledge and by the time he completes the scheme of reforms the Training School would have come into being. His qualifications are stated under the scheme for the Training School.

#### **WHOLE-TIME SUPERINTENDENTS FOR FIRST CLASS DISTRICT JAILS**

3. We recommend that there should be whole-time Superintendents for First Class District Jails. Eight candidates should be selected in the first instance, six for ordinary prison training, one for Borstal School and one for After-care and Probation Work.

At present there are 48 district jails, excluding the Bareilly Juvenile Jail. Of these 10 are First Class, i.e., have accommodation for more than 500 prisoners. They are: Agra, Bareilly, Fyzabad, Ghazipur, Gonda, Gorakhpur, Lucknow, Meerut, Rae Bareilly and Sitapur.

The Agra and Lucknow District Jails are under the collateral charge of the Superintendents of Central Prisons at those places. The remaining district jails excepting the Sultanpur Tubercular Jail, are also in collateral charge of Civil Surgeons, i.e., they are part-time Superintendents. The Civil Surgeons, especially those in larger stations, have numerous other important duties and are busy officers. They have to supervise and inspect not only the Sadr and the Police Hospital but also the outlying dispensaries. It is no reflection on the Civil Surgeons to say that with varied calls on their time and attention, it is impossible for them to do justice to their work as Superintendents of Jails.

We advocate the appointment of whole-time Superintendents for district jails for the following reasons :

- (1) The Jail Superintendent's work is highly technical in itself and only such men as have been specially trained for this duty can be expected to do it efficiently. The part-time officers, i.e., Civil Surgeons, are no doubt good medical officers but have received no special training for jail duties.
- (2) The jail work is very heavy, specially in the larger jails; and it is a whole-time job and cannot be performed in a few hours. The Civil Surgeons cannot be expected to do justice to it in the time which ordinarily can be spared from their other regular duties. We want Superintendents who will devote their whole energies to the problems of jail and have nothing else to engage their attention.
- (3) The whole-time officers will be entirely responsible to, and under the control of, the Jail Department. Their advancement in the service will depend on good administration of their jails. The Civil Surgeons are under the Medical Department and the Jail Department has no say in the matter of their transfer, promotion, etc.
- (4) The Civil Surgeon's primary duty is the welfare of the health and sanitation of the district and he naturally considers the jail work a matter of secondary importance. A number of them, besides having no time, have no liking for it as it has no affinity with their profession. Under such officers individual attention to convicts with a view to improvement in their minds and morals is quite impossible.
- (5) To carry out a well-balanced, comprehensive programme of prison treatment including strict discipline, wholesome food, useful labour, secular and vocational instructions and reasonable amount of recreation, it is necessary to employ a whole-time superintendent. Thus only can the convicts be afforded a chance to be trained and rehabilitated into law-abiding and useful citizens.

The system of part-time superintendence of district jails has been condemned by all jail committees.

The Indian Jails Committee of 1919-20, were of opinion that it would, doubtless, be advantageous if it were possible to provide a whole-time superintendent for all district jails, whatever their size, but recognizing that this is impossible for financial reasons, they recommended that for all district jails, with an average population of 300 and upwards there should be a whole-time superintendent (paragraph 33). The Government of India expressed their approval of this proposal in G. G. O. no. 305, dated December 16, 1920 and observed that "there should be a whole-time superintendent for all district jails of an average population of 300 or more, though they recognized that some time must elapse before a sufficient number of trained superintendents can be available".

The Punjab Jails Enquiry Committee, 1925, in paragraph 23 of their report observed that "there is general condemnation of the present system under which Civil Surgeons are *ex officio* part-time Superintendents of District Jails". They further expressed their conviction that "this system does not make for that personal control and discipline which is so essential a feature of successful jail administration". The Government of Punjab have already adopted the proposal and have whole-time superintendents in larger district jails.

The Bengal Jails Enquiry Committee, 1927, in paragraph 12, of their report observed that "we have formed the opinion that the present system by which part-time superintendents are in charge of the large majority of jails, is unsound" and prescribed it as "an ideal to be aimed at to have a whole-time superintendent for each jail".

The United Provinces Jails Inquiry Committee also, in paragraph 88 of their report, remarked as follows :

"The Committee does not consider that any civil surgeon has sufficient leisure to attend to the duties of superintendent in addition to his own duties in a jail where the population is 500 or more".

In England, every prison, whatever its size, has a Governor (Superintendent,) and a Deputy Governor who are whole-time officers. Several provinces of India have also adopted this system of whole-time superintendents. The importance of district jails in any scheme of suppression of crime is usually over-looked. It may be noted that the first sentence of imprisonment, generally of a short duration and therefore passed in a district jail is a turning point in an offender's career and his treatment on this first occasion has a decisive influence on his future life. Imprisonment causes a break with home, friends and work ; and if a convict is not properly handled on his first imprisonment there is almost a certainty of his becoming a hardened criminal. On the other hand, if we give him the training befitting his requirements, there is every likelihood of his returning to society a law abiding and industrious man.

The primary consideration in retaining the present system of part-time superintendents of district jails is that of economy. We are however of opinion that time has come when we should provide at least the larger jails, i.e., those containing more than 500 prisoners with whole-time superintendents. We attach the greatest importance to this recommendation as without whole-time superintendents the introduction of the system of individual treatment and other essential reforms in jails is well-nigh impossible.

We also consider that one officer specially trained for the post of Superintendent of Borstal Institution and another with similar qualifications and training for the control of After-care and Probation work in the Province are urgently required.

4. We recommend that the candidate for the post of Superintendents of District Jails should be recruited from persons possessing the following qualifications :

- (1) Bachelors of Arts or Science ; those having Sociology and Psychology as their subject to be preferred.
- (2) Bachelors of Medicine ; Diplomates in mental science to be preferred.
- (3) Jailors of proved ability, who are between 30 and 40 years of age.

A former Inspector General of Prisons, United Provinces, wrote in 1928, "Modern penology requires the individual treatment of the criminal. So the head of a prison should be chosen with as much care as the head of a college or school, but it is a curious anomaly that our superintendents of jails are not so selected. A good prison department must have a staff of trained and disciplined superintendents—all selected men."

We consider it essential that in order to provide a suitable background for training in prison administration persons of high educational qualifications only should be selected.

We are also of opinion that jailors of approved service and possessing sufficient educational qualifications should be eligible for selection to superintendent's post. The salutary influence of such a prospect of promotion in encouraging jailors to put forth their best efforts cannot be overestimated.

5. We recommend that after selection, the candidates should be required, at their own expense, to undergo the training and pay visits to other countries with a guarantee of service on return.

We are of opinion that in order to qualify themselves for the duties of jail superintendent, all candidates selected for that post should be required, at their own expense, to visit the penal institutes in Europe and America and to undergo a course of training in England or U.S. A.

We are in correspondence with prison authorities in England and U. S. A. and a detailed programme of studies is under preparation.

6. We recommend that the scale of pay of Superintendents of District Jails should be as follows :

Rs.250—10—500

We consider this scale by no means too generous in view of the importance of the post. When a person has been selected and has undergone training in England or U. S. A. and paid visits to the penal institutions in other countries, he will be guaranteed a post as a Superintendent of Jail on the above scale.

The committee recommends that these Superintendents be provided with quarters or till such time as the quarters are not available a house allowance be given of Rs.50 a month.

#### *Cost*

Value of the scale is Rs.411. Annual cost Rs.4,932. The expenditure in the first year will be Rs.3,000 per post.

The value of eight posts is Rs.39,356 per annum and the expenditure for eight posts in the first year will be Rs.24,000.

**CHAPTER II**  
**PRISON ESTABLISHMENT**

**7. We recommend that the posts of deputy jailors and clerks should be amalgamated**

At present the superior staff consists of two services, executive and clerical and both are recruited separately. There is no distinction of any kind in their duties and members of both services perform both the executive and clerical duties without any distinction. The United Provinces Jails Inquiry Committee in paragraph 103 of their Report held that the distinction is not justified. We are of opinion that the designation of clerks should be changed to that of "Assistant Jailor." We recommend, further, that in future there should be only one recruitment—that of assistant jailors. After their selection they should undergo training for a specified period at the proposed Training School for jail officers. After the training is completed, they should be employed at a jail and when they have put in five years' service, they should be entitled to be appointed to the grade of deputy jailor provided they are successful at a test and there is a vacancy.

**8. We recommend that in future only graduates should be recruited for the post of assistant jailors and those who have passed Vernacular Final or an equivalent class of the English School for the post of warders.**

We are of opinion that the present system of recruitment which aims at securing men for mere disciplinary purposes should be discontinued and in future all appointments from a jailor down to a warder should be made with a view to securing for jail service persons who are competent to carry out a thorough study of the prisoners and give them moral and mental training according to the latest scientific methods. To carry out such a programme of prison treatment, it is essential to engage in this important work of rehabilitation of criminals persons who have received good education. We consider that only graduates shall be recruited for the post of assistant jailor and that for warders the minimum educational qualification should be Vernacular Final Pass of a Vernacular School or an equivalent class pass of the English School.

**9. We recommend that the strength of the superior staff be increased by 60**

(a) The responsibility for the efficient working of prison falls principally on the jailor and his subordinates. The problem with them is how to organize a prison so that each prisoner shall be studied and treated to his particular needs. In view of the multitudinous duties assigned to each official the present strength of the superior staff is insufficient to exercise any effective constructive influence over the inmates. The endeavours made in the past to reform prisoners on "mass treatment" system have failed. If individualization of treatment has to be given any chance of success we must increase the strength of the superior staff; otherwise the possibility of reformation of criminals in our prisons shall remain as remote as ever.

(b) The superior staff up to March 31, 1938 consisted of 71 jailors, 48 deputy jailors and 129 clerks—total 248. It is believed that the total strength had been approximately the same for the previous fifty years or more.

In central prisons, the superior executive staff consisted of three officers only to control 2,000 or more prisoners. To strengthen the superior executive staff of central prisons, the conversion of eight posts of jailors into 24 posts of deputy jailors (which involved no extra expenditure) was sanctioned with effect from April 1, 1938. No relief of any kind has been afforded to the superior staff employed in the district jails. The present strength, therefore is 63 jailors, 72 deputy jailors and 129 clerks—or a total of 264. Even this figure is clearly insufficient for carrying out any effective scheme of prison treatment on individualization basis.

(c) The United Provinces Jails Inquiry Committee made the following remarks as regards the impression they formed of the condition of work of the superior subordinate staff:

*Paragraph 90.*—"The Committee states confidently that these officers are overworked. They do not receive either the leave or the holidays which the members of other services receive ordinarily. Their hours of duty are long. It is not unusual for these officers to work for ten to twelve hours a day. They sometimes work more. Leave is obtained with difficulty. Holidays are practically non-existent. On the days when the convicts ordinarily do not work, such as Sunday and the ten other holidays granted in the year, the jail staff so far from having to do no work find their duties somewhat increased."

These remarks more than justify the increase of 60 posts recommended above. Further, when the new system of classification of convicts, grant of wages for extra work, increased facilities for letters and interviews and other educative and recreational measures are introduced, we have no doubt, the staff will have quite enough work on their hands to keep them fully employed. We would leave in the hands of the Head of Department the distribution of the additional posts to particular jails according to requirements.

10. We recommend that such temporary posts as have existed for more than three years should be made permanent

There are certain posts both in the superior and subordinate service which have been going on continuously for several years, on temporary basis. The necessity of these posts is beyond doubt and we recommend that such of these posts which have been in existence for more than three years should now be made permanent.

11. We recommend that a revolver should form part of a jailor's kit, and deputy jailors should be allowed free licences for shot guns or revolvers

The jails are situated usually at a considerable distance from habitations and the jail staff have often to travel at night after dark. It is desirable that they should have some weapon to protect themselves. A revolver forms part of the equipment of the inspectors and sub-inspectors in the Police Department (*vide* entry no. 6 at page 208 of the United Provinces Arms Manual, 1935). Every Police inspector and sub-inspector is also allowed free licence for the possession of one shot gun, with 200 rounds of ammunition, *vide* paragraph 168 of the Manual. We are of opinion that as in the Police Department, a revolver should form a part of the equipment of a deputy superintendent or jailor, of course at their cost, and that free licences for shot guns be allowed to deputy jailors and assistant jailors.



12. We recommend that the scale of pay of the superior jail staff should be as follows:

	Rs.
Assistant jailors ... ..	40-4-80
Deputy jailors ... ..	80-5-150
Deputy superintendents and jailors...	150-8-190-10-250

The question of pay is also of vital importance. In 1925, the old graded system was substituted by time-scales and the following scales were fixed:

Clerks Rs.40-4-100 (efficiency bar at Rs.80).

Deputy jailors Rs.50-5-140 (efficiency bar at Rs.100).

Jailors Rs.140-10-250-25-400 (efficiency bar at Rs.200 and Rs.300).

From October 1, 1933, the following scales are in force:

Clerks Rs.30-2-60.

Clerks for central prisons, Rs.65-3-80.

Deputy jailors Rs.40-4-80-4-100 (efficiency bar at Rs.80).

Jailors and Deputy Superintendents, Rs.100-8-156-8-180-15-240-15-300 (efficiency bar at Rs.156 and Rs.240.

Allowances Rs.30 per mensem for head jailors in central prisons).

The jail officials appointed before July 4, 1931 draw the 1925 scale and those appointed after July 4, 1931 draw the 1933 scale of pay. Since 1925 the minimum educational qualification for a clerk is School Leaving Certificate and for deputy jailors the Intermediate Pass.

The Indian Jails Committee observed as follows in paragraph 17 of their Report:

"It is highly desirable that the whole prison staff should be so selected and remunerated that they may exercise a salutary influence on the prisoners under their control. The importance of securing a high average of intelligence and honesty in the higher subordinate officers of prisons can hardly be exaggerated. The jail rules confer very large powers and impose very important responsibilities on the jailor and his assistants and it is in our opinion essential that all possible steps shall be taken to ensure that these officials are men of good education and character".

We are agreed that the present scales of pay of neither the clerk nor the deputy jailor are sufficiently attractive to secure highly educated and really competent men who would make efficient jail officers. We should in future recruit as assistant jailors only those persons who have graduated from a University in these Provinces, preference being given to those who hold Honours degree in Sociology. In the scales proposed, it will be noticed that while the minimum of the assistant jailor's pay has been increased by Rs.10 the maximum pay of the jailor has been reduced by Rs.50.

We are of opinion that every official at present in permanent service should continue to draw the 1925 or 1933 scale, whichever he may be drawing, but all recruitments on present qualifications and scales of pay should cease. Appointments to the additional posts which may be created as well as new appointments to fill vacancies should be made on the scales of pay under the new rules. The present

officials would be held eligible for promotion to the new scales of pay if they are educationally qualified and are approved by a special selection board, which may be set up for the purpose.

*Cost*

*Additional posts.*—The value of 60 additional posts at Rs.40—4—80. (Average cost Rs.68) comes to Rs.4,030 per month or Rs.48,960 per annum.

Provision for 60 quarters at an average cost of Rs.1,000 (non-recurring) per quarter comes to Rs. 60,000.

Value of the scale proposed in paragraph above is given below :

	Cost of post	Monthly cost	Annual cost
	Rs.	Rs.	Rs.
129 assistant jailors at Rs.40—4—80 ...	68	8,772	1,05,264
72 deputy jailors at Rs.80—5—150 ...	125	9,000	1,08,000
63 deputy superintendents and jailors at Rs.150—8—190—10—250.	221	13,923	1,67,075
<b>Total</b> ...	...	<b>31,695</b>	<b>3,80,340</b>

Value of the 1933 scale for the present strength is given below :

	Cost of post	Monthly cost	Annual cost
	Rs.	Rs.	Rs.
123 clerks at Rs.30—2—60 ...	46	5,658	67,896
6 clerks at Rs.65—3—80 ...	78	468	5,616
72 deputy jailors at Rs.40—4—80—4—100.	78	5,616	67,392
63 deputy superintendents and jailors at Rs.100—8—156—8—180—15—240—15—300.	214	13,482	1,61,784
<b>Total</b> ...	...	<b>25,224</b>	<b>3,02,688</b>

The value of the proposed scale exceeds the present scale by Rs.77,652. But as the proposed scale will apply to the new entrants only the excess expenditure will not be heavy in the first few years except for the additional posts.

**WARDERS**

13. We recommend that the scales of pay of male warder staff should be as follows :

(a) For new entrants

*Warders* Rs.20— $\frac{1}{2}$ —30.

When they reach Rs.30 stage, they should be required to undergo a test on passing which they will be styled head warders automatically. The pay of head warders shall be Rs.32—1—40.

There shall be a selection grade of 12 posts of chief head warders on Rs.50.

(b) For warders already in service

Rupees 18 to 25 by increments of Re.1 after every three years.

Warders are in constant touch with convicts and have opportunities of studying their habits and exercising wholesome influence on their conduct. The Indian Jails Committee recognized that

"these subordinates possess great potentialities for a good or evil influence over the men committed to their charge." They further emphasized that "the warders should be of such a character as to exercise a salutary influence within the prison." In paragraph 65, they wrote: "It is essential, if the standard of jail administration is to be improved, as all authorities agree is necessary, that a better class of warder than has hitherto been employed should be obtained." We entirely agree with this view and go further and are definitely of opinion that if the object of prison treatment is to be educative illiterate or semi-literate warders are of no use and we have recommended that all further recruitments to the warder guard should be restricted to persons who are at least Vernacular Final passed and possess good physique and are by character and temperament specially suited to the work of rehabilitation of criminals. In order that we may get the right type of men for warder staff it is necessary to fix a scale of pay commensurate with new duties and responsibilities.

At present the pay of the post of warders is on graded system which is not sufficiently attractive and in order to secure regular flow of promotion time-scale pay should in our opinion be substituted for the graded scales.

The scales at present in force (1933 scales) are the following:

Male warders. Warders Rs.18; Head Warders Rs.20, Rs.25 Rs.30 and Rs.35.

We are of opinion that for candidates selected under the new conditions, i.e., who are at least Vernacular Final passed should receive pay at the scale mentioned in sub-clause (a) below:

*Cost*  
(a) Revised scales for new entrants

No. of posts		Scale	Monthly cost	Annual cost
		Rs.	Rs.	Rs.
Chief Head Warders	... 12	50	600	7,200
Head warders and warders...	... 1,654			
	1,666			
			47,139	5,65,668
		Total ...	47,739	5,72,868
		(value Rs.28-8)		
1933 Scales				
Head warders	... 6 at Rs.35	}	6,085	73,020
Ditto	... 13 at Rs.30			
Ditto	... 53 at Rs.25			
Ditto	... 208 at Rs.20			
Warders	... 1,386 at Rs.18	...	24,948	2,99,376
	1,666			
		Total ...	31,033	3,72,396
		Excess expenditure...	...	2,00,472

We are further of opinion that the graded scale of pay of warders for the persons at present in permanent service is quite inadequate and is a source of great resentment. The United Provinces Jails inquiry Committee in this connexion observed as follows :

" It is clear that even a good initial pay will not satisfy a man if he receives no increase as years go on. Most Indians are married men and a married man's expenses increase with years. Before children are born, or when children are young the man becomes accustomed to a standard of living based on what he is making at the time. As children grow up, his expenses increase. If his salary is not increased, he will not be likely to reduce his standard of living and will endeavour to make up for his increased expenses by illicit means. This is exactly what has happened in jails. The first step to be taken to meet this is to provide for a reasonable increase as years go on."

All warders draw Rs.18 from the day of appointment until such time as a vacancy occurs in the head warder's grade but the posts of head warders are so few that a warder cannot expect to be promoted to head wardership before he has completed 20 years.

We are, therefore, of opinion that all warders at present in permanent service shall be granted the time-scale mentioned in sub-clause (b).

*Cost*

(b) For male warder staff already in service

Number of posts 1,666

	Monthly cost	Annual cost
Proposed scale of warders (1,386) Rs.18— $\frac{1}{2}$ —25 (value Rs.21).	Rs. 29,106	Rs. 3,49,272
Proposed scale for head warders (274) Rs.20— $\frac{1}{2}$ —30 (value Rs.28-8).	7,809	93,708
Six head warders on Rs.35 each ... ..	210	2,520
Total ... ..	37,125	4,45,500
Present scale (1933) ... ..	31,033	3,72,396
Excess expenditure ... ..	...	73,104

There are many warders in permanent service who have particularly bad records. It is essential for the improvement of the warder service that warders having such records should be removed. We recommend that a departmental committee may be allowed to select persons to be weeded out and that such persons may be permitted to go on pension.

On the other hand, it would be only fair that such warders who can pass the examination may be allowed to take the examination and if they are found qualified they may be put on the new scales of pay.

14. We recommend that the strength of warder staff may be increased by 277

The question of the strength of warder staff is also of vital importance. At present we have a total strength of 1,736 warders. Of these 463 constitute the Reserve Guard and 1,203 the Intramural (male) and 70 (female) warders.

The number of reserve warders who perform sentry duties only is sufficient and also that of female warders. Matrons are not included in this number. No change is required in the number of reserve warders and female warders. The number and scale of pay of matrons are also adequate but in future it is proposed to restrict recruitment to medically qualified females who are educationally qualified to give suitable instruction to the inmates.

In the strength of the intramural guard, however, there is a most serious deficiency. The Indian Jails Committee, 1919-20, dealt with this subject in paragraph 84 of their report and after giving details of the strength of intramural warders in central prisons (which is the same today as it was 18 years ago) recorded the following conclusions :

"We have no hesitation in saying that this establishment is wholly inadequate and the result of such a scale of paid warders is that the internal control of the prison is largely in the hands of convicts."

Owing to shortage of numbers, warders have to be on duty for abnormally long hours and have no sufficient rest and leisure. The United Provinces Jails Inquiry Committee stated in paragraph 108 of their report that the hours of duty of a day warder "are in the neighbourhood of 13 hours a day." A warder on night duty has to be inside the jail for as many as 16 hours and is out of jail for only about eight hours. He enters the jail at half-past four or five in the evening and cannot leave the interior of the prison until the prison has been unlocked the following morning.

It is noteworthy that the Prison Act prescribed the maximum period for which a convict can be employed at 9 hours [section 35(1)]. The Factory Act lays down that no labourer shall be forced to work in excess of eight hours. In England the Prison Commissioners have definitely ordered that no prison officer shall be required to be on duty for more than eight hours. In the Punjab Jails, it is understood that "the hours of duty to be exacted from warders do not ordinarily exceed 6½ hours daily including half an hour's drill."

The percentage of the number of warders on the prison population (for 1933) in the major provinces is compared below :

Central Provinces	...	...	...	...	11.5
Behar and Orissa	...	...	...	...	9.1
Bengal	...	...	...	...	8.4
Bombay	...	...	...	...	7.0
Punjab	...	...	...	...	6.9
United Provinces	...	...	...	...	5.2

Figures of the warder staff in certain Central Prisons in other provinces are as follows :

Bengal	...	...	187 (Population 2,092); average	8.9
Behar	...	...	100 ( " 1,825); "	5.4
Bombay	...	...	160 ( " 1,550); "	10.8
Punjab	...	...	167 ( " 2,014); "	8.2
Central Provinces	...	...	99 ( " 1,000); "	9.9

In the six Central Prisons in the United Provinces the daily average population in 1937 was 11,386 and the total number of warders employed therein is 351 (162 reserve and 189 intramural), i.e., the percentage of the number of warders on the daily population is 3.08.

It is obvious that no schemes of reformation can be carried into effect with a warder staff which is so exceedingly overworked and deficient in strength. The United Provinces Jails Inquiry Committee have given details of the disabilities under which jail warders work in paragraphs 107 to 116 of their Report. In dealing with the question of increase in expenditure which is necessary for increasing the strength, they have made the following remarks :

“The increase in the warder staff will require a considerable extra expenditure but it should be understood distinctly and clearly, that unless this extra expenditure is met, the dangers which in the Committee’s opinions are at present inherent in the present system will continue, and the prospects of reformation of the convicts will remain as unsatisfactory as they are at present.”

We are of opinion that for the reasons given above an increase of 277 warders is the *minimum* that is essential to reduce the hours of duty of warders and to bring to a successful issue many schemes of reform in prison discipline. These warders will be all Vernacular Final passed, good in physique and specially selected as most suitable for the jail service by character and temperament and will receive the new rates of pay.

#### Cost

##### Increase in the strength of male warders—

Number of posts	... 277.
Time-scale	... Rs.20— $\frac{1}{2}$ —30—32—1—40. Value Rs.28-8.
Monthly cost	... Rs.7,895.
Extra expenditure	... Rs.94,740 per annum.
Cost of 277 quarters	... at Rs.600 per quarter=Rs.1,66,200.
Extra cost of uniforms,	First year Rs.5,540.

Recurring in future years Rs.3,878.

The number of intramural warders required for individual jails depends on local conditions and the allotment of the additional posts to different jails will therefore be made by the Head of Department.

15. We recommend that the posts of warders should be treated as “Superior” class under article 396 of the Civil Service Regulations for the purpose of leave rules.

Although warders are treated as belonging to “superior” service for the purposes of pension rules, they are regarded as “Inferior” class Government servants for the purposes of leave rules. The effect of this classification is that while those belonging to superior class are entitled to a month’s leave on full pay after 11 months’ spent on duty the warders get only 15 days’ leave after 11 months’ active service and are not allowed to accumulate leave beyond one month. This is extremely hard on them. Warders have to put in long hours of work of uninteresting and dreary nature and deserve to be treated more

liberally in this respect. For the purposes of leave jail warders are treated as superior class officers in every other province of India excepting the United Provinces and the Bengal. We are of opinion that in this Province too they should receive the same treatment as is accorded to them in the majority of other provinces. The approximate extra cost involved in the proposal will be Rs.7,500 per annum.

16. We recommend that on transfer warders and wardresses should be granted three third class tickets for self, one for wife or husband and a full or half ticket, as the case may be, for each child.

Under note 6(2) under paragraph 42 of the Travelling Allowance Rules (Financial Handbook, Volume III), jail warders when transferred from one jail to another may, if they travel with their families, draw an extra railway fare of the lowest class for a journey by rail and mileage allowance at annas two for a journey by road. The United Provinces Jails Inquiry Committee in paragraph 111 of their Report made the following observations :

“The warders further complain that when they are transferred they receive an inadequate allowance for the conveyance of their wives and families and no allowance for the carriage of their luggage. The expenses which they incur thereby are undoubtedly heavy, and the Committee is in favour of allowing warder staff their out-of pocket expenses on transfer.”

Since the warders are not reimbursed the actual expenses incurred by them on transfer which have to be ordered in the interest of the public service, they regard these transfers as a severe punishment. The warders have thus a genuine grievance on this score and we consider it desirable that they should receive travelling allowance as recommended above. This proposal will involve an additional expenditure of Rs.6,500 per annum approximately.

17. We recommend that jail warders should be provided with all articles of uniform at Government expense.

At present jail warders are required to provide themselves with certain articles of uniform at their own expense. They are low-paid officials and if Government require them to wear uniform while on duty it is but reasonable that the Government should also pay for all articles of their uniform. The annual expenditure will be as detailed below :

	Rs.
For the existing strength of the warder staff ...	... 4,478
For the additional 277 warders now recommended	... 745
	<hr/>
Total	... 5,223
	<hr/>

#### FEMALE STAFF

18. We recommend that in future only females possessing sub-assistant surgeon's qualifications and over 30 years of age should be recruited as matrons.

Indian women generally have great reluctance to be examined or treated by male doctors. It would be also distinctly advantageous to have qualified medical women as whole-time matrons. They will maintain better discipline and exercise more humanizing influences on their wards. As all female prisoners under sentences of over four months are

concentrated in special jails, the need of medically qualified matrons is greatly felt in such jails. The present scale of pay Rs.75—100 is sufficient to attract suitable persons.

19. We recommend that the pay of the female warders should be on a time-scale basis and fixed at Rs.15 rising to Rs.25 by an increment of rupee one after every three years.

The present strength and pay of the female warders are as follows :

1 on Rs.20.
22 on Rs.15.
47 on Rs.12.

For reasons already given graded system of pay is not suitable and we recommend that a time-scale pay, as stated above, may be substituted for the present graded pay.

		Cost	
		Female Warders	
Proposed scales		Number of posts 70	
		Rs.	
Time-scale ...	...	...	15—1/3—25 (value Rs.21).
Monthly cost ...	...	...	1,470
Annual cost ...	...	...	17,640
		Present scales (1933)	
		Graded scales	
		Rs.	
1 on Rs.20 ...	Monthly cost ...	...	914
22 on Rs.15 ...	Annual cost ...	...	10,968
47 on Rs.12 ...	Excess expenditure ...	...	=6,672

20. We recommend that the daily allowance of female warders on escort duty be increased from 3 annas to 4 annas

The female warders on escort duty draw 3 annas for each day of halt in connexion with such journeys. This amount is insufficient to compensate them for extra expenses in food, etc., which these low-paid officers incur in a new place. In Appendix II, Part II, entry (u) under Police, of the Financial Handbook, Volume III, constables on escort duty are allowed to draw daily allowance at the rate of 4 annas for the days of halt in connexion with such journeys. We are of opinion that the female warders should be allowed the same rates of travelling allowance as the constables on similar duty enjoy. This will involve only nominal additional expenditure which need not be taken into account.

21. We recommend that buglers in the Reserve Guard at Central Prisons should be awarded an allowance

In every Central Prison, there is a bugler who is ordinarily an ex-military man. In the Police Department buglers receive a bugler's allowance in addition to their pay and we are of opinion that an allowance of Rs.2 per mensem be granted to buglers employed in the Jail Department. There are six buglers in the Province and the award of this allowance will cost an additional expenditure of Rs.144 per annum.



22. We recommend that the intramural warders on night duty on second watch, i.e., from midnight to unlocking, should be exempted from drill in the morning

Under paragraph 1012 of the Jail Manual every intramural warder is required to drill for an hour daily until he has become proficient. The warders on second watch are on duty from midnight upto the time the jail is unlocked. All warders do drill between the hours of 6 and 9 in the morning. It is manifestly very inconvenient for warders who have been on duty for 6 hours, only an hour or two before, to fall in for drill. We are of opinion that warders on the last night watch duty should be exempted from drill in the morning.

23. We recommend that intramural warders on night duty should be exempted from sleeping inside the jail before or after their duties

The night watch is divided into two watches. The first batch is on duty from the locking time up to midnight and the second from midnight up to the unlocking. Both the batches however have to enter the jail at about 4 p.m. and remain inside the jail up to about 6 a.m. It will be seen that although a night duty warder is on duty for only 6 hours or so, he is locked up inside the jail for the whole night. This is exceptionally hard. In other provinces a warder after finishing his work is allowed to go to his quarters and the relieving warders enter the jail only a short time before they are actually required for duty. We are sure that reform in this direction will lead to contentment in the service and are of opinion, that when the strength of the warder staff is increased this desirable change may be effected.

24. We recommend that apprentice warders should be supplied with uniforms at Government expense

The strength of the apprentice warders is 24 (i.e., six at each Central Prison). Although they form part of the permanent staff and perform the same duties as other warders, they at present have to buy their uniform at their own expense. This is a great hardship on these low-paid apprentices and we are strongly of opinion that Government should provide apprentice warders all articles of uniform free of cost. Extra expenditure involved will be Rs.336 per annum only.

25. We recommend that during the rainy season warders should be given umbrellas

While on duty a warder has got to be constantly on the move whatever the weather. Water-proof or an umbrella which is absolutely essential in the rainy season, does not form part of his kit. We are of opinion that an umbrella which can be used both in the rains and in the summer should be supplied to warders at Government expense. This proposal will involve an additional expenditure of Rs.2,000 per annum.

26. We recommend that female warders should be supplied with jerseys, woollen great coats and cots like the male warders

Under paragraph 1036 of the Jail Manual male warders are supplied with a jersey, a great coat, a wooden box and a charpoy but

these necessary articles are not supplied to female warders. Female warders are also required to do night duty and require a jersey just like the male warders. They should also be supplied with a wooden box and a cot. The extra expenditure involved in this proposal is Rs.1,200 per annum.

#### MEDICAL SUBORDINATES

##### 27. We recommend that the Jail Department should have its own cadre of medical subordinates

The medical subordinates employed in our jails are not permanent members of the jail staff. They form part of the general medical establishment of the Province which is under the control of the Inspector General of Civil Hospitals. Their pay and allowances are borne by the Jail Department, the amount spent on this service exceeding a lakh of rupees per annum. In spite of this heavy financial expenditure, the Jail Department has no control on their recruitment, selection, appointment, leave, transfer or punishment. They are posted to and removed from the Jail Department at the discretion and under the orders of the Inspector General of Civil Hospitals. They come to jail for temporary duty which may last a few months or a few years. Jail duty is very unpopular with the medical subordinates as the work they are called upon to do is exacting, monotonous and strenuous. They are, besides, whilst on jail duty, debarred from private practice and the compensatory allowance, paid in lieu thereof, is quite inadequate. Thus a sub-assistant surgeon deputed to the Jail Department is, in a way, forced to take a post for which he ordinarily has no liking. For the above reasons we are of opinion that a separate service of medical subordinates under the complete control of the Inspector General of Prisons should be constituted.

The question of a separate cadre for jail medical subordinates was considered by the United Provinces Jails Inquiry Committee, 1929, and they came to the conclusion that the Jail Department should recruit its own medical subordinates, *vide* paragraph 128 of their Report.

Colonel J. A. S. Philips, C.I.E., D.P.H., I.M.S., Inspector General of Civil Hospitals, United Provinces was consulted by us with regard to the formation of a cadre of jail medical subordinates and he was in full agreement with our views. Colonel Philips suggested, and we agree with him, that the Medical Department should stop recruiting any further medical subordinates for the next three or four years. During this period the Inspector General of Prisons will recruit medical subordinates for the Jail Department and when he has recruited the full complement the Inspector General of Civil Hospitals will restart recruitment for his own department.

We are confident that the separate recruitment of medical subordinates for exclusive jail duty will lead to greater contentment in the staff as they will join the department with a full knowledge of the conditions of service. It will also be conducive to more harmonious and efficient working.

28. We recommend that the (a) strength, (b) qualifications and (c) scales of pay of the medical subordinates recruited for the Jail Department should be as follows :

- (a) The cadre of Jail medical subordinates shall consist of 58 plus a leave reserve of 15 per cent. or a total of 67.  
 (b) They should be M.B., B.S., and possess good physique in conformity with the standard of fitness laid down in the Jail Manual for the jail officials.  
 (c) Scale of pay—

On appointment	..	..	..	..	Rs. 75
On passing post-graduate course	..	..	..	..	85
Rs.					
85-24-100 (Test).					
100-4-120 (Test).					
120-4-160					

(a) At present the Jail Department employs 58 medical subordinates. Of these 12 are employed in the Central Prisons, two in the Sultanpur Tubercular Jail, one in the Juvenile Jail and the rest in the district jails. No change in the number of posts is contemplated. On a jail medical subordinate applying for leave, another man is sent by the Medical Department to carry out his duties. When the Jail Department will have a separate cadre, it will be necessary to have a leave reserve also. In the Medical Department a leave reserve of 15 per cent. is allowed and therefore the total strength of the jail cadre of medical subordinates will be 58 plus 9=67. - Thus 67 posts of medical subordinates will be transferred from the Medical to the Jail Department.

(b) Nowadays most of the jail medical subordinates are medical licentiates. We are of opinion that only persons possessing the M.B., B.S. degree should be enlisted for the jail service in order to improve the service. We believe there will be no difficulty in finding men with such qualifications on the scales of pay proposed by us. As these will be permanent members of the jail service, it is essential that they should conform to the standard of physical fitness prescribed for other classes of jail staff.

(c) The present scales of pay offered by the Medical Department are as follows :

Rs.60-4-100-5-130 (efficiency bar at Rs.80 and Rs.100 stages).

Selection grade Rs.140-5-150 (limited to 10 per cent. of the strength.)

To the Medical subordinates deputed to jail duty, a compensatory allowance of Rs.10 to Rs.15 per mensem is granted. These allowances will be discontinued when the jail department enlists its own medical staff.

We are of opinion that all medical subordinates should be on probation until they have attended, after the expiry of two and half years, a post-graduate course of four months' duration. During the period of this course they will receive their grade salary plus Rs.15 per month as house allowance. They should also be required to attend refresher courses at certain intervals of their service so that they may not fall behind in general medical knowledge which is ever changing and advancing from day to day.

29. We recommend that the medical subordinates recruited by the Jail Department may, if otherwise fit, be considered eligible for posts of whole-time superintendents of district jails.

In order to provide sufficient incentive to attract good medical graduates we are of opinion that such of these officers, as may be found fit for holding superintendent's post, may be held eligible for such appointments. In such cases, besides, having passed the post-graduate course and the two subsequent tests, they will be required to undergo a course of training in prison administration.

#### Financial position

The value of the scale of pay proposed is Rs.117 and the annual cost of the 67 posts therefore comes to Rs.94,068. At the minimum pay of Rs.75 which the officials will draw for the first three years of their service the annual cost of 67 posts comes to Rs.60,300.

The actual figures of expenditure on the pay of the medical subordinates lent by the Medical Department have been in the neighbourhood of a lakh. Expenditure will reduce gradually from year to year as the Jail Department recruits its own staff and will result in considerable savings.

#### 30. Inspector General's Office establishment

It has been represented to the Committee that the clerical staff of the office of the Inspector General of Prisons is considerably undermanned and hence overworked, and requires to be greatly strengthened. Including two paid apprentices and six temporary clerks, the staff at present consists of 29 hands as compared with 38 in the Bengal Presidency and 27 in the Punjab, both of which have relatively much smaller jail population and fewer jails. The posts of these six temporary clerks have been going on continuously for the last six years and the work still continues heavy. Almost every day the staff has to work late hours and, sometimes even on Sundays and holidays. The opening of the jail depot for the sale of jail manufactured goods at Lucknow imposes a further strain upon the office. The introduction of the Prisoners' Release on Probation Act from the middle of January will throw additional burden upon the inadequate staff. The inauguration of various other momentous reforms which we are recommending will also result in much increased work for the already overworked officials. On a cursory examination the Committee feels that the temporary posts which have been going on for years should be made permanent. The provision for these posts already exists in the Jail budget. The Committee finds itself in full and complete agreement with the suggestions that the establishment of the Inspector General's office may be allowed a time-scale of pay instead of the present graded and progressive scale. Such practice, we are told, already exists in Bengal and the Punjab. The Committee has asked the Inspector General of Prisons to submit a detailed note to the Government, which it is hoped will be, after necessary examination, considered favourably. In the meantime we are making a provision for Rs.12,000 recurring expenditure under this head.

### TRAINING SCHOOL

31. We recommend that a Training School for Assistant Jailors and warders should be established at Lucknow

The present type of the personnel has developed under a penal philosophy which emphasized custody and punishment to the exclusion of everything else. The duties of the jail officers have hitherto been to keep him safely within the jail walls. Reformation of the criminals was the last thing to be thought of. There were no constructive programmes of social rehabilitation as are rendered imperative by modern conceptions of prison treatment which require that jailors shall not be mere keepers but leaders and teachers who shall train the delinquents in order to make them useful citizens. Obviously, if modern system of constructive treatment of prisoners has to be successfully carried out, the personnel of the prisons must be not only highly educated and of good character but should be properly trained for their duties just as people are trained for other professions and careers. To us it seems unthinkable that any person should be placed in charge of the moral and mental welfare of a large number of persons without having previously undergone special training for such an important national work.

The American Prison Association laid down the following rule as regards staff, as long ago as 1870 and re-affirmed it in 1919 :

"Special training, as well as high qualities of head and heart, is required to make a good prison or reformatory officer. Then only will the administration of public punishment become scientific, uniform and successful, when it is raised to the dignity of a profession, and men are specially trained for it, as they are for other pursuits. The development of schools for the training of prison executives and guards, along the lines already started in this and other countries, should be promoted throughout the United States."

The Jail Commission of 1889, at page 158 of their report laid great stress on the importance of an exact training *for every man of the jail establishment*. Similarly, the Indian Jails Committee of 1919-20, in paragraph 16 of their report, stated it as their opinion that "every prison should be under the superintendence of a trained expert, who should devote his whole time and attention to the subject." This is, in fact, the "first essential" laid down by them; and their "second essential", *vide* paragraph 17, is that "the prison staff from the jailor down to the warder, should be recruited with care, properly trained and paid a salary sufficient to secure and retain faithful service". They reiterate the importance of training for all officers of the Department in paragraph 60 of their report.

The United Provinces Jails Inquiry Committee recommended the establishment of training schools for the staff and for warders and the Punjab and Bengal Jail Committees also made similar proposals. In Burma, a school for the theoretical training of the superior staff has already been established. The 2nd and the 4th Conferences of the Inspectors General of Prisons also recorded their opinion that a Training

School for the jail staff is essential if efficiency is to be maintained. It is therefore clear that there is a strong concensus of opinion with regard to the necessity of having training schools for jail officers.

In other countries, jail officers are required to undergo special training. In England a Royal Training College has been established at Wakefield where prison officers for home as well as Dominions services are given lectures and demonstrations on prison treatment and procedure. In India when we want school teachers we train them for a period in a training college instituted by the Education Department and we have training colleges for police officers, survey officers, forest officers, etc. But so far there is no training school for jail officers for theoretical training although some practical training is imparted in other provinces as well as our own to the jail officers before they are confirmed. No man, howsoever capable he may be along other lines, can bring to prison work the equipment necessary to make prisons, laboratories for the scientific study and rehabilitation of criminals, unless he has undergone courses in the causes of crime, the study of criminals and modern methods of their treatment.

We are therefore of opinion that a training school for jail officers should be established at Lucknow, which is a central place and has the advantage of being the seat of a university. Moreover, a suitable site for the school is available at the premises of the Camp Jail.

In this School we should train not only prison officers but also the personnel required for the Borstal Institution. The course shall be of nine months' duration for officers and four and a half months for warders. For the present we may have two courses for the warder staff but if in the light of experience it is found that the course is too little or too much, it can be changed accordingly. We are confident that without a previous preparation and training in their duties, the jail officers cannot adequately carry out the work of studying the criminals, finding out their mental, moral or physical defects and applying the treatment needful for rehabilitation of each individual prisoner.

32. We recommend that the staff of the training school shall be as follows :

1. Principal, pay Rs.350-20-750.

2. Assistant, pay Rs.150-7-300.

Part-time lecturers. A provisional grant of Rs.7,500 to meet special and conveyance allowances.

2 Clerks, pay Rs.50-2½ (every two years)-75.

1 drill instructor, pay Rs.40-1-60.

5 peons, pay Rs.10-1-15.

8 menial servants, pay Rs.10.

It is important that the staff of the training school should be as highly qualified as possible as on them will depend the standard of efficiency of the future jail staff. To secure men of the right stamp and qualifications, it is necessary to offer reasonable remunerations and prospects for the important nature of the work they will be entrusted with.

In our opinion the qualifications of the Principal should be as follows :

- (1) Master of Arts or Science.
- (2) At least five years' teaching experience in a recognized College or University.
- (3) At least two years' experience as a prison administrator.
- (4) Practical experience of After-care and Probation work.
- (5) Advance study of prison administration in England, U. S. A. and the continent.
- (6) Preference should be given to one with training in Overseas Prison Officers' Course conducted in England by Home Office authorities.
- (6) Must have visited important prisons, Borstal and Juvenile institutions in England, U. S. A. and the Continent.
- (7) Knowledge and study of beggars, vagrants and other social problems.

The qualifications of the Assistants shall be as follows :

- (1) A Master of Arts, with one in Sociology to be preferred. Degree of LL.B. and some teaching experience will be treated as additional qualifications.
- (2) At least 15 years' experience in any Jail Department—must have acted as a jailor and superintendent.

The Director of Jail Industries, the Jail Auditor and the Jail Overseer will deliver lectures on the jail industries, accounting and auditing and building work respectively. These officers will be granted the necessary conveyance allowance. Lectures on veterinary science, and health and hygiene will be arranged for in consultation with the Director of Veterinary Services and the Officer-in-charge, Health and Hygiene. Inclusive of the above staff there will be 10 part-time lecturers who will be required to deliver a specified number of lectures.

#### Cost

1. *Building*.—The plan is under preparation and the cost including furniture and library estimated to be Rs.1,20,000.

2. *Staff (whole-time)*—

One Principal at Rs.350—25—500—50—750—

	Rs.
Value of the post Rs.634 annual cost ...	7,608
Expenditure in the first year will be ...	4,200
Two vice-principals at Rs.150—10—200—20—300—	
Value of the post Rs.260 annual, cost for two ...	6,240
Expenditure in the first year will be ...	3,600

	Rs.
<b>Two clerks on Rs.50—5—75—</b>	
Value of the post, Rs.71, annual cost for two	... 1,704
Expenditure in the first year will be	... 1,200
<b>One drill instructor at Rs.40—2—60—</b>	
Value of the post Rs.55, annual cost	... 660
Expenditure in the first year will be	... 480
<b>Five peons at Rs.10—<math>\frac{1}{2}</math>—12—</b>	
Value of the post Rs.11-8, annual cost for five	... 690
Expenditure in the first year...	... 600
<b>Eight menial servants at Rs.10, annual cost for eight</b>	
Expenditure in the first year ...	... 960
Total cost according to value of posts Rs.17,862 per annum.	
Total expenditure in the first year	... 11,040
<b>3. Staff (part-time).—Provisional allotment Rs.7,500 per annum.</b>	



### CHAPTER III CLASSIFICATION OF PRISONERS

34. A proper classification of the prison population is admitted to be one of the most effective methods of reforming a prisoner. Generally speaking the only classification of criminals which exists at present is that made on the basis as to whether it is first or a repeated offence. This method of classification has proved ineffectual in rehabilitation of criminals and has been given up in all countries. The advance of science has thrown fresh light upon the problems of classifying prisoners and shaping them for return to the free world.

We believe that the ideal plan, in the light of the present development in the field of criminology and penology is to establish receiving centres to which every convicted person shall be sent for study by a psychiatrist and psychologist. This study should include the heredity and environment of the prisoner, his physical and mental condition, his previous arrests and sentences, and all other information concerning him which is obtainable.

This procedure requires the services of not only the prison administrators and criminologists but also of psychiatrists and psychologists. We have, therefore, perforce, to adhere to the present system of classification with certain modifications.

Our recommendations in this connexion, should therefore be considered temporary and will hold good as long as we have not the requisite staff of psychiatrists and psychologists. As soon as the necessary trained staff is available, we must have the system of classification revised and put on a scientific basis.

35. We recommended that there should be two classes of prisoners—political and non political.

Political prisoners shall be those who have been convicted of an offence committed with a political motive (but not with the idea of personal gain) exception being made in the case where the offence has been committed with communal or sectarian bias.

We are of opinion that communal offences are very injurious to the progress of the country and a man who commits them should not be entitled to any special treatment even though he may have committed them with a political motive. It is absolutely necessary in the interest of the political advancement of the country that communal and sectarian differences should cease and we do not consider even a political worker deserving of special treatment in jail if he so forgets himself as to be led away by communal or sectarian bias. As regards political prisoners we reproduce the recommendations of the United Provinces Jail Reforms Committee without offering any comments.

#### Treatment of Politicals

We recommend that :

- (a) All political prisoners should be concentrated in one jail.
- (b) They should have freedom of association.
- (c) They should be allowed one paper of their own choice at Government expense and be allowed to purchase others at their own expense.

- (d) They should be supplied with writing materials and proper arrangements for lighting should be made.
- (e) The diet, bedding and clothing allowed to them should be the same as is at present allowed to "B" class prisoners, with permission to supplement it at their own expense.
- (f) They should be permitted to write one letter a week and should be allowed any number of letters addressed to them. Urgent letters should be delivered at once.
- (g) They should be permitted one interview per week.
- (h) The games at present allowed to "A" and "B" class prisoners should be allowed to them and they should be permitted to keep musical instruments at their own expense.
- (i) They should be permitted to sleep outside.
- (j) They should not be compelled to do any work except such as they voluntarily choose to do. Both the doing of labour as well as the choice of the form of labour should be left to them.
- (k) Release on parole should be allowed in cases of illness or calamity in the family and they should be allowed to consult any physician or surgeon at their own expense, in case they are themselves ill.
- (l) Female prisoners should be allowed oil, comb, *sendur* and bangles.
- (m) They should also be allowed other facilities at present allowed to "B" class prisoners.
- (n) They may be provided with musical instruments at their own cost.
- (o) The following punishments only should be awarded to political prisoners for jail offences :
  - (i) Separate confinement for a period not exceeding 15 days at a time in cases of violence only.
  - (ii) Deprivation for a period not exceeding one month, of the special privileges of his class, except those relating to diet, bedding and clothing.

We recommend that :

**36. Non-political prisons should be divided as follows :**

- |               |    |    |                                      |
|---------------|----|----|--------------------------------------|
| (a) Casuals   | .. | .. | (1) Star Class.                      |
|               |    |    | (2) Ordinary.                        |
| (b) Habituals | .. | .. | (1) Ordinary habituals.              |
|               |    |    | (2) Incurrigibles and professionals. |

The object of this classification is firstly to keep the convicts who have taken to the life of crime separate from those whose offences do not involve criminal habit or deliberate indulgence of malignant passions, in order to avoid contamination of the latter by the former.

*The star class shall consist of the best behaved casual prisoners. Only prisoners convicted of offences not involving moral turpitude or violence of a callous nature shall be admitted to this class. The star*

class prisoners should receive the treatment accorded to the present "B" class prisoners, except in the case of diet, bedding and clothing, which should be the same as is allowed to ordinary prisoners. A prisoner may be promoted to or reverted from the star class if his conduct is good or bad as the case may be.

The star class system has been in force in the English prisons for a number of years and is intended for what the French call "Crimes d'occasion", *vide* paragraph 118 of the Indian Jails Committee Report. The second conference of the Inspectors General of Prisons at Madras (1926) considered that the system was most helpful in the provinces where it had been introduced (i.e. in all provinces except Bengal, the Punjab and the United Provinces). It is already in use in the Bareilly Juvenile Jail with most satisfactory results and we strongly recommend its extension to the adult jails in the Province.

The same conference has also recorded its opinion that the results of segregating habituals of the incorrigible class have proved very satisfactory. It has minimized crime in jails where it has been introduced and brought about a marked improvement in general discipline. We hold that the sub-division of the casual and habitual classes as recommended above, would be conducive to better discipline in jails and facilitate rehabilitation work.

37. We recommend that classification of all prisoners should be done by courts and no racial distinction should be made. The courts may be directed that while preparing the classification form of a prisoner on conviction they should clearly note down whether the convict is a "political" or "non-political" besides classifying him as casual or habitual as the case may be. Classifying as political or non-political shall be subject to the power of revision resting with the Provincial Government.

The Indian Jails Committee, 1919-20, discussed in paragraph 104 of their report the question as to who should be the classifying authority and came to the conclusion that the courts were in the best position, as matters stand at present, to determine the classification. The United Provinces Jails Inquiry Committee (1929) also supported this view but desired that the importance of correct classification at the time of conviction should be impressed upon the presiding officers of courts (recommendation 43). We are of opinion that as we have at present no adequate machinery for classification work (i.e., psychiatrists and psychologists in jail service) we must continue to get the courts to make classifications subject to revision by the district magistrate in ordinary cases. The classification of prisoners as 'politicals' shall be subject to the power of revision resting with the Provincial Government, on the application of the convict or on their own initiative.

38. We recommend that there should be separate jails for different classes of prisoners

We have at present 'mixed' prisons, i.e., in every central jail casuals as well as habituals are confined and in every district jail we have casual and habitual convicts as well as under-trial and civil prisoners. Although there are separate circles or enclosures for different classes, it is impossible completely to segregate the various groups when

they are confined within the same jail. The full advantages of a proper classification will accrue only when the whole population of a jail is homogeneous and consists of prisoners requiring the same kind of treatment and training. For a successful prison treatment classification of prisons is just as essential as, if not more than, the classification of prisoners.

In paragraphs 97 and 98 of their Report the Indian Jails Committee, 1919-20, recognized the importance of having separate jails for the habituals and casuals and pointed out that complete separation of the two classes in a jail where convicts of both classes are confined is impossible. The United Provinces Jails Inquiry Committee also supported this principle in recommendation no. 46.

We are definitely of opinion that different classes of convicts require different kinds of treatment and it is not possible for the same set of officers to adopt in the same jail different standards of treatment.

We recommend that we should provide very strong paid staff for the habitual jails where incorrigible and worst offenders will be lodged, who should be dealt with very firmly and get as few as possible of the amenities given to other prisoners. The habitual jail should have more warder staff.

The habitual jail will contain prisoners who have been repeatedly sentenced to jail and are veterans in crime. It is obvious that they are most difficult classes to deal with and more experienced and more numerous staff is required for such prisoners than for the casual prisons. Such prisons will have to be run on stricter standards of discipline and award of amenities and privileges will be much more restricted than in the ordinary prisons. We shall require a larger staff of warders in order to enforce strict obedience to rules and regulations.

39. We recommend that to those prisoners who were accustomed to a better mode of living outside the jail, the Government may permit on application, the privilege of better food, as issued to "B" class prisoners at present, on payment of the difference in cost of the "C" class and "B" class food, but there should be no difference in the matter of residence, clothing and labour.

We hold that food shall not be an instrument of punishment. Penal diet as a jail punishment was abolished in these provinces about 10 years ago. It follows that persons who are accustomed to better food outside, should not be compelled to a jail diet of the kind to which they are not accustomed. If a prisoner used to better food outside is compelled to take *chapatis* and *dal* provided by jails without other additional articles of food generally used by the middle or higher classes outside, he is practically punished twice over by restriction to jail diet which is a "penal diet" to him.

We are aware that at first sight it appears to be unjust to make a distinction between a poor prisoner and a rich prisoner. But we must measure the effects of punishments on individuals and see that they do not fall too unevenly on them. The extra cost will be borne by the prisoner and there will be no privileges to such better class prisoners in the matter of clothing, labour, etc. Those prisoners who are now enjoying the privileges of "B" class should continue to receive the same treatment.

### INSTITUTION FOR MENTAL DEFECTIVES

40. The Committee recommends that a jail or a part of a jail, to start with, should be set apart for mentally defective prisoners and a psychiatrist should be put in charge of this institution.

All cases who after necessary tests are found mentally deficient should be transferred to this Institution. The Institution must be equipped with educational and vocational facilities suitable to the individual's aptitude and capacity. In addition there should be suitable arrangements for games, gardening and hobby classes.

This Institution will relieve the jails of a great many of the difficult and troublesome inmates.

In time it is hoped that the public will realize that delinquents of this class are mainly children, so far as the development of mind is concerned and the courts after satisfying themselves through necessary tests, will send such cases to the Institution for mentally deficient for safe custody and appropriate treatment, instead of sending them to the prison as at present. Punishment in these cases does not solve the problem. What is required is the right approach and that is only possible in a specialized institution.

### BORSTAL INSTITUTION

41. We recommend that the adolescents and juveniles should be detained in the Borstal Institution

As there is a proposal to establish a Borstal School in the United Provinces and an Act to that effect has been passed by the United Provinces Legislature, we do not propose to deal with the question here at any length because the matter will be dealt with fully under rules of the Act. We, however, state a few points about the object of such an Institution.

The object of this Borstal system is to teach and train an individual adolescent offender in such a manner that when he is discharged he may be able to resist temptations and be inclined to lead an upright and honest life as a useful member of society. In order to achieve the best results and to make a wayward youth into a peaceful and law abiding and industrious citizen, we have to provide him with surroundings, beneficial and wholesome. These surroundings can be classified under three heads and they are discussed below in detail :

- (1) The environmental aspect, (2) the physical aspect and (3) the cultural aspect.

It is our considered opinion that the institution should be located at such a place where there is plenty of room for accommodating the inmates for their school and factory work, recreation and games and in addition it should be easily accessible to social workers of repute to lecture the boys on moral and other subjects and also guide the activities of the staff towards useful channels. It should therefore be located at a seat of culture and learning. In our opinion Lucknow, Benares and Allahabad are the most suitable places for the location of the Borstal Institute. In order to select a site, members of the committee have visited all the three centres, the existing jails as well as the

prospective sites. We are strongly of the opinion that if the vacant military barracks in Benares could be purchased at a reasonable cost, it will be an ideal place for the location of the institute. There is plenty of accommodation there. Failing this if no suitable military barracks are available either in Benares or Sitapur the choice lies between Allahabad, Lucknow and Benares District Jails. In the case of Benares the property owned by Dr. Katju and late Raja Moti Chand situated adjacent and in front of the jail should be acquired and in our opinion which is also shared by the Executive Engineer, Benares Division, the cost will not exceed Rs.25,000 for both. An additional reason why Benares is suggested by us is that there is already a mental hospital there with an expert doctor on mental diseases and his services can be utilized on a small honorarium for the purposes of making mental tests, etc. of the inmates of the Borstal Institution. The reason why we emphasize the location of the Borstal Institute at a place like Lucknow, Allahabad or Benares is that we are firmly of opinion that a Borstal Institute must have plenty of influences from outside not only to give an impetus to the workers of the Borstal Institute but also to exercise healthy influence on the inmates as well. We are of opinion that as these places have got plenty of educated and cultured people as well as missionary and social service organizations there will be no dearth of people coming and taking an active interest and establishing a humanitarian contact with Borstal Institution. The ideal institution should have cellular accommodation but both in order to save expense and also to test our methods of reformation we suggest that the inmates on their first admission should be lodged in cells at night for a period of say six months to one year and as, and when they show signs of improvement in their conduct and behaviour they may be lodged in barracks. These barracks should have a small room attached to them at the end for a member of the staff to sleep there at night as it is done in the Chunar Reformatory School. We consider that the buildings and surroundings should have a nice garden in which boys should be made to take great interest. But the garden and the buildings alone would not change the hearts and way of misguided youths as it is the men alone who can do so and as such greatest amount of care should be taken in the selection of the staff of the Borstal Institute as personal influence chiefly counts in the rehabilitation of an adolescent offender.

At present the following five proposals for locating it are under consideration :

- (1) Evacuated Military Barracks in Benares Cantonment.
- (2) Evacuated Military Barracks in Sitapur Cantonment.
- (3) Chunar Fort (now lodging the Reformatory).
- (4) Government Normal School at Lucknow.
- (5) Converting the District Jails at Benares, Allahabad or Lucknow into a Borstal Institution.

The Committee would however, stress the necessity of starting a Borstal Institution at the earliest possible opportunity and has no doubt

that during the course of the next financial year the question of its location will be finally decided. It therefore recommends that a sum of Rs.3 lakhs be put under this head in the next budget.

#### CHUNAR REFORMATORY

42. It is our considered opinion that the Chunar Reformatory should continue to be under the Education Department as it is at present, and that the Director of Public Instruction should continue to be *ex officio* Inspector General of Reformatories but with a view that the Reformatory may also be brought in touch with the prison department, our suggestion is that the Inspector General of Prisons should also be co-Inspector General of Reformatories and in this connexion it must be clearly understood that the staff of the Reformatory shall be under the control of the Director of Public Instruction only and that their prospects, promotions and transfers shall always be governed by the rules in force in the Education Department. The reason for placing the Reformatory staff under the Education Department is that we feel that in the Jail Department there is no scope for promotions and transfers of the staff of the reformatory school, and, as we believe that such transfers are essential to always have fresh men imbued with fresh ideas, the Education Department, which always has fresh recruits every year and also has a wider cadre of officers, is the only department suited to have the control of the Reformatory. Education Department can always transfer reformatory school staff to other schools and colleges and they can be replaced by suitable men as it is a very big department. Therefore the staff of the Reformatory should remain on the general cadre of the Education Department. Further we are of opinion that the Superintendent of the Borstal Institution when it comes into existence should also be an *ex officio* member of the committee of visitors of the reformatory and a provision should also be made to the effect that if the Superintendent of Borstal Institution cannot attend meetings every month he should attend at least once in three months' time. It is also our suggestion that the Reformatory School be shifted from Chunar and be located wherever the Borstal Institution is situated as the close association of the two will prove beneficial to each.

## CHAPTER IV

## PRISON LABOUR AND MANUFACTURES

## 43. (a) Jail Industries

According to the last year's Prison Administration Report 25,123 convicts were sentenced to hard labour and out of these 8,150 were employed on jail manufactures. The work done in all the jail factories is more or less similar. The tools and implements used are very primitive and old. The designs are generally the same all over. No effort seems to have been made to introduce those designs which are popular in the market. The finish of the articles too is very poor. The products, therefore, though very durable and of good material do not create a good impression on the customer. There is much scope and necessity of an all-round improvement, and the scheme for the improvement of the jail industries drawn up by the Director of Jail Industries is generally approved.

It is not necessary to take up many new industries. The existing ones have enough possibilities if properly organized. Standardization of size and quality is very necessary and should be taken up as early as possible. The various industries should be organized on a mass production basis and placed under the charge of technical supervisors where necessary. Improved tools and implements should also be introduced.

In handloom weaving, which is usually done in almost every jail, a constant demand for bed-sheets, towels, dusters and *dosutees* could be developed if a uniform quality is maintained. There are certain other lines such as *dhotis* and *saris* whose possibilities could be investigated. The Government Departments purchase large quantities of tent cloths, *dhotis*, jaconet cloths, etc. Their manufacture should be started in the jails and organized on systematic lines under technical men. The present weaving masters should be sent for a refresher course to the Government Central Weaving Institute, Benares, and to one of the United Provinces Handloom Emporium Stores. There should be a peripatetic staff of weaving masters whose services could be available to the District Jails; four instructors including one for durrie weaving any dyeing should be appointed on Rs.40—4—60 for this purpose. The present *charkhas* and looms should be improved and replaced by better ones. A sum of Rs.5,000 be provided for this purpose. Bleaching and finishing should be introduced.

In durries and carpets there should be graded qualities. There is still scope for improving the designs. Finer kinds of durries as woven in Bangalore and woollen durries prepared with cotton warp and woollen weft may also be tried. One of the weaving instructors be put in charge of this industry. He should prepare samples of new designs and circulate them to the other jails with the necessary manufacturing details. Fast dyes should continue to be used as cheaper dyes which are liable to bleed in washing and fade away by exposure, will affect the good reputation which the jails have been enjoying.



Iron work has been done at the Central Prison, Naini for sometime under the charge of a smithy instructor, but it has not made a good progress. There is a good possibility in this line. Government departments purchase buckets, rammers, gates, gardening and agricultural implements, persian wheels, watering and sanitary carts. Efforts should be made to make these things. There are certain other articles also, such as *gagras*, *angethis*, iron pans, etc. which could be tried and produced on a mass production basis. Later on a foundry could be added and casting work also taken up. A really efficient instructor is needed to look after the work. The drilling machines are very old and should be replaced. The workshop should be refitted with proper tools and machines such as turning lathes, drilling machines, etc. The approximate expenditure will be Rs.3,500.

Blanket weaving is done at the Central Prisons, Benares, Agra and Bareilly. The quality of blankets produced is very coarse and they do not have any public sale. Carding and spinning are mostly responsible for it, and these should be improved. The daily task of spinning at the three prisons is different, and much more than is done outside. This should be looked into. If finer and better quality of yarn is to be obtained, the task has to be reduced. Technical men should be appointed to supervise the work. Carding and spinning masters—one for each jail—should be appointed to supervise the work and to grade the yarn. They should be practical men preferably from Najibabad. The handlooms for weaving blankets are very heavy and should be replaced. For weaving finer yarns better looms are a necessity. A lump sum of Rs.4,000 should be provided for replacing the looms and *charkhas*. There should also be weaving masters—one for each jail—to supervise the weaving of blankets. They will be available on Rs.30—2—50 per mensem. A scheme for installing a power spinning plant at Agra has been recommended. If it is put through this industry should be carried on only at Agra and Bareilly—the former to weave blankets from machine yarn and the latter as at present.

Leather work is done on a small scale in the Juvenile Jail, Bareilly, where country pattern shoes for warders, full slippers for "B" class prisoners, and belts and ammunition pouches for warders are made. The quality of work is not reported to be good. The instructor has not shown a good progress. This industry should be re-organized so as to produce boots and shoes also. A competent instructor at a slightly increased pay should be appointed. Two sewing machines and a few improved tools should also be provided, at an approximate expenditure of Rs.1,000.

Furniture industry is carried on at Central Prisons, Bareilly and Naini. The former holds the S. P. D. contract for the supply of school desks and chairs, blackboards, and typewriting chairs. There are carpentary instructors at both places. There is no system of stocking timber at any of the two places. Each time fresh timber is purchased from the market and used readily without allowing it to season. The articles made are therefore defective. They should keep a good stock of timber and allow it to stand for some time to season.

The finish of the articles requires to be improved. A polisher on Rs.30—40 may be engaged for the purpose. He should train labour and supervise the work. Some of the tools also require to be replaced. A lump sum of Rs.1,000 may be provided for this purpose. This industry can be fairly developed if properly organized. Government purchase furniture worth Rs.12,000 every year and most of it consists of ordinary writing tables, chairs, racks, etc. It should be possible to make these things in the jail. The Central Prison, Naini, should also be given a share in this work. Furniture required for the eastern districts of the province can be supplied from here. It will result in a saving to Government in railway freight. The Principal, Government Carpentry School, Allahabad, can inspect the furniture on behalf of the S. P. D.

A few new industries should also be introduced to increase the range of work which the prisoners should learn so as to be able to carry them on after their release. The following industries are therefore recommended :

44. (i) **Namda making.**—It can be introduced very easily as its technique is easy to learn. It can be done in a few district jails as it need not be done on a big scale. Those jails which have female prisoners can be preferred as they can do some ordinary embroidery on them. An instructor to work on a peripatetic basis may be employed on Rs.50 per mensem. The possibility of utilizing wool obtained from opening condemned blankets on a rag tearing machine may be investigated.
45. (ii) **Leather work.**—The Police Department purchases about Rs.42,000 worth of leather goods every year for police accoutrements. They could be made by the prisoners after a little training. This industry should first be started in the District Jail, Cawnpore, as the necessary materials can be obtained there easily. The advice of the Leather Expert to Government will also be available there. The possibility of manufacturing holdalls, bed-straps and sundry leather goods should also be investigated. One instructor on Rs.40—60 assisted by an assistant on Rs.30—40 should be employed for this work.
46. (iii) **Cane work.**—This industry has been found successful at the Juvenile Jail, Bareilly. It can also be tried in the District Jails at bigger towns, such as Lucknow, Agra, Benares and Meerut. An instructor on Rs.40—50 may be employed who should work on a peripatetic basis.
47. (iv) **Calico-printing.**—Can be tried in the jails. Some of the cloths produced in the jails which do not show off well in plain condition can pass off well as prints. The two dyeing instructors who are employed by the department have recently been trained at Cawnpore in this work. They should first start the work and later on if found necessary it may be put in charge of trained men.

48. (v) **Hand spinning.**—Hand spinning should be introduced in all the jails and should take the place of *moonj ban* twisting which is done by the prisoners when there is no other work to do. *Moonj* work should be done only as much as is necessary. Hand spinning should also be encouraged by giving all the prisoners including the under-trials, the infirm, simple imprisonment prisoners, and the civil prisoners some cotton and *takli* to spin in their free time and the jail should purchase the yarn from them at market rates. This should not however clash with their education. Spinning masters should be appointed for teaching the work and grading the yarn spun. There should be one master for each Central Jail on a peripatetic basis. A lump sum of Rs.3,000 may be provided for making *charkhas*, *taklis*, etc. The daily task of spinning should be fixed according to the fineness of yarn and not merely by weight, i.e., for finer yarn the task should be less by weight than for the coarser one.
49. (vi) **Hand-made paper.**—This industry is carried on in the District Jail, Sialkot, where it employs 180 prisoners daily and turns out about 2,400 reams of paper annually. It is sold for use in vernacular offices. It should be started in one of the jails here also, and a similar backing by Government be extended in this province as well. Paper cuttings from the Government Central Press, Government Branch Press and the Jail Press be utilized. The Superintendent, Printing and Stationery may be asked to sell all the cuttings to the Jail Department. An expert may be engaged on Rs.40—50 per mensem for this work.
50. (vii) **Chalk Crayons.**—Manufacture of chalk crayons can also be a good industry for the jails. This work is done in the Central Prison, Lahore. If no suitable man is available for starting it, a jail official may be sent to learn the work at Lahore.
51. (viii) **Sericulture.**—The experts are of opinion that this industry can successfully be done in this province. Eri-culture (rearing of silk-worms on castor leaves) should be tried first as it is easier than rearing worms on mulberry leaves. It can be done in a few jails which have got land for growing castor plant. The Agricultural College, Cawnpore which has done some experiments on it should be consulted when necessary. A practical man conversant with the rearing of worms and spinning the cocoons may be appointed.
52. (ix) **Lacquered toys.**—Such toys are now commonly made in Mysore and Hyderabad on small self-driven wooden lathes. It can be a good industry for being organized in the jails on a mass production basis. An instructor (on Rs.60—80 per mensem) may be obtained from Mysore or Hyderabad,

The non-recurring expenses for lathe and other tools will amount to only a few hundred rupees. But it should be started only when the other industries recommended above have been introduced and more employment is needed for the prisoners.

53. (x) **Manufacture of soap, phenyle and ink.**— These industries can also be started in the jails with the help of a trained chemist (on Rs.100 per mensem). But they should be tackled only if Government guarantee to purchase their requirements of these things from the jails.

In addition to the above industries there is a necessity of a few mechanical industries for meeting the requirements of the jail and other Government departments and they are recommended to be started. They are detailed below :

54. (i) **Wool spinning plant.**—The blankets made in the jails at present and used by the prisoners are very poor in quality and do not last as long as they should. For improving their quality a wool spinning plant may be installed at Agra where buildings are available. There should be an extra carder attached to it for supplying carded wool for hand spinning. The machine spun yarn should be woven into blankets on handlooms. A sum of Rs.20,000 may be provided for the plant, and a recurring provision of Rs.3,000 per annum, for meeting the pay of a mechanic on Rs.50—75 and an assistant on Rs.20—25 and the necessary contingent expenses be made. Such a plant is already working in the jails of Bihar, Bengal and Madras. After gaining experience, more units be added to the plant to increase the production, if necessary.
55. (ii) **Oil mill.**—An oil mill may be installed at one of the Central Prisons for supplying mustard oil to the other jails. At present it is obtained by crushing the oil seed locally. Since manual labour has been discontinued, bullocks have to be maintained for working the *kolhus*. It is considered that if the oil is supplied from a central oil mill there will be much saving even after consideration of railway freight which will have to be paid on the transport of oil. According to the scheme prepared by the Oil Expert to Government an amount of Rs.11,000 for the plant, and a recurring provision of Rs.3,000 per annum for meeting the pay of an engine driver (on Rs.30 per mensem) and a line-man, cost of fuel and the necessary contingent expenses be provided. The oil mill may be installed at the Central Prison, Fatehgarh, and for the present oil may be supplied to half the jails of the Province and oil pressing in those jails stopped. Two wheat grinding mills may also be added to the plant at an additional cost of Rs.3,000 for supplying wheat flour to the two jails at Fatehgarh. As a result of the experience obtained the supply of oil be extended

to the other jails from this plant or from another plant installed elsewhere.

56. (iii) **Metal Factory.**—The Postal Department have a Postal Factory and Lock Works at Aligarh for making all kinds of postal requisites, such as locks, seals, badges, letter boxes, etc. The Jail Department should have a similar factory at Aligarh for making articles required by Government departments, such as locks, despatch boxes, steel racks, stationery boxes, waste paper baskets, trays, badges and other brass articles for the police and jails. A few stamping and punching machines, die presses, lathes and drilling machine would be needed. The non-recurring cost would amount to Rs.11,000 and the recurring Rs.8,110. The help of the Industries Department be taken in starting this factory.
57. (iv) **Rag tearing machine.**—At present the condemned blankets are sold off at Rs.3 per maund. A rag tearing machine may be purchased to open these blankets into wool which should either be used in making *nandas* or re-spun into yarn. A provision of Rs. 4,500 be made for the purpose.
58. (v) **Match industry.**—The possibility of starting this industry in one of the jails should also be investigated in consultation with the Forest Department.

When the present industries will expand and the new ones proposed above will be started, more raw materials will be needed than at present. The provision for raw materials in the jail budget should for the present be increased by Rs.1,00,000 (including a sum of Rs.31,250 for soap, phenyle and ink).

A move in the right direction has been made by opening a depot for advertising and selling the jail made goods. But the present staff (a manager and a clerk) is not able to cope with the work; it should therefore be increased by a salesman on Rs.40—2—50 and a peon on Rs.10-8. This depot should be made permanent if it is able to increase the sale of the jail products sufficiently to pay its cost.

At present the number of prisoners employed in the jail factories is quite insufficient, and should be increased. The following percentage of prisoners which the jails must employ in their factories be fixed.

	Per cent.
Minimum percentage for Central Prisons ...	... 45
Ditto for 1st class district jails ...	... 35
Ditto 2nd, 3rd and other jails ...	... Left to the department to decide.

No jail should employ below the fixed percentage and if any jail is unable to do so it must inform the Inspector General of Prisons and given reasons. If any jail fails to observe the minimum percentage it must submit explanation and be liable to punishment. In the event of jails employing a larger percentage it should be duly recognized.

As for the purchase of cotton yarn, the Inspector General of Prisons on his all-India tour enquired and found that all purchases of yarn in other provinces are made by the Inspectors General themselves. It is our considered opinion that purchases in these Provinces too should be done by the Inspector General of Prisons in consultation with the Stores Purchase Department, or its nominee. The purchase of wool should be done on the basis of six-monthly contract instead of annual.

Gradually efforts should be made to provide quarters for the technical staff on jail premises as it would be in the interest of the jail if they lived on the premises.

The Director of Jail Industries should get in touch with the Principal, Government School of Arts and Crafts and arrange for new designs. The department may pay for every approved design. If necessary, it may also employ a draughtsman.

The financial statement which is appended to this chapter gives the total expenditure required for improving the jail industries.

#### **PURCHASE OF JAIL MANUFACTURED GOODS BY GOVERNMENT.**

59. In order to improve the industries of the jail, a ready market has to be found and as recommended by the Indian Jails Committee, it can most conveniently be found in the great consuming departments of the Government. All Government departments should therefore be asked to make their purchases from the jails only.

The United Provinces Jails Inquiry Committee was also of the opinion that Government should lay down as a principle that it will not expect as high a standard in jail articles as is expected in articles produced privately. The principle stressed above should be accepted and laid down by Government for the guidance of the consuming departments.

It will take some time for the jails to manufacture the various articles in full quantities required by the Government departments. Till then the same procedure as is followed in the case of supply of furniture from the Government Carpentry Schools be extended to the jails as well, i.e. contractors be also appointed. The indents should first be sent to the jail which has been notified for supplying an article, and if it will not be in a position to supply it, it will pass on the indent to the contractor. In this procedure the consuming departments will be assured of the supply within the prescribed period of time. The following *modus operandi* is recommended for the purchase of jail products by Government departments :

- (1) The sample of an article and its costing details should be examined by the Stores Purchase Officer and the Director of Jail Industries and should be accepted and approved if found reasonably good—in determining this serviceability should be the first consideration.
- (2) The jail should then take up the manufacture of that article on an organized basis.
- (3) A contractor for the supply of the same article should also be appointed by the Stores Purchase Department.

- (4) A notification should then issue in the Stores Purchase Supplement to the *United Provinces Gazette*, either by the Stores Purchase Department or the Jail Department, to the effect that a particular article is made in a certain jail and it should be purchased from there. The name of the contractor should be also mentioned.
- (5) The indents from the consuming department should always be sent to the jail concerned and not to the contractor. When the jail has sufficient orders in hand and is not able to manufacture it within the prescribed time or is not in a position to supply it for any other reason, it should pass it on to the contractor and inform the indenting officer.
- (6) If for any reason an article which is made in the jails and for which a notification has been issued in the Gazette, has to be purchased direct, an authority for direct purchase should be taken from the Director of Jail Industries. For all direct purchases of such articles the audit people should insist on the production of this authority.

#### PAYMENT OF WAGES TO PRISONERS

60. In order to create an impetus among the prisoners to work more interestedly in the jail factories, it is necessary to introduce a system of paying wages. This will set in a healthy competition among prisoners to improve their production both in quality and quantity.

Wages should be paid on the work of an approved standard and on the extra work done in excess of the allotted task. Only those who turn out saleable articles, should get wages and not those working as assistants or on subsidiary processes. But there should be a convention that vacancies in the former class are invariably filled in from the latter. The rate of wages be fixed at two annas for every 100 per cent. extra work. The wool carders should however be made an exception and paid wages at a flat monthly rate, as wool carding is a very laborious work. In addition to these, the cooks, C. Os. and convict teachers be also paid at a monthly rate. But their wages should not be more than the average wages earned by those working in the factories.

Five per cent. of wages of the prisoners should be deducted and credited to a separate entertainment account and Government should contribute an equal amount from the provision for wages, and this fund may be utilized on the entertainment of all the prisoners in the jail on special occasions.

The question of determining the purposes on which a prisoner may be allowed to spend from his wages account will provide some difficulty. It may, however, be left to the department to decide it according to the exigencies of the occasion. The prisoners should, however, be encouraged to send at least a part of their wages to their families or dependents. Such remittances should be sent through the District Magistrate.

For the present the scheme be tried in two central prisons and a provision of Rs.8,100 be sanctioned for the purpose. It may be extended to the other jails if found successful.

*Financial statement relating to the improvement of jail industries.*

<i>I.—Re-organization of industries</i>				<i>Recurring</i>	<i>Non-recurring</i>
				<i>Rs.</i>	<i>Rs.</i>
1.	Handloom weaving—				
	(a) Training of weaving masters	...	...	...	300
	(b) Replacement of handlooms, <i>charkhas</i> , etc.	...	...	...	5,000
	(c) Peripatetic weaving master	...	...	1,920	...
	(d) Manufacture of cloths required for Government Departments	...	...	3,000	5,000
2.	Iron work	...	...	...	3,500
3.	Blanket weaving	...	...	1,200	4,000
4.	Leather work	...	...	60	1,000
5.	Furniture making	...	...	360	1,000
	<b>Total</b>	...	...	<b>6,540</b>	<b>19,800</b>

<i>II.—Introduction of new industries</i>					
1.	<i>Namda</i> making	...	...	700	300
2.	Leather work	...	...	1,000	1,000
3.	Cane work	...	...	550	...
4.	Hand spinning	...	...	3,180	3,000
5.	Hand-made paper	...	...	580	...
6.	Eri-culture	...	...	540	...
7.	Manufacture of lacquered toys	...	...	850	300
8.	Manufacture of soap, phenyle and ink	...	...	1,750	2,000
9.	Installation of wool spinning plant	...	...	3,000	20,000
10.	Installation of oil mills with two wheat grinding mills	...	...	3,500	14,000
11.	Metal Factory	...	...	8,110	11,000
12.	Purchase of a rag tearing machine	...	...	...	4,500
	<b>Total</b>	...	...	<b>23,760</b>	<b>56,100</b>

<i>I.—Reorganization of industries</i>				<i>Rs.</i>	<i>Rs.</i>
<i>III.—General</i>					
1.	Additional staff for United Provinces Jails Department			606	...
2.	Additional provision for raw materials	...	...	1,00,000	...
3.	For payment of wages*	...	...	8,100	...
				<b>1,08,706</b>	...
	<b>Total</b>	...	...	<b>1,39,006</b>	<b>75,900</b>
				<b>2,14,906</b>	

\* Will require increased amount in the subsequent years.



*Expenditure on the improvement of Jail Industries spread over a period of three years*

	1939-40		1940-41		1941-42	
	Recur- ring	Non- recur- ring	Recur- ring	Non- recur- ring	Recur- ring	Non- recur- ring
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
<i>I.—Re-organization of industries</i>						
1. Handloom weaving—						
(a) Training of weaving masters	...	300	...	...	...	...
(b) Replacement of handlooms, etc.	...	1,000	...	2,000	...	2,000
(c) Peripatetic weaving master...	1,920	...	...	...	...	...
(d) Manufacture of certain cloth	1,000	2,000	2,000	3,000	...	...
2. Iron work	...	3,500	...	...	...	...
3. Blanket weaving	600	2,000	600	2,000	...	...
4. Leather work	60	1,000	...	...	...	...
5. Furniture making	860	1,000	...	...	...	...
Total	8,940	10,800	2,600	7,000	...	2,000
<i>II.—Introduction of new industries</i>						
1. Namda making	700	300	...	...	...	...
2. Leather work	1,000	1,000	...	...	...	...
3. Cane work	550	...	...	...	...	...
4. Hand spinning	1,060	1,000	1,060	1,000	1,060	1,000
5. Hand-made paper	580	...	...	...	...	...
6. Eri-culture	540	...	...	...	...	...
7. Manufacture of lacquered toys	...	...	...	...	850	300
8. Manufacture of soap, phenyle, etc.	...	...	...	...	1,750	2,000
9. Wool spinning plant	3,000	20,000	...	...	...	...
10. Installation of oil mills	3,500	14,000	...	...	...	...
11. Metal factory	...	...	8,110	11,000	...	...
12. Rag tearing machine	...	...	...	4,500	...	...
Total	10,930	36,300	9,170	15,500	3,660	3,300
<i>III.—General</i>						
1. Additional staff for Jail Depot	606	...	...	...	...	...
2. Additional provision for materials	15,000	...	35,000	...	50,000	...
3. Payment of wages	8,100	...	8,100	...	8,100	...
	23,706	...	43,100	...	58,100	...
Total	38,576	47,100	54,870	23,500	61,760	5,300
	85,876		78,370		67,060	
			2,31,106			

### 61. Utilization of Jail Labour for Agricultural Work

It is an undisputed fact that the majority of the prisoners would like to return to land on their release and follow agricultural pursuits. It seems, therefore, in the fitness of things that any knowledge of improved agricultural practices imparted to the prisoners during the period of their incarceration will not only be beneficial in their after-life but will conduce to a healthier and more congenial form of labour for them. The utilization of jail labour in farming will, at the same time, lead to reducing the expenses of the institutions concerned, in the matter of grain and fodder.

Farming in the jail may take one of the following forms:

- (a) A fairly big piece of land from 20 to 100 acres worked as a mixed milk and grain production farm.
- (b) A small demonstration plot of from 5 to 10 acres. This cannot provide enough work for any considerable number of men, but can still offer ocular demonstration of better agricultural practices.

The choice of one or the other of the above will depend upon the land available, and its quality, facilities for irrigation, arrangements for technical supervision, etc.

We understand that no. 1 is being tried in one or two places under a joint scheme of the agricultural and the Jail Departments for the supply of milk and milk products and raising of good bull calves for breeding purposes. More capital, and better technical control are requisite, and a large area has to be put under fodder crops.

Vegetables are almost invariably grown in every jail, and at some places a few fruits as well. It should, in our opinion, be possible to train all prisoners in the practice of scientific cultivation of common vegetables and fruits at every jail, besides the general farming wherever possible.

Suitable rotations with as much variety of main food and economic crops as can be accommodated without much difficulty should be aimed at in order to provide general 'all-round' training. Purely commercial aspect of the farming will thus be subordinated to that of general utility.

The department has not got men trained in organizing improved agricultural farms under the jails. In order to successfully carry out this scheme the services of an experienced agricultural man should be available to supervise and guide its detailed working. For this purpose a good subordinate agricultural service man of Group I may be sent on deputation to the Jail Department for three years in the first instance. During this period it may be possible to train the jail staff sufficiently enough to manage the affairs with only occasional guidance from the local agricultural staff and if this is achieved it will not be necessary to retain the special officer any more.

It is therefore proposed that one Agricultural Inspector should be attached to the Head Office. He will be required to supervise and guide the agriculture in jails. The scale of pay should be Rs.150--10--220.

A very large number of prisoners show an inclination to settle on land after their release. It is, therefore, considered necessary to give them practical training in improved agricultural farming on land available at the various jails in the Province. These lands will be worked as demonstration farms by the prisoners themselves wherein they will learn the art of raising various foods and commercial crops according to the best scientific and economic methods. For this purpose close supervision and guidance of an experienced agriculturist is essential. The Jail Department has not got this available and it is proposed to attach one Agriculture Inspector to the Jail Department. The estimate of expenditure for three years is as below :

Items	1st year	2nd year	3rd year
	Rs.	Rs.	Rs.
One Agriculture Inspector at Rs.150—10—220.	1,800	1,920	2,040
One peon at Rs.10-8 ... ..	126	128	126
Travelling allowance at Rs.60 per mensem.	720	720	720
Contingencies at Rs.5 per mensem ...	60	60	60
Total ...	2,706	2,826	2,946

2. The committee recommends the starting of a settlement with about 100 long term prisoners (who have served at least one-third of their sentence and whose conduct has been good in jail) along with their families to begin with somewhere, near Kashipur sub-division. The experiment is being tried with commendable success in another province in India. It is proposed to start with a settlement of 100 families placed in suitable groups, with a 10-acre holding allotted per family (supposing an average of four persons per family). The cropped area required is thus 1,000 acres. Taking an additional 15 per cent. for buildings, roads, water channels, waste land, etc. the total area of the settlement will be 1,150 acres. It is aimed to work this settlement with co-operative efforts, and if successful, to develop it later as a collective farm. The land will be parcelled out into suitable rotational blocks, each holder being assigned his proportionate area in each block.

It is possible to find a compact suitable area at the least possible expense only in the Government Estates of Tarai and Bhabar in Naini Tal district. A suitable piece of land is expected to be available in Tahsil Ramnagar between Kashipur and Ramnagar, within easy reach of the Railway Station. Irrigation water is available. No cost of land is involved. The Government owns the land and can give it on tenancy.

Being surrounded by forests and consequently exposed to damage by wild animals, fencing is an essential requirement for cultivation. Drinking water can be had from the canals. No hand-pumps are yet possible. Necessary reservoirs will be made. It is proposed to provide only huts during the first year or two. Only Rs.20 per family is provided

to meet any charges on materials and labour while most of the ordinary labour will be contributed by the settlers themselves. As the colony settles down houses of a more substantial nature can be built later, Provision per family for one pair of bullocks, seeds, manures, implements and maintenance in the first season will be necessary. Fencing may be provided by Government (and will remain Government property) as well as the first year's cost of huts. The rest of the expenditure may be taken as *taqavi* or other loan to the members.

The following is the estimated expenditure for three years :

Items	1st year	2nd year	3rd year
	Rs.	Rs.	Rs.
Fencing at Rs.20 per acre $\times 1,150$ ...	23,000	...	...
Living huts and cattle sheds at Rs. 20 $\times 100$ .	2,000	...	...
100 pairs of bullocks at Rs.60 $60 \times 100$	6,000*	...	...
Implements at Rs.20 $20 \times 100$ ...	2,000*	...	...
Seeds, manures at Rs.40 $40 \times 100$ ...	4,000*	...	...
Maintenance at Rs.100 $100 \times 100$ ...	10,000*	...	...
25 bullock carts at Rs.50 $50 \times 25$ ...	1,250*	1,250*	1,250*
4 drinking-water reservoirs at Rs.100 $100 \times 4$ .	400	...	...
Total ...	48,650	1,250	1,250

Items marked with asterisk (\*) are loans recoverable by easy installments.

Revenue will begin to accrue to Government for land after some years of tenancy according to the terms of the Estate.

## CHAPTER V

## OFFENCES AND PUNISHMENTS

62. We recommend that the sentence of solitary confinement as a sentence by Court should be abolished

The Indian Jails Committee discussed the question whether solitary confinement as awarded by Courts had any deterrent value or not in paragraph 445 of their Report but owing to conflicting opinions thereon did not feel justified in offering any recommendation on the subject. The matter was also considered by 3rd conference of the Inspectors General of Prisons at Calcutta (1927) and they recorded it as their opinion that "it was not generally agreed that solitary confinement was in practice an effective deterrent" and resolved that solitary confinement as a form of judicial punishment should be abolished.

The Government of India, in 1928, ordered that sentences of judicial solitary confinement should be executed as if they were sentences of cellular confinement. This was presumably on the ground of impracticability of carrying out sentences of "solitary" confinement in jails. In England the separate and the solitary systems of penal discipline have been abandoned as, according to Dr. M. Hamblin Smith, "the results of either system were disastrous to the physical and, still more, to the mental health of those subjected to them," (p. 37 "Prisons"). In India also the solitary confinement as a jail punishment was abolished in 1925. We are of opinion that solitary confinement, as a judicial sentence, serves no useful purpose and should be abolished. We are further of opinion that there should be more separate cells in our jails. At present, their number is inadequate. There should be more cells in the habitual jails.

63. We recommend that flogging as a jail punishment should be inflicted only in cases of proved violence or mutiny or incitement thereto and it should be inflicted only after the approval of the Inspector General of Prisons has been obtained.

According to paragraph 624 of the Jail Manual whipping, as a jail punishment, can be inflicted for mutiny or for conduct seriously affecting the discipline of the prison, or for incitement thereto—or for serious assaults on any public servant or visitor, or after other punishments have failed for other offences of a specially grave nature. The Indian Jails Committee in paragraph 227 of their report recommended that the punishment of flogging should be inflicted only for mutiny or incitement to mutiny and for serious assaults on any public servant or visitor. This recommendation accords with the practice in force in England which has been recently reaffirmed by a Departmental Committee. (Cmd. 5684—1938.) In Bombay, the question of flogging was examined by a strong committee which recorded the opinion that whipping as a jail punishment should be narrowed to the English rule as given above.

We are aware that public sentiment demands total abolition of this form of punishment and is against its retention for any class of prison offences, on humanitarian and other grounds. We are however unable to recommend its total abolition all at once since we believe

that it is definitely deterrent for offences of violence in jails. The prisoner who contemplates an assault on an officer knows that if he is medically fit and the assault was a serious one, he will be flogged. This certainty of corporal punishment is a very real deterrent for serious offences of violence. No other punishment is generally speaking feared so much by prisoners as the corporal punishment. The alternative, i.e., bringing the prisoner before a court with a view to further sentence of imprisonment being imposed in addition to that which he is already serving, may be quite ineffective in many cases as its effects are not felt until after the expiry of the substantive sentence and if the prisoner is at the beginning of a long sentence, the punishment of additional sentence is too remote in time to have any punitive effect.

Moreover, our jails are seriously understaffed and we owe it to the officers who are prohibited from striking a prisoner, except in self-defence, that there shall be in reserve as an ultimate sanction, a power to punish in an exemplary fashion any prisoner who may attack them. The officers have often to deal with dangerous and reckless types of prisoners and the provision of a penalty for a serious assault which shall afford a reasonable degree of protection is, therefore, essential.

We, therefore, recommend the retention of whipping as a punishment which may be inflicted for certain specified offences only, i.e., serious attacks on officials or other persons, mutiny or incitements thereto. Cases of other breaches of jail discipline, such as short work, hunger-strike and persistent misbehaviour should be dealt with by other jail punishments or by committal to court for trial, if necessary.

During the last 30 years there has been a steady decrease in the number of cases in which the superintendents found it necessary to resort to corporal punishment as a means of enforcing discipline in jails. Before 1905 the total number of whippings in a year exceeded 100. Between the years 1906 and 1912 the number each year was between 50 and 100. During the last five years the figures have been as follows :

<i>Year</i>	<i>Number of floggings</i>	<i>Year</i>	<i>Number of floggings</i>
1. 1933 ...	... 15	3. 1935 ...	... 15
2. 1934 ...	... 15	4. 1936 ...	... 17
		5. 1937 ...	... 7

In 1937 the number of floggings was the lowest on record in the jails of this Province. We trust that floggings shall be used very sparingly and that in course of time, and as there is less need for purely repressive measures, it will be found possible to dispense altogether with the use of this form of punishment.

The present rules require that a superintendent of jails shall submit to the Inspector General a special report on every case in which whipping has been inflicted. (Paragraph 627 of the Jail Manual.) The United Provinces Jails Inquiry Committee, in paragraph 237 of their report recommended that all sentences of flogging should require confirmation by a higher authority before they are carried out. In

England the practice is that all sentences of whipping have to be previously confirmed by the Secretary of State in the Home Department. We are of opinion that the superintendent should submit every case in which he considers that whipping should be inflicted, to the Inspector General of Prisons for his previous sanction.

64. We recommend that the punishment of cross-bar fetters should be restricted and the period of imposition reduced to seven days. We are of opinion that it should not be given in more than 3 to 5 per cent. of the cases and in course of five years should be completely abolished.

The punishment of cross-bar fetters hinders a prisoner from moving freely and interferes in the performance of his daily tasks. The United Provinces Jails Inquiry Committee in paragraph 235 of their report, recommended the total abolition of this punishment. Such punishments which involve degradation or loss of self-respect are out of place in a modern system of prison treatment in which reformation shall be our chief aim. We are, therefore, of opinion that the use of cross-bar fetters should be reduced gradually so as to eliminate it entirely from the list of jail punishments within a period of five years. For the present, we are of opinion that it should be sparingly awarded and in no case for more than seven days at a time.

CHAPTER VI  
DIET, CLOTHING AND BEDDING

DIET

65. We recommend that there should be variety in the morning meal

There is no aspect of prison management which has been the subject of more widespread criticism than food. We recognize that for a convict doing a full day's hard work in the workshops or farms, etc., his food should be not only plentiful but nourishing and wholesome. Diet has vital connexion with the mental attributes of the men, which in turn vitally affect management and discipline. Even the most wholesome food if served with unbroken monotony would pall upon the taste. However good a diet may be it loses its value if it is never varied. We are, therefore, of opinion that variation is most essential in foods and that there should be a change in the different ingredients twice or thrice a week.

66. We recommend that morning meal should be issued to prisoners sentenced to simple imprisonment who should be required to work in the jails

There are at present three diet scales in use in our jails. All labouring prisoners receive two chhataks of parched gram (or *dalia*) in the morning and the rest of their food at midday and in the evening but those simple imprisonment prisoners, who do not elect to labour, do not receive any food in the morning because the total quantity of grain ration (10 chhataks) is insufficient to allow of any morning meal being given.

The average number of non-labouring convicts is generally below 200. We consider that the issue of morning meal is essential, as it is contrary to usage for people to starve upto 11 o'clock.

We are further of opinion that rules shall be so altered as to require all prisoners sentenced to simple imprisonment to work on some light labour on the grounds of health. There should be no non-labouring class in the jail as idleness is a great unmitigated curse and has a demoralizing effect on prisoners and causes mental and physical stagnation. The United Provinces Jails Inquiry Committee also recommended that all simple imprisonment prisoners should be required to do light labour and suggested alteration in law to effect this change, *vide* paragraph 394 of their report.

67. We recommend that special diets be issued to prisoners observing fasts on particular days and also on important festival days

The United Provinces Jails Inquiry Committee, in paragraph 346, recommended the issue of whole-wheat diet and one chhatak of *gur* to all prisoners on the eleven jail holidays allowed to prisoners. While we agree that religion is a strong reformative agent which may be used to the utmost in any scheme of rehabilitation of convicts, the financial considerations deter us from accepting the above proposal. After full consideration of all aspects of this matter however we have come to the conclusion that the prisoners should not be discouraged from following usual rites as are enjoyed by their religion. The prisoners who elect to keep fast should be allowed special diet. We are of opinion that



Hindus may be permitted to keep fast on the following days. *Shiv Batri, Ram Naumi, Anant Chaturdasi, Deothan Ekadasi, Janamashmi, Naudurga* and *Bhim Ekadashi*. The Muslims should be permitted to fast, if they choose to do so, during the month of *Ramean*. In our opinion the issue of one *chhatak* of *gur* or half *chhatak* of date palm to Hindu or Muslim prisoners observing fasts in addition to the usual diet on such days should be sanctioned.

To break the monotony of the jail diet it may be necessary to give special food to prisoners on one or two special occasions, the cost of which should not exceed the average expenditure of one day's ration (this will be of course in addition to the ordinary ration supplied daily).

#### CLOTHING

68. We recommend that during the winter months prisoners should get three blankets instead of two already supplied

The present rule authorized the issue of four blankets to the prisoners in the Hill Jails at Almora, Haldwani and Pauri and three blankets to those in the submontane jails at Bahraich, Bijnor, Dehra Dun, Gonda, Kheri and Pilibhit. In the rest of the jails, in the Province, prisoners receive only two blankets in the winter months. We consider that two blankets are insufficient to keep a convict warm during the colder months in any part of the Province. This is a complaint of very long standing and we propose that in every jail the *minimum* number of blankets to be issued in the winter months shall be three. Orders for the supply of a third blanket have already been issued which has caused an extra expenditure of one lakh of rupees. A provision for a recurring expenditure of Rs.33,000 is asked for.

69. We consider that prisoners over the age of 50 years, convict overseers, convict warders and convict night watchmen should be given one waist-coat and one woollen topa.

Convict warders, overseers and night watchmen who are on duty in the winter months require some additional protection against the bitter cold experienced at night. It is also a matter of common knowledge that old people require more woollen covering. We, therefore, consider the issue of a woollen waist-coat and a *topa* necessary in the case of these classes of prisoners. The recommendation, if accepted, will involve an expenditure of Rs.3,200 in the first year and Rs.1,300 per annum in the succeeding years.

70. We recommend that the life of cotton clothing should be fixed at nine months and not one year

In the Jail Manual as originally drafted in 1927 it was laid down in paragraph 460 that coats and *janghias* should ordinarily last for six months and other articles of cotton clothing should give at least nine months' wear. In the year 1934, the rule was altered so as to secure that all articles of cotton clothing including coats and *janghias* should last for nine months. This was in view of the issue of a double set of coats and *janghizs*. In the year 1937, the period was extended to one year. The life of a garment depends largely on the quality of the cloth which is variable, and the nature of the work on which the

wearer is employed. In actual experience the period of one year has been found to be too long and we are, therefore, of opinion that the order of 1934 should be restored.

This recommendation will involve an extra expense of Rs.8,000 per annum.

71. We recommend that male prisoners should have the option of substituting one pyjama for a jangiah.

We consider that the clothing worn by a prisoner in jail shall as nearly as possible conform to the dress ordinarily worn by him outside the jail. Many of the convicts have a genuine grievance about the shorts and would prefer trousers. We, therefore, recommend that such prisoners as may wish to wear *pyjama* should be permitted to have one of the two pairs of shorts issued to them substituted by a *pyjama*.

The extra cost involved in this recommendation is Rs.1,500 per annum.

72. We recommend that in the summer and rainy season prisoners should be given one blanket in addition to a *chadar* at present allowed to them.

We consider it necessary that in addition to a *chadar* a prisoner should always have a blanket as a protection against sudden variations in climatic conditions which often occur in the rains. This will involve no extra cost as prisoners will be allowed to retain with them one of the three blankets issued to them in the winter season.

73. We recommend that soap should be supplied to prisoners in place of *sajji* for washing their clothes and that soap should be manufactured in the jails.

At present *sajji* is used for washing prisoners' clothing (*vide* paragraph 487, Jail Manual). We are of opinion that to secure thorough washing of the clothing soap should be substituted for *sajji* and that soap required for the purpose should be manufactured in jails to save extra expense.

74. We recommend that body oil should be issued to prisoners for protection against mosquitoes.

Issue of body oil is absolutely necessary as a precaution against mosquito-bite.

75. We recommend that juveniles should get khaki shirts and shorts and a *durrie* in place of ordinary prison clothing and *munj* bedding.

We consider that the inmates of Borstal Institutions and Juvenile Jails should not wear the uniform worn by ordinary convicts. This will add to their sense of self-respect.

**CHAPTER VII**  
**REFORMATIVE INFLUENCES**  
**ADULT EDUCATION IN JAILS**

76. We recommend that compulsory adult education should be introduced in jails for all prisoners below 50 years of age.

In Jails between the lock-up and the unlocking, the prisoners have nothing to do and as such their minds are not occupied and they are always thinking of mischief. In order to enable them to become useful citizens after release, it is imperative that those unfortunate fellows who have had no opportunity to get education in their childhood should be given facilities whilst in jail to utilize their spare time in educating themselves and be able to earn their livelihood in a better and more efficient way on release. Further by getting education they would be able to read excellent religious and moral books which will have very healthy influence upon their minds and will thus reform them from their criminal tendencies. We therefore consider introduction of adult education in jails as one of the main reforms which should be introduced.

The great difficulty in adult education was the expense and the holding of classes in jails. These two questions have been solved very successfully by the scheme of adult education in the Bareilly Central Prison, which is being tried not only in this Province but in some other provinces as well. The scheme does away with the class-system in the initial stages and provides a system of individualized education to each convict by giving him ten-minute lesson individually by a convict teacher. In this way the instruction is given to each prisoner according to his particular needs and his level of intelligence and ability. Moreover there is no need to allot special periods for instructions which would interfere with the factory work as under this scheme each prisoner while he is at work is called to the board by the teacher and given his lesson for 10 to 15 minutes during the working hours. In addition there are facilities for instruction in the sleeping barrack from 6 to 8.30 p.m. The teaching is done by the convict teachers who are employed as whole-time teachers for this work. These teachers do no extra work and their work is judged by the progress made by the students in their charge. In order to minimize the expense the scheme provides making of cement boards 9 feet x 4 feet for the teachers to give instruction. In addition to this 1½ feet square place is cement plastered on the wall adjacent to each berth so that any prisoner can practice writing during his leisure hours.

The Committee's recommendations are as follows :

- (1) Education may be made compulsory for all prisoners below 50 years. A beginning may be made with all central prisons. If a prisoner is physically unfit or mentally defective, he may be exempted. Those prisoners who study well and pass their examinations should be given a remission of sentence. For this purpose the Superintendent's power may be increased to give one month and ten days remission

instead of one month as laid down in the Jail Manual, with instructions that half of this period may be ear-marked for grant of remission for education purposes. We further recommend that those who pass their examinations in the first division or do exceptionally good work may be given sweets preferably one *chhatak* of sugar on passing each examination. Both the grant of remission and the giving of sweets will be a great incentive for the prisoners to study.

- (2) We recommend that small cement boards about  $1\frac{1}{2}$  feet square be made on the walls adjacent to each sleeping berth so that prisoners can practice writing during their leisure hours.
- (3) We further recommend that as the education advances small wooden *takhties* be provided to those prisoners who have passed the third primer so as to enable them to practice writing with a reed-pen.
- (4) As pointed out above, education is to be given by the convict teachers. We, therefore, propose that prisoners who are educated upto the middle and are undergoing sentences between three to five years but are not professionals may be collected in one central prison for three months for training, after which they should be distributed to all the jails proportionately. The convict teachers will teach the prisoners and the paid teachers will supervise their work and conduct examinations. It is proposed that two paid teachers be provided to each central prison in the beginning. Later when the prisoners have become educated these teachers may be reduced to one and as the scheme will be extended to the district jails when funds permit, a paid teacher be provided to each district jail to supervise.
- (5) We recommend that compulsory education should not be confined to central jails only but in course of two or three years should be extended to district jails as well. There are about 30,000 prisoners in the United Provinces Jails. The expense involved in providing them with books will be very great. We therefore suggest that we should print our own books as it would be more economical. We may ask some authors to write books for jails and purchase from them the publication right.
- (6) *Provision of small libraries.*—We recommend that we should have a small library in each barrack and a shelf where prisoners may keep their books, etc. It is very necessary that prisoners who have been made literate should keep their interest in education and should not lapse into illiteracy again. It is for this purpose that we should provide them with books which should be within their easy reach. The books should be such which deal with religious, moral and general topic and stories giving healthy and good ideas.

- (7) As the lighting in the jails at present is very poor and the prisoners cannot utilize their spare time profitably we recommend that we should electrify our jails but as this would cost good deal of money, it cannot be done simultaneously. We therefore recommend that one Central Prison may be done each year, and till such time we provide electric light in all the jails, petromax lamps should be provided for at least three hours in the evening.
- (8) We should endeavour in the beginning to make the prisoners literate but after they have passed the fourth primer it is possible to hold classes as these prisoners have reached a uniform standard of literacy and thus can follow the lessons given to a class. Such classes will be held in the evening in the barrack and then elementary arithmetic, weights and measures, such as, addition and subtraction of rupees, annas, pies, acres, bighas; mds. sr. ch., tolas, etc., geography and civics should be taught, but this will be done after the convict teachers have been trained or when the paid teachers are appointed.
- (9) We further recommend that the jails may be inspected by the School Inspectors just as schools and their inspection-notes may be sent to the Inspector General of Prisons. In their inspection-notes the Inspectors should note the progress of education in each jail.
- (10) The committee is of opinion that persuasive methods should be used to encourage convicts to take to reading and writing. For this purpose besides the grant of remission to successful candidates and giving of sweets, it should be made a rule that promotion to C. O. ship and C. N. W. ship should be given only to those who have become literate or at least have made substantial progress. The committee also recommends that the convict teachers may be promoted to C. O. ship and C. N. W. ship, no matter whether they came literate from outside or became literate in jails.
- (11) We recommend that we should have two permanent shields of different sizes, one for the Central Prisons and the other for the District Jails. These shields should be retained by them for one year, showing the highest percentage of literacy, and if any jail retains the shield for three successive years, the jailor of that jail should be rewarded Rs.250. Rs.500 should be set apart for distribution amongst the jail staff who specially take very keen interest in education. Jail convict teachers should also be entitled to this. The committee is further of the opinion that we may have only one prize for the Central Prisons but in the District Jails, we should have three or four prizes as this will be a greater incentive.

We are further of the opinion that facilities for education should be offered to under-trials as well. It is in the under-trial ward that all sorts of men, previous convicts, fresh offenders and some innocent people are mixed up and it is here that the potential criminals are made. They have nothing to do, they sit whole day, they do no work and beyond narrating their criminal experiences to each other they have nothing to do to interest them. We are therefore of the opinion that steps should be taken to introduce education amongst the under-trials.

*Financial Aspect of the Education Scheme*

	Per annum Rs.
Pay of two trained teachers at Rs.35 and Rs. 25 per mensem for six Central Prisons ... ..	4,080
In addition Rs.100 per Central Prison should be given as honoraria to be awarded to those teachers who have done extra good work. This money will be distributed both to the paid as well as convict teachers. Therefore Rs.100 per Central Prison per annum comes to ... ..	600
Rewards in the way of sweets to those prisoners who make good progress at Rs.50 per annum to each Central Prison comes to	180
Money both for primers and for library (Rs.300 for book, etc. and Rs.200 for library), we suggest be spent according to the needs of the Jail by the Superintendent at Rs.500 per Central Prison comes to ... ..	3,000
Provision for 50 petromax lights per Central Prison at Rs.12 each comes to ... ..	3,600
(We have put 50 as we want forty in the jail use and ten to be kept in reserve. If the Jail Department buys them in a lot from Calcutta they would be got cheaper).	
Recurring expense on oil, repairs, etc. for the above 50 petromax lights per Central Prison at Rs.100 per prison comes to ...	3,600
Three trained lecturers at Rs.75 per month for three months for the convict teachers training school comes to ... ..	675
Reward to be given to the jailor whose jail retains the shield for three successive years ... ..	250
Reward to officials who take specially keen interest in education...	500
Total ...	16,485

**INTRODUCTION OF PANCHAYAT SYSTEM IN JAILS**

77. The Committee recommends that *panchayat* system should be introduced in jails. The only objection which is put against the *panchayat* system in jails is that in having these convicts as *panches* we create a privileged class amongst prisoners; but it must not be forgotten that so long as the jails are run by the convict officers and convict warders and not wholly by the paid jail staff, a privileged class is already there and much more powerful than the *panchayat* which after all sits and deliberates as a body, and whose decision is subject to appeal to the Superintendent.

A system of *panchayats* introduced in the Bareilly Juvenile Jail appears to have worked very satisfactorily. The *panchayat* was given power to try all offences excepting (1) assault on the jail officials; (2) immoral conduct, and (3) serious offences, and its decision was subject to appeal to the Superintendent. In addition this *panchayat* acted as an advisory body for the welfare of the convicts. At first these *panches* acted just like assessors. It has been found that the *panchayat* is working very satisfactorily and has given its decisions with courage and dignity. It had a marvellous effect in maintaining discipline and for two full months there was not a single "peshi". It was also consulted by the Superintendent in connexion with foodstuffs purchased for the convicts or arrangements in connexion with visits of some of the distinguished visitors or any other matter connected with the jail in which the Superintendent considered an opinion from the convicts essential.

#### TOBACCO FOR PRISONERS

78. We recommend that all prisoners who are accustomed to the use of tobacco (smoking or chewing) should be given facilities in this respect at Government expense. Those, who do not use tobacco should in the alternative receive *gur*. Under-trials should be given permission to use tobacco at their own cost.

It is well known that in spite of the sternest measures it has been found impossible to stop smuggling of tobacco into the jail. The reason is obvious. With those who have used tobacco in any form for a number of years it becomes an almost irremediable habit. In our opinion restriction of tobacco is quite unnecessary because its frequent infractions have caused an endless amount of disciplinary trouble. On the other hand we believe that its issue at Government expense to those who are accustomed to it, in any form, would have a most salutary effect on the discipline of the jail and the character of the prisoner.

We consider it fair that non-smokers should receive *gur* in lieu of tobacco ration. Our enquiries show that 30 per cent. of the convicts are given to chewing tobacco while 60 per cent. are tobacco smokers and 10 per cent. are non-smokers. Taking the convict population of 28,000 as the basis of our calculation, the expenditure per annum will be as follows :

	Rs.
(1) Issue of chewing tobacco with lime ...	... 7,984
(2) Issue of <i>biris</i> ...	... 15,969
(3) Issue of <i>gur</i> ...	... 3,992
Total	... 27,945

Under section 31 of the Prisons Act, a civil prisoner or an unconvicted criminal prisoner is permitted to maintain himself, and to purchase, or receive from private sources food, clothing, bedding or other necessaries. Although civil prisoners are permitted the use of tobacco under paragraph 382(c) of the Jail Manual which clearly shows

that tobacco is held as an article of necessity, under-trial prisoners are not allowed to get it under rule 359(h) of the Manual. This is anomalous and we consider it desirable that under-trial prisoners should be allowed to procure and use tobacco in reasonable quantities at their own expense and under suitable safeguards as recommended by the Indian Jails Committee in paragraph 479 of their report.

79. We recommend that an allotment of Rs.100 for each Central Prison and Rs.50 for each District Jail be placed at the disposal of Superintendents to pay the conveyance allowance for lecturers and moral instructors. In round figures Rs.3,000 may be sanctioned for the whole Province.

We are of opinion that an effort should be made to get in touch with social and public bodies and arrange with them for special lectures on sociology, psychology, etc. Lectures may also be connected with subjects conveying useful information on health, hygiene, rural uplift and agriculture or depict lives of great men and popular heroes, etc. These will elevate the prisoner and lift him out of the rut of despair and dullness and cause him to take a living and intelligent interest in things dealt with in lectures and to think about them in the leisure hours instead of brooding over his lot in jail. Periodical lectures should be a regular feature of the prison system and they should cover a wide range, all subjects being admitted which are educational in the broadest sense, that is to say, such as stimulate healthy interest and enlarge the mental outlook. We should also provide honorary Maulvies and Pandits to give religious and moral lectures in jails. The importance of such instruction as a reformatory factor in prison treatment is now universally recognized. It is a means of developing and strengthening the moral element in a person. We believe that the institution of educative lectures and provision of religious and moral instruction will be of material assistance in providing an atmosphere of training and reform inside the jails which is essential to secure success for our efforts at reclamation of criminals. A real difficulty is however experienced inasmuch as people can be found to give free lectures but they are generally not prepared to pay expenses in journeys to and from the jails, such as tonga hire, etc. There is no provision in the jail rules for such expenses and we are of opinion that a definite sum may be placed at the disposal of superintendents from which they can pay conveyance allowance to lecturers and instructors. We suggest an allotment of Rs.100 to each Central Prison and Rs.50 to each District Jail to be spent at the discretion of the Superintendent. In round figures, Rs.3,000 may be sanctioned for the whole Province.

80. We recommend that big placards should be printed on different moral subjects and hung up in all the barracks.

In the Bareilly Juvenile Jail there are sets of placards on which suitable moral texts are printed. These are in constant circulation in different houses and are invaluable in keeping the inmates constantly reminded of the great moral truths. We are of opinion that such placards should be introduced in all the jails in the Province. This will involve an expenditure of Rs.1,000.



- 81. We recommend that lectures on health and other suitable subjects illustrated by lantern slides should be arranged in all jails.**

This is already done in certain Central Prisons. We are of opinion that the scheme should be widely extended to all jails. Such lectures have great educative value. Lectures given with the help of lantern slides are easily understood by literates as well as illiterates and provide not only instruction but entertainment as well. The Public Health Department, District Boards, and public bodies and philanthropic persons may be approached for supply of such slides on loan. If suitable slides be not available, the jails should get them specially prepared by some institution.

- 82. We recommend that the privilege of earning good conduct remission which is at present restricted to convicts who are undergoing substantive sentences of rigorous imprisonment for six months or more should be extended to convicts undergoing sentences of three months or more.**

At present only the convicts undergoing sentences of six months or more are entitled to the privileges of remission rules. Recognizing the remission system as an important reformatory factor in prison treatment, we strongly recommend that the privilege of good conduct remission should be further extended and all convicts with substantive sentences of three months or more should be entitled to good conduct remission concession. Good conduct remission system is admittedly by far the most powerful incentive to reformation of convicts in the hands of the jail authorities at present and this extension will bring a wider circle of convicts under its beneficial influence. We note that in paragraph 248 of their report, the Indian Jails Committee observe that in Great Britain the limit has been fixed at one month and they suggest that in the Indian Jails the limit should be fixed at three months.

- 83. We recommend that a prisoner having no punishment for 3 years should get two months good conduct remission**

Remission rules in Chapter VI of the Jail Manual allow an ordinary remission of 15 days to be granted to a convict who has committed no offence for a period of one year reckoned from the first day of the month following the date of sentence or the date on which he was last punished for a prison offence (paragraph 173). We consider that rewards have a definite value in reformation, and that while an annual award of 15 days remission for good conduct is sufficient for convicts sentenced to two or three years, it is insufficient for convicts sentenced to longer terms. We recommend that when a convict has been well conducted and has not been punished for a continuous period of three years, he should be entitled automatically to receive ordinary remission of three months. This grant will be in addition to special remissions which may be awarded under the provisions of paragraphs 178 and 179 of the Jail Manual. Thus if a prisoner has not been punished for three years continuously, he will receive ordinary remission of 15 days at the end of the first year, and another award of 15 days remission at the end of the second year and at the end of the third year he will be entitled to receive two months' ordinary remission or in all three months in three years for good conduct. A punishment of formal warning is

not taken into account for annual awards and should not count for the award at the end of the third year as well. Prisoners value no concessions as much as they do that of remission which brings their day of release closer. We have no doubt that any liberalization of remission rules will have a most beneficial influence and we strongly recommend the adoption of this proposal.

84. We recommend that interviews of convicts who have been punished should not be refused if interviewers have come from a long distance.

Paragraph 536 to the Jail Manual gives discretion to the Superintendent to grant interviews when a prisoner has been guilty of misconduct, if a convict's friends or relatives have come from a distance to see the convict and the Superintendent considers that it would inflict an undue hardship on them if the interview is refused. In practice, we believe that this discretion is not as generally exercised as is desirable. Interviews and letters keep family influences intact and thus have a sobering and reformatory effect on convicts. We, therefore, recommend that Superintendents should make a wider use of this discretion and, as a rule, allow the friends and relatives who have come from another district or from long distances, to have interview even when a convict has misbehaved and been punished. It may be noted that interviews have sometimes a specially good effect after a prisoner has committed a prison offence and been awarded a punishment for it. The interviewer, if previously warned, may use his influence in causing the prisoner to realize the folly of his ways and reform his conduct. Under favourable circumstances we consider the Superintendent should not hesitate to employ the agency of interviewers to the best advantage and grant interviews.

85. We recommend that when prisoners are transferred to another jail intimation should be sent to their home.

At present it often happens that when relatives of a convict come for interview they find that the convict has been transferred to another jail and they thus lose contact with him. We are of opinion that when a convict is about to be transferred, his friends should be invariably informed, by letter of the fact of transfer of and of the name of the jail to which he is to be transferred. We wish to emphasize the importance of utilizing to the utmost the reformatory effect of family ties. If family ties are allowed to become loose during the currency of a sentence a convict will often find himself on discharge, cut off and ignored by his friends and the chances are he will fall into bad associations and return to a life of crime.

86. We recommend that physical drill should be compulsory for juveniles

The advantages of physical drill are that it provides young persons with fit and balanced body, supple and not easily tired. Physical exercises not only improve the muscles but serve to correlate mind and body and teach self-control by bringing the impulsive body under the domination of the mind. Their moral and disciplinary influence is also undoubted. We are of opinion that physical exercises should form an important and compulsory part of a juvenile's training whether he be in a jail or a Borstal Institution.

87. We recommend that prisoners may be allowed to sing for half an hour; songs should be such as have been specially selected by the Head of the Department and no communal or vulgar songs shall be allowed

The value of song as a means of entertainment and pastime is well-known but we are of opinion that it is also a great positive educative factor and a valuable medium of culture. The practice of singing softens the hardness and lessens the bitterness engendered by imprisonment in the emotional life of a prisoner and allows other personal factors room for growth and development towards rehabilitation.

The success or failure of song as a healthy form of recreation and means of rehabilitation will, however, depend on the quality of the songs and it is essential that the greatest possible discrimination should be exercised in selecting songs most suitable for the purpose in view. For instance, communal and obscene songs should be absolutely prohibited.

88. We recommend that for the present radio sets may be installed in the Borstal Institution, Juvenile Jails, Sultanpur Tubercular and Star Class Jails. When funds permit, other Jails should also be provided with radios

The introduction of radios in prisons is an important development of the reformatory penal treatment in recent years. The use of these during the prescribed hour and listening to suitable educative programmes gives prisoners a fresh interest in life and restores to them a sense of contact with the outside world. The radio for educational purposes are now widely used in England and other countries and we recommend their introduction into the Juvenile Jail and Borstal Institution. They also provide a wholesome form of recreation and should prove a most entertaining form of amusement in Sultanpur Jail for tubercular patients and for the inmates of the star class jail. We hope to find them installed in all adult jails later on as funds become available.

## CHAPTER VIII

## GENERAL RECOMMENDATIONS

89. We recommend that a small committee should be appointed to revise the Jail Manual;

The present Jail Manual was issued in the year 1927 and since then numerous alterations in the rules and regulations have been made. The recommendations which we are making, when sanctioned by Government, will necessitate numerous further amendments. We are therefore of opinion that a small committee may be appointed to examine the Jail Manual with a view to its revision.

90. We recommend that special arrangements should be made separate under-trials who are first offenders from those who have previous convictions to

The most elementary considerations of the principles of classifications call for the complete segregation of the first offender from the one who has previously been in jail, of the young from the old and of the susceptible from the one who is vicious and hardened. It is in the hawalat that the old offender corrupts the others. The Indian Jails Committee, in Section IV, Chapter XVII of their report have dwelt on the necessity of segregation of different classes of those awaiting trial. The United Provinces Jails Inquiry Committee in paragraphs 53 to 57 and 382 to 385 of their report have also stressed the same point. Paragraph 358 of the United Provinces Jail Manual also enjoins the separation of under-trials who have come to jail for the first time from those who are known to be previous convicts. It is a well-known fact that quite a good proportion of the under-trials are ultimately acquitted, being found innocent and it is most unfair to them that they should be exposed to the demoralizing influences to which they are at present liable in the hawalat. It is in hawalat that veterans in crime relate their vain-glorious tales of adventures with all the embellishments with which typical criminals love to surround their anecdotes. Many innocent and the more impressionable receive their first lessons in crime in the hawalat from such experts and eventually increase the ranks of criminals. A proper segregation of under-trials of different kinds in the hawalat is bound to result in reducing the number of criminals and checking the tremendous social and economic loss from which the Province now suffers.

91. We recommend that under-trials should not be deprived of their shoes

At present under-trials are deprived of their shoes on admission to prison. The object of the under-trials being detained in custody is merely to secure their attendance at court and any disabilities imposed on them which are not warranted by this essential condition or for maintenance of discipline and order in the jail are unnecessary. We are of opinion that when the Superintendent is satisfied that an under-trial habitually uses shoes and their deprivation would be degrading to him that under-trial may be permitted to use his shoes in the under-trial wards. In case of habituals, i.e., those who are old jail birds, the discretion should vest with the Superintendent. It may be observed that the Indian Jails Committee in paragraph 480 of their report expressed their disapproval of the practice of not permitting the under-trial prisoners to retain their shoes.

92. We recommend that female under-trials should as far as possible be kept in separate barracks, entrance to which should be through a separate door from that of the male portion of jail.

Under section 27 of the Prisons Act, 1894, unconvicted criminal prisoners must be kept apart from the convicted. The same section also enjoins that female prisoners shall be kept in separate buildings or separate parts of the same building in such manner as to prevent their seeing or conversing or holding any intercourse with the male prisoner. In many jails there is only one entrance door with the result that the females have to pass under the sight of the male prisoners whenever they have to pass through the main gate. Separate entrances to the female enclosures have been provided in several jails in the recent years.

We are of opinion that there should be separate barracks in the female enclosures for the under-trial and convicted prisoners and that separate entrances to the female enclosures should be provided in all jails.

93. We recommend that hawalats which are at present under the Police Department, should be transferred to the Jail Department and necessary staff for their administration and supervision should be provided.

(Note.—If Government sanctions the proposal, details will be worked out.)

The principle underlying this recommendation is that the officials responsible for the safe keeping of accused persons should be independent of those whose duty it is to conduct their prosecution before the court of trial. Our law already provides that criminals should in no case remain in the custody of the police for more than 24 hours and must be transferred at the earliest possible opportunity to the custody of jail. It is obviously anomalous to have hawalats under police supervision and thus to frustrate the letter and spirit of the law. We are of opinion that there should be no lock-up under police supervision excepting a few cells attached to police stations where under-trials may be detained for not more than 24 hours. There are at present 12 police lock-up stations. Here under-trials are detained for more than 24 hours under police custody. We are of opinion that these lock-ups should be placed under the control of the Jail Department.

94. We recommend that greater facilities should be given to Superintendents and Jailors to visit jails in other countries and provinces. Superintendents should also be allowed leave for further studies in foreign countries. £50 should be given for overseas courses held in London and another £50 should be allowed for out-of-pocket expenditure. Superintendents should be expected to get training at Wakefield. Jailors should be paid Rs.200 as allowance

The Indian Jails Committee, in paragraph 47 of their report, observe as follows on this subject :

“It is also of much importance that superintendents of jails in India should take every available opportunity of studying the jail systems of other countries. The cost of such concessions is amply repaid by the wider field of information which the officer acquires.”

It is most desirable that all officers of the Jail Department should have opportunities to keep themselves in touch with modern ideas of

prison administration. Visits to the jails in other provinces and other countries are bound to enrich their minds with information that can be most helpful in the performance of their duties. We are of opinion that the concession recommended above may be granted to Superintendents and Jailors to encourage them in visiting the jails in other countries and provinces. Enquiries are being made from the High Commissioner as regards the training given at Wakefield to jail officials.

95. We recommend that arrangements should be made for the education of the children of jail staff.

Jails are usually situated at considerable distances from the town which renders it extremely difficult for the officials and warders to arrange for the education of their children. This is a serious handicap and a very genuine grievance of the staff. We are of opinion that when there is no school within a mile or two of the jail, Government should establish a school on the jail premises. The teacher provided for such school may be required to write petitions for interviews, etc. free of cost on behalf of the prisoners' friends. At present, under paragraph 538 of the Jail Manual, the friends have to pay one anna for each petition to the petition writer.

96. We recommend that prisoners on outdoor labour should not be allowed, under any circumstances to be employed for private and domestic work of jail staff.

Paragraph 696 of the Jail Manual already prohibits the employment of convicts in the private and domestic service of the staff. But it is well-known that the rule is not scrupulously followed. Such domestic work is necessarily demoralizing and it is essential that to enable a convict to maintain his self-respect all such enforced labour which is debasing in character shall be stopped. We are aware that as jails are usually at long distances from the town, officials find it difficult to obtain servants easily but that is no reason why convicts should be compelled to do the officials' domestic and private work. The rules allow conservancy services and water supply to be furnished by convicts. We are definitely of opinion that no private and domestic work of the staff should, under any circumstances be done by the convicts. The United Provinces Jails Inquiry Committee in paragraph 159 of their report have also expressed their opinion against the convicts being employed for private and domestic work of jail staff.

#### FEMALE PRISONERS

97. We recommend that—

- (1) All females should be allowed to have 1 chhatak of oil instead of ½ chhatak
- (2) Female prisoners should be permitted to replace churis at their own expense.
- (3) Lenhgas and chadars should be replaced by sari.
- (4) During the period of menses female prisoners should be put on lighter labour and sterilized rags should be supplied to them to ensure cleanliness.

The present allowance of oil allowed to females for their hair is insufficient and in our opinion it is necessary that the allowance should be doubled.

Under paragraph 44-A of the Jail Manual Superintendents have discretion to allow females to retain their *churis* and other marriage symbols. We are of opinion that the discretion should be extended to replacement of *churis* at the prisoner's own expense.

The use of *lenhga* and *chadar* is now out of fashion and is gradually getting out of use. We therefore, advocate the issue of *sari* 5½ yards long, when the present stock of *lenhgas* and *chadars* is exhausted.

On medical and hygienic grounds we urge the issue of sterilized rags to female prisoners during the menses period and also recommend their employment on lighter forms of jail labour as their health is at its lowest during this period.

98. We recommend that female convicts should be released in advanced stages of pregnancy and if they are lifers on parole. As far as possible no child-birth should be allowed to take place inside the jail. Under-trial females expecting confinement should, if they cannot be released on bail, be treated by maternity nurses.

A child born in jail will carry with it the stigma of birth in jail which is hardly calculated to give it a sense of self-respect in after life. In England women in advanced stages of pregnancy are released on medical grounds. We are of opinion that it is highly undesirable that any child birth should take place inside a jail and recommend that female convicts in a condition of advanced pregnancy should be released and, if they are under a sentence of life, discharged on parole.

The case of under-trial females stands on a different footing. Ordinarily it should be possible to release them on bail, but if this be considered inexpedient, the services of qualified nurses should be requisitioned.

Under the present rules female convicts can keep their children up to the age of 6 with them in jail. This, in the opinion of the committee is not desirable as it is a very important period for their character formation. The committee recommends that necessary arrangements should be made for keeping and looking after such of the children whom mothers are prepared and willing to separate. The experiment may be made at one of the concentration jails during the course of the year.

99. We recommend that "C" class or ordinary prisoners should be allowed to write and receive letters once in two months.

At present ordinary convicts are allowed to write and receive letters once in three months. "A" and "B" class prisoners are allowed to write and receive letters once a fortnight and once a month respectively. We are of opinion that the privilege of letters can be increased with great advantage and that "C" or ordinary prisoners should be permitted to write and receive letters once in two months. It is in the early period of his sentence that a prisoner feels most the separation from his friends and relatives and it is in these days that he is most in need of the sustaining effects of a letter from his relatives and friends. We realize that any increase in respect of the writing or receipt of letters will greatly increase the work of subordinates as most of the prisoners are illiterate and the letters have to be written by the staff and the letters received have to be examined and read to the convicts. We are, however, so impressed with the advantageous effects of continuity of family ties that we strongly recommend that ordinary

prisoners should be encouraged to keep up communications with their friends and relatives and should with this object in view, be permitted to write and receive letters at intervals of two months. All letters received should be delivered to prisoners and there should be no restriction of numbers.

Star class prisoners should be treated like "B" class prisoners and may be allowed to write and receive letters once a month.

#### 100. Rearmament of the Department

The condition of muskets (476 bore) at present with the department is very unsatisfactory. Their replacement by new muskets (410 bore) is very essential for the following reasons :

1. Manufacture of ammunition for these muskets has been stopped since April 1, 1936.
2. Arsenal do not guarantee as to how long they will supply this kind of ammunition.

The total strength of muskets in 816. The question of their replacement was taken up in 1932. Since then it is hanging. As these muskets in the Police Department were being replaced by new ones we got their 209 serviceable muskets.

The present condition of the muskets of the department is as under :

Serviceable	...	783
Repairable	....	97
		880

So out of 1,025 (816—209) muskets 145 were condemned upto October, 1938. Recently 116 more muskets have been declared un-serviceable. In Agra C. P. alone 53 out of 59 muskets have been condemned. This is very alarming and ominous.

We want 816 new muskets.

Cost of one musket is Rs.30.

The total cost will be Rs.34,480.



## APPENDIX A

## SYLLABUS AND COURSE OF STUDY

## JAILOR CLASS

## Recommendations of the Committee

The course for the Jailor class will be nine months—from August 1 to April 30. The daily routine will be as per list attached. (No. I).

There will be five working days in a week. Saturday and Sunday will be holidays. In addition the school will be closed on all gasetted holidays.

The subjects taught with the number of lectures required and the time given to practical work are as per list attached. (No. II).

Under the head Psychology a small laboratory will be required for practical work. The estimated expense involved is about Rs.2,000.

Psychiatry. At present in Lucknow there is no place where we can fall back upon for cases for demonstration. It is essential that classes should see the cases.

The books recommended for the Jailor class are as per list attached. (No. III).

## LIST No. I

## JAILOR CLASS

## Daily routine

6 a.m.	...	...	Reville.
6.45 to 7.30	...	...	Parades, physical drill and musketry.
7.30 to 8.30	...	...	Break for food and change.
8.30 to 9.20	...	}	Classes.
9.20 to 10.20	...		
10.30 to 11.20	...		
11.30 to 12.20	...		
12.20 to 2.30	...	...	Break for food and rest.
2.30 to 4 p.m.	...	...	Practical classes.
4 to 4.45	...	...	Rest and change.
4.45 to 6	...	...	Games.
6 to 7	...	...	Food.
7 to 8	...	...	Discussions with lectures on the subject taught during the previous week.
8 to 9.30	...	...	Studies in private rooms or common room.
10 p.m.	...	...	Lights out.

Students to be in uniform. Can leave the college with permission only. Should dine in a common hall, preferably from a common cook house. Matter of common mess dress to be left to the Principal.

**LIST No. II**  
**JAILOR CLASS**

Suggested length of course nine months—from August 1 to April 30.

Subjects	Nine months theory 660 hours	Nine months practical
1. (a) Development of present Prison administration—a comparative study with special reference to India.	40	...
(b) Jails ... ..	100	Four months. (Five weeks in office. Three weeks in godown. Eight weeks with executive officer and factories.)
(c) Accounting and auditing ...	35	15
(d) Jail industries ... ..	20	As per 1(b).
2. (a) Psychology ... ..	100 including practical	}
Normal—Abnormal ... ..		
*Child psychology ... ..		
(b) Intelligence tests ... ..		
3. Sociology ... ..	75	25
* Juvenile delinquency ... ..		(case taking).
Criminology ... ..		
Case taking ... ..		
4. Psychiatry ... ..	30	...
Mental deficiency, Insanity, Minor mental disorders } and their relationship to delinquency and crime.	(Case to be shown at the same time but at present there is no arrangement for cases at Lucknow.)	
5. Agriculture ... ..	60	1½ months.
6. Veterinary ... ..	30 (including practical).	...
7. Law ... ..	50	...
Criminal Law and Public Administration.		
8. Building ... ..	70	1½ months.
9. First aid and Nursing ... ..	20	10
10. Hygiene and Public Health ... ..	30	10
	} 50	} 20
Total ...	660	9

\* These two subjects should form part of the training of the Borstal staff.

## LIST No. III

## JAILOR CLASS

## List of books recommended

1. (a) *Development of present Prison Administration—*
  - (1) Indian Jail Inquiry Report—1919-20.
  - (2) United Provinces Jail Inquiry Report—1929.
  - (3) English Prisons—by Fox.
  - (4) Crime and Community—by Leo Page.
  - (5) Publications of U. S. Prison Association.
  - (6) Publication of Osborne Association.
  - (7) Borstal—by Alexander Patterson.
- (b) *Jails—*
  - (1) United Provinces Jail Manual.
  - (2) Civil Service Regulations.
  - (3) Inspector General of Prisons Circulars, Circular Memos, and Government Orders.
- (c) *Accounting and Auditing—*
  - (1) Financial Hand Book—Volumes II, III and V, Part I.
  - (2) Civil Service Regulations.
  - (3) United Provinces Jail Manual.
  - (1) Financial Hand Books, Volumes II, III, V, Parts I and II and Volume VI with books of Forms.
  - (2) Civil Service Regulations.
  - (3) Introduction to Indian Accounts and Audit.
  - (4) United Provinces Jail Manual.
  - (5) Audit Code—Volumes I and II.
  - (6) Account Code.
  - (7) Civil Account Code—Volumes I and II.
  - (8) Fundamental Rules of the Government of India—by Accountant General, Posts and Telegraphs.
  - (9) Manual of Audit Instructions.
  - (10) Compilation of Audit Rulings.
  - (11) Book-keeping—by Fieldhouse.
  - (12) Budget Manual of United Provinces Government.
- (d) *Jail Industries—*

[To be added later on]

(2) *Psychology—*

Starred books are prescribed

- (1) Titchener—Text Book of Psychology.
- \* (2) \*Boring and Weld, etc.—Factual Text Book of Psychology.  
Ditto —Experimental Psychology.
- \* (3) Woodworth—Psychology.
- (4) Murphy—General Psychology.

- (5) McDougall—Abnormal Psychology.
  - (6) Termann —Measurement of Intelligence.
    - (7) Ballard—Mental Tests.
    - (8) Hull—Aptitude Tests.
  - \* (9) Manual of Mental and Physical Tests—by Whipple.
  - (10) Hollingworth—Abnormal Psychology.
  - (11) Seashore—Experimental Psychology.
  - (12) Titchener—Experimental Psychology, 2 volumes.
- (3) *Sociology*—
- (1) Gillin—
  - (2) Haynes—
  - (3) Southerland—
  - \* (4) Leo Page—Crime and Community.
    - (5) Ruggle Brise.
    - (6) Burt—The Young Delinquent.
    - (7) Slawsan—The Delinquent Boy.
- (4) *Psychiatry*—
- (1) Mental Diseases—by Lodge Patch.
  - (2) Mental Deficiency—by Tredgold.
  - (3) Forensic Psychiatry—by East.
  - (4) Tredgold—Mental Deficiency.
- (5) *Agriculture*—
- (1) Text Book of Indian Agriculture—by N. G. Mukerji.
  - (2) Indian Agriculture—by Clouston.
  - (3) Standard Book in Agriculture in the United Provinces—by Mr. Maya Das.

*Veterinary* —

[To be added later on]

- (7) *Law and Public Administration*—
- (1) Shamshul Huda—Law of Crimes.
  - (2) Gour—Penal Law of India.
  - (3) Ratan Lal—Law of Crimes.
  - (4) Kenny—Outlines of Criminal Law.
  - (5) Sohni—Criminal Procedure Code.
  - (6) Singh—Administration of Criminal Justice in India.
  - (9) Willoughby—Public Administration.
  - (10) White—Public Administration.
  - (11) Eddy and Lawton—India's New Constitution.
  - (12) Joshi—The New Constitution of India.
- (8) *Building*—
- Mitchell's Building Construction, Parts I and II.
- (9 and 10) *First Aid and Nursing, Hygiene and Public Health*—
- (1) St. John Ambulance Course.

**WARDER CLASS****Recommendations of the Committee**

The course for the warder class will be 1½ months i.e. 1st Group—from August 1 to December 15 and 2nd Group—from December 16 to April 30. The daily routine will be as per list attached. (No. A).

There will be five working days in a week. Saturday and Sunday will be holidays. In addition the school will be closed on all gazetted holidays.

The subjects taught with the number of lectures required and the time given to practical work are as per list attached. (No. B).

The books recommended for the warder class are as per list attached. (No. C.)

With regard to warder class it is considered that lectures should be compiled in books in due course.

**LIST No. A****WARDER CLASS****Daily Routine**

6 a.m.	...	...	Reveille.
6.45 to 8	...	...	Parades—Physical drill—Musketry.
8 to 9	...	...	Break for food and change.
9 to 9.50	...	...	} Classes.
10 to 10.50	...	...	
11 to 11.50	...	...	
12 to 12.50	...	...	
12.50 to 2.30	...	...	Break for food and rest.
2.30 to 4 p.m.	...	...	Practical classes.
4 to 4.45	...	...	Rest and change.
4.45 to 6	...	...	Games.
6 to 7	...	...	Food.
7 to 8	...	...	Discussions with the lecturers on the subject taught during the previous week.
8 to 9.30	...	...	Studies in private rooms or common room.
10	...	...	Lights out.

Students to be in uniform. Can leave the college with permission only. Should dine in a common hall, preferably from a common cook house. Matter of common mess dress to be left to the Principal.

LIST No. B  
WARDER CLASS

Length of course  $4\frac{1}{2}$  months. Standard of Education—Anglo-Vernacular Middle Examination.

First group—August 1 to December 15.

Second group—December 16 to April 30.

Subjects	Theory 350 hours	Practical $4\frac{1}{2}$ months
1. (a) Development of present Prison Administration—a comparative study with special reference to India.	20	...
(b) Jails ... ..	50	2½ months. (Office godown not required.)
(c) Jail Industries ... ..	10	As per 1(b).
2. Psychology (Elementary) ... ..	20 lectures. (On general principles of Psychology.)	...
3. Sociology ... ..	30	...
4. Elementary Psychiatry ... ..	20 (Arrangement for cases for demonstration to be made at Lucknow.)	...
5. Agriculture ... ..	30	1½ months.
6. Veterinary ... ..	15	...
7. Law ... .. Criminal Law and Public Administration	20 Practical lectures	...
8. Building ... ..	Ninety-five Theory and Practical. (60+35).	...
9. First Aid and Nursing ... ..	20	15
10. Hygiene and Public Health ... ..	20	15
Total ... ..	330 hours	$4\frac{1}{2}$ months.

LIST No. C

WARDER CLASS

List of books recommended

(1) Jails—

1. United Provinces Jail Manual.
2. Civil Service Regulations (in vernacular).

5. Agriculture—

The Vernacular hand-book on agriculture [in Urdu by Khan Bahadur Maulvi Abdul Qayum and that in Hindi by Pandit Tej Shankar Kochak.

9. First Aid and Hygiene—

St. John Ambulance Course (in vernacular).

Warder class will have to depend on the lectures and if possible those lectures should be in vernacular and compiled in a book.

## APPENDIX B

Report of the Committee which examined all jail registers, forms, etc. in order to make proposals for the reduction of the clerical work of the jail staff.

The committee examined all the registers and forms used in jail seriatim, and discussed the desirability of retaining or abolishing them. As a result of discussion the committee has recommended the abolition or modification of the following registers and forms :

- (a) Jail registers.
- (b) Jail forms.
- (c) Miscellaneous forms and registers.
- (d) Factory forms and registers.
- (e) Returns and reports.

## (a) Jail Registers

Serial no.	Register no.	Description	Remarks
1	6	Monthly release diary.	To be abolished. Register no. 3 (particulars of direct admission of convicts) should be modified as per exhibit "A" other information can be gathered from register no. 7. (Release Register.)
2	16	Mill register ...	To be abolished. Register no. 18 (stock book of rations) to be modified as per exhibit "B".
3	22	Hospital diet and extras.	To be abolished. All informations of this register is available in register no. 15, (diet register.)
4	30	Accommodation ...	To be abolished. Register no. 31 to be modified as per exhibit "C" to include necessary information of this register.
5	49-A	Ammunition register	To be abolished. All information is available in register no. 49-B (ammunition ledger) except authorized proportion which should be included by modifying 49-B as per exhibit "D".
6	51	Public works cash book.	To be modified to the extent that the detail already shown on the back of Factory Form 16 need not be shown here. This will apply to other cash books as well.
7	53	Jail cash book ...	To be modified to the extent that the detail already shown on the back of Factory Form 16 need not be shown here. This will apply to other cash books as well.
8	59	Non-official post cards.	To be abolished. Non-official post cards are not used now.
9	61	Travelling allowance register.	Should be abolished. Register no. 56 (pay bill) should be modified as per exhibit "E".
10	66-A	Register of condemned articles.	Should be abolished. Register no. 66 (register of Government property) to be modified as per exhibit "F".
11	67	Stock book of dead and live stock.	Should be abolished. Necessary information can be had from register no. 56 (Government property register).
12	68	Stock book of forms	To be abolished. Serves no useful purpose.
13	68-A	Establishment order book.	Should be abolished. Serves no useful purpose as the services are not verified annually which can be done from register no. 56 and superintendents order book (9).

Note.—Bardar Bahadur Ganga Singh and Babu Iqbal Bahadur also suggest abolition of register no. 60-A (register of abstract bill) as they say that necessary information can be had from contingent register.

## (b) Jail Forms

Serial no.	Register no.	Description	Remarks
1	3	List of history tickets transferred from one office to other office.	Should be abolished. Serves no useful purpose.
2	7	Labels for private clothing.	To be abolished. All information is available in register no. 1 (admission register of convicts).
3	15	Memo. of population when transfer is recommended on account of overcrowding.	To be abolished. Serves no useful purpose.
4	28	List of Government property sent with ganga.	Should be abolished. Necessary information can be given in form no. 18 (nominal and descriptive roll) as per exhibit "G."
5	45	Capacity of wards...	Should be abolished. Permanent cement boards should be introduced in every jail.
6	65	List of factory orders, carpets, etc., in course of manufacture.	Should be abolished. Serves no useful purpose. Factory register no. 35 (factory order book) contains all the information and is maintained by each jailor as well as in Central Jails.
7	79	Application for refund of security.	To be abolished. Not required now.
8	90	Bin tickets ...	To be abolished. Serves no useful purpose. All the information is available in register no. 50 (storage stock book).
9	98	Diet vouchers and "B".	These forms may be modified so that the memo. about the expense as per exhibit "H", etc., may be shown but details of each item may not be given as the details are not sent to Accountant General's office and are therefore unnecessary.
	98-A	Diet vouchers for "A" class prisoners.	
	99	Vouchers for hospital diet and medicines.	
10	99-A	Voucher for hospital equipment.	To be abolished. The required information can be given in form no. 100 (vouchers for miscellaneous charges).
11	108	Memo. of expenditure, etc., under contract grant.	To be abolished. All information is available in form "D".
12	109	Monthly statement of population and punishment, etc.	To be modified as per exhibit "I" and synopsis of monthly statistics should be abolished.
13	112	Statement of handicrafts.	To be abolished. Serves no useful purpose. Every jail should train his own handicrafts.
14	113	Quarterly return of admission, etc.	} May be submitted annually.
	114	Quarterly return of punishment.	



Serial no.	Register no.	Description	Remarks
	115	Quarterly return of mortality, etc.	May be abolished as all the information is available in the annual return.
15	126	Quinine Factory return.	} Should be abolished.
		Quinine Factory report,	
16	127-A 127-B 127-C	Monthly journal ...	May be abolished as it is not used in other provinces of India.
17	128	Indent for cotton clothing.	To be modified as per exhibit "J".
18	130	Indent for tents ...	To be abolished. Serves no useful purpose.

(c) *Miscellaneous Jail Forms*

1	15	Docket asking for convict for jail services.	To be abolished. It is not used.
2	21	Docket forwarding service book.	To be abolished.
3	46	Milk account book.	To be abolished. Miscellaneous jail form 84 (daily milk account) should be modified as per exhibit "K."
4	47	Expenditure book on jail cattle.	To be abolished. This does not serve any useful purpose.
5	49	Butter account book	To be abolished.
6	51	Control watch register.	To be abolished. Necessary information can be given in register no. 66 (Government property register).
7	55	Vegetable register...	To be abolished. Register no. 15 to be modified as per exhibit "L."
8	57	Register of prisoners letters received.	To be abolished. All letters received by prisoners should be handed over to them at once, and record made in the history ticket.
9	58	Circle clothing register.	To be abolished. All information is available from prisoners' history ticket.
10	60	Promotion register of C. N. W. and C. O. S.	May be abolished for district jails, should be retained by central jails.
11	66	Register of trees ...	Should be abolished. Entries of trees should be added in jail register no. 66 (Government property) as per exhibit "M."
12	Form "A"	...	To be abolished. A copy of form "D" to be maintained as it is only a duplication of work.

Serial no.	Register no.	Description	Remarks
<i>(d) Factory forms and registers</i>			
1	1 15 16 30	Indent on supplies... Cash receipt book. Cash payment book. Factory officer's indent on store-keeper.	This may be notified so as to facilitate preparation by carbon papers as suggested in G. O. no. 305/X-400, dated June 14, 1938, for receipts.
2	3	Register of daily purchases.	To be abolished. All the information is available in form no. 2 (suppliers invoice) and various stock books. It is suggested that form no. 2 should be supplied in bound volumes of 200 leaves and the pages should be numbered. This will serve the purpose.
3	17	Factory cash book...	To be modified to the extent that the details already given on the book of Factory Form no. 16 need not be shown in this register. This should also apply to other cash books.
4	18	General ledger ...	To be abolished. In future about customers collective account can be shown in Factory Form no. 9 (ledger) on a separate page.
5	19	Profit and loss-account book,	To be abolished. All information is available in Factory Form nos. 20 and 23.
6	26	Loom register ...	To be abolished. Serves no useful purpose.
7	27	Loom ticket ...	To be abolished. Not necessary.
8	29	Looms factory form	To be abolished. Not required.
		Factory Officer's diary.	To be abolished. Serves no useful purpose.

*(e) Returns and reports*

1	...	Six-monthly return of menial staff.	To be abolished.
2	...	Six-monthly return of cultivation.	To be abolished. Necessary information should be incorporated in Annual Report.
3	...	Quarterly return of official punishment, etc.	To be abolished as all information about permanent officials is supplied as soon as an entry is made in the service book.
4	...	Report of rabi crop and kharij crop.	To be abolished. Serves no useful purpose.
5	...	Monthly return of "A" and "B" class prisoners.	To be abolished. A quarterly return may be submitted.

The following changes in the Jail registers and forms are suggested, which without affecting administrative efficiencies may reduce the clerical work.

1. The register no. 6 is superfluous. It can be combined and included in register no. 13 by adding the statement no. 8 which will show the working of the remission system as given below. The remission earned can be noted from the register no. 7 and the list of the prisoners who are to be released in the next month with dates of release of particular prisoner with the mention of work learnt in jail may be prepared in duplicate on the 25th of each month and one hung up in the office and the other to be sent to the Secretary, A. D. P. Society.

Number of releases during the month who came under the remission system but failed to gain remission	Number of convicts released during the month who gained remission					Total remission in days earned by prisoners				Maximum remission in days gained by any convict released during the month			
	Sentenced to—					Sentenced to—				Sentenced to—			
	Not exceeding one year	Over one year but not exceeding two years.	Over two years but not exceeding five years.	Over five years	Total	Not exceeding one year	Over one year but not exceeding two years	Over two years but not exceeding five years	Over five years	Not exceeding one year	Over one year but not exceeding two years	Over two years but not exceeding five years	Over five years

2. Two columns nos. 6 and 7 of register no. 8 can safely be omitted. The receipt of the property of the transferred convict can be taken in column 18 of the register no. 1 and the character entry is made in the transfer roll.

3. Column 32 in register no. 11 is not at all necessary. Administration is not at all concerned with the under-trials stay outside jail.

4. If budget heads under convicts and under-trials are to be amalgamated than the register no. 17 can also be abolished. It may be added that if possible the number of budget heads may also be curtailed as for example the dietary charges may include the charges of the hospital diet as well, fruits as extras may be mentioned under the head of medicine and thus the time spent in preparing the register no. 17 and the diet vouchers may be saved and if the said amalgamation is not possible, then only a statement showing receipts, expenditures and balances may only be submitted as diet vouchers and no purpose is served by sending the detailed diet vouchers and thus the work will be greatly reduced.

5. Register no. 22 and miscellaneous form no. 54 can also be abolished as all the entries made in these two registers are also noted in the register no. 15 as the requisition for hospital diet is maintained by the store-keeper and a foil is also kept by the medical subordinates.

6. The register no. 31 can also be dispensed with and the register no. 30 is in fact alone sufficient for the purpose. It may daily be sent to the Superintendent for his signatures after lock-up and duties of the warders be noted the Gate book,

7. Register no. 1 can also serve the purpose of the register no. 37, if one more column showing the solitary confinement undergone by the prisoner is also added in the register no. 1. The details of the confinement may be noted on the cell ticket as well as on the warrant. Thus the register no. 37 can also be abolished.

8. Column 4 of register no. 41 can also be omitted.

9. The register no. 49-A is quite enough. The register no. 49-B is superfluous. A remark column may be added to the register no. 49-A for showing the date of the make of ammunition.

10. The register no. 59 can be omitted. The register no. 64 is quite enough as service stamps and post cards are used in place of non-official stamps.

11. The register no. 62 does not serve the purpose owing to inadequate staff.

12. The register no. 66 is quite sufficient for entries that are at present made in register no. 67 hence the latter is needless.

13. The register no. 68 can also be abolished as there seems to be no necessity of entering treasury forms as is done in case of jail registers and forms which are received from the Naini Jail. Account of forms 15 and 16 can be kept in register no. 55 by inserting a line in it, as they are kept in iron safes.

14. The abolition of the register no. 68-A (establishment order book) will in no way affect the efficiency of the jail and so it can safely be dispensed with as the names of the jail officials are entered in the register no. 56, and leave and new arrangements, etc. in register no. 39.

15. The jail miscellaneous form no. 58 (circle clothing register) may also be abolished as the entries pertaining to the individual prisoners clothing is made in the history ticket and the account is maintained in register no. 19.

16. The jail miscellaneous form no. 59 (interview register) can also be dispensed with as the interview petitions are maintained.

17. The registers nos. 1 and 54 are quite sufficient for cash entries for the prisoner's cash deposit and the receipt for refund of money be taken in register no. 58 and so the jail miscellaneous form no. 67 can also be abolished.

18. Half the time can safely be saved by writing on carbon paper and thus duplicates can easily be made in the case of Factory Forms nos. 1 and 15 and 16 and 30.

19. The Factory Form no. 19 is seldom correctly prepared in big jails.

20. The Factory Form no. 26 can easily be abolished as the loss, etc. is shown in register no. 32. The Factory Form no. 28 is not necessary for all jails. Factory Form no. 29 is useless as numbers of prisoners working on one sort of labour can be ascertained from Factory Form no. 25.

21. The Jail Miscellaneous Register no. 60 is not necessary for smaller jails.

22. The Register A is useless as well as form "D" as it is duplication of accounts. If it is not possible to omit "D", Register "A" is useless as office copy of "D" is kept.

23. Half-yearly return regarding warder establishment is not necessary as monthly report of the punishments are submitted and personal files of warders are maintained by Central Jails. The monthly report of the alarm parade is also not very necessary as it is noted in the Jailor's report book.

24. It may also be noted and considered that the list of the under-trials awaiting their trials over one month can be had from the Police Inspector's office by the District Magistrate, thus it will also save Jail clerk's time. In this connexion it may also be added that the under-trial should be released in court by sending for them from the jail.

26. The list of convicts working on the oil press ceased to be maintained as no convict is put to this labour.

27. Building estimates to be prepared by an overseer in the head office; only the rates to be filled in the jails.

28. Factory Form no. 3 may also be abolished as payment can be made from Factory Form no. 2.

29. The Jail Form no. 44 (Executive Officer's receipt for rations) is not necessary in district jails owing to short staff.

30. The Jail Form no. 3 (List of History tickets) is not required in the district jails.

31. Literate prisoners should be allowed to each official and they may be allowed to work on various duties for copying work, etc. of ordinary nature.

32. If work of godowns is removed from officials it will greatly reduce their work. This can be entrusted to literate warders and accounts to be maintained by officials.

33. The hours of duties should be not more than eight hours a day for efficient working and should be so arranged that half of the officials may avail leave on Sundays and other Jail holidays. This can be done by increasing jail staff.

## APPENDEX C

## List of recommendations which will not entail any expenditure

*Staff*

1. Only graduates should be recruited for the post of Assistant Jailors and Vernacular Finals or an equivalent class of the English School for the post of warders.
2. The post of Deputy Jailors and clerks should be amalgamated.
3. Temporary posts which have existed for more than three years should be made permanent.
4. A revolver should form part of a jailor's kit.
5. Jailors should be allowed free licences for shot guns or revolvers.
6. Intra-mural warders on night duty on second watch, i.e., from midnight to unlocking should be exempted from drill in the morning.
7. Intra-mural warders on night duty should be exempted from sleeping inside the jail before or after their duties.
8. The Jail Department should have its own cadre of medical subordinates.
9. Medical subordinates recruited by the Jail Department may, if otherwise fit, be considered eligible for posts of whole-time Superintendents of District Jails.

*Classification*

1. There should be two main classes of prisoners—'Politicals' and 'Non-politicals'.
2. Non-political prisoners should be divided as follows :
 

(a) Casual	...	...	(i) Star Class.
			(ii) First Offenders.
(b) Habitual	...	...	(i) Ordinary habituals.
			(ii) Incurrible and Professionals.
3. Star class prisoners should consist only of those convicted of offences not involving moral turpitude of a very callous nature.
4. Classification of all prisoners should be done by courts.
5. There should also be a classification of jails.
6. The present "A" and "B" classes to be abolished.
7. Those prisoners who are accustomed to a better mode of living outside the jail may be permitted by the Government, on application, the privilege of better food as issued to present "B" class prisoners on payment of the difference in cost of the "C" class and the "B" class food but there should be no difference in the matter of residence, clothing and labour.

*Prison Labour and Manufactures*

1. (a) The following percentage of prisoners must be employed in factories :
 

(i) Minimum percentage for Central Prisons	...	...	45 per cent.
(ii) Minimum percentage for first class District Jails	...	...	35 per cent.
(iii) Minimum percentage for II, III and other jails left to the department.			
- (b) No jail should employ below the fixed percentage and if any jail is unable to do so it must inform the Inspectors General of Prisons and give reasons.
- (c) Jails failing to employ the minimum percentage of prisoners will be liable to punishment and those employing more will be rewarded.

2. As in other provinces all purchases of yarn should be done by the Inspector General of Prisons in consultation with the Stores Purchase Department or its nominee. The purchase of wool should be done on the basis of six-monthly contracts instead of annual.

3. All Government departments should be asked to make their purchases from jails only for such products as are produced in jails.

#### *Offences and punishments*

1. The sentence of solitary confinement by Court should be abolished.

2. Flogging as a jail punishment should be inflicted only in cases of proved violence or mutiny or incitement thereto and should be inflicted only after the approval of the Inspector General of Prisons.

3. The punishment of cross-bar fetters should be restricted and the period of imposition reduced to seven days. It should not be given in more than 3 to 5 per cent. of the cases and in the course of 5 years should be completely abolished.

#### *Dist, clothing and bedding*

There should be variety in the morning meal.

#### *General*

1. A system of *panchayats* should be introduced in jails.

2. Lectures on health and other suitable subjects illustrated by lantern slides should be arranged in all jails.

3. The privilege of earning good conduct remission, which is at present restricted to convicts who are undergoing substantive sentences of rigorous imprisonment for six months or more should be extended to convicts undergoing sentences of three months or more.

4. A prisoner having no punishment for three years should automatically get two months' good conduct remission.

5. Interviews of convicts who have been punished should not be refused if interviewers have come from long distances.

6. Physical drill should be made compulsory for juveniles.

7. Prisoners may be allowed to sing for half an hour. Songs should be such as have been specially selected by the Head of the Department and no communal, sectarian or vulgar songs should be allowed.

8. A small committee be appointed to revise the Jail Manual.

9. Special arrangements should be made to separate under-trials who are first offenders from those who have previous convictions.

10. Under-trials should not be deprived of their shoes.

11. Female under-trials should, as far as possible, be kept in separate barracks, entrance to which should be through a separate door from that of the male portion of jail.

12. Prisoners on out-door labour should not be allowed, under any circumstances to be employed for private and domestic work of jail staff.

13. Female prisoners should be permitted to replace *churies* at their own expense.

14. Female convicts should be released in advanced stages of pregnancy and if they are lifers, on parole. As far as possible no child-birth should be allowed to take place inside the jail.

## APPENDIX D—(a)

## Financial Statement Itemwise

Serial no.	Items	Non-recurring	Recurring
		Rs.	Rs.
1	Assistant to Inspector General of Prisons ...	...	6,000 (for 1940-41)
2	<i>Whole-time Superintendents for first class District Jails—</i>		
	Eight Superintendents ...	...	24,000
2(a)	House allowance ...	...	4,800
3	<i>Staff—</i>		
	Sixty additional posts of Assistant Jailors ...	28,800	48,960
	Sixty quarters for the same ...	60,000	...
	Time scale pay for the existing warder staff ...	...	73,104
	Two hundred and seventy-seven additional posts of warders.	66,480	94,740
	Cost of 277 quarters for the above... ..	1,66,200	...
	Uniform of 277 warders ... ..	5,540	3,878
	Extra expenditure on warder staff being treated as superior for leave rules.	...	7,500
	Extra expenditure on female warders and warders if granted 3rd class tickets for self one fare for husband and one full or half for each child.	...	6,500
	Time scale pay for female warders... ..	...	6,672
	Bugler's allowance ... ..	...	144
	Supply of uniforms to apprentice warders ...	...	400
	Supply of umbrellas to warders ... ..	...	2,000
	Supply of jersey, great coat to female warders	1,200	250
	Supply of extra pair of shorts and two shorts to warders.	...	5,223
	Head office staff (anticipated) ... ..	...	12,000
4	<i>Training School—</i>		
	Building ... ..	1,20,000	...
	Staff and establishment... ..	...	18,540



Serial no.	Items	Non-recurring	Recurring
		Rs.	Rs.
5	<i>Borstal Institution—</i>		
	Building ... ..	8,00,000	...
6	<i>Labour and manufactures—</i>		
	Re-organizing old and introducing new industries.	75,900	1,55,206
7	<i>Agriculture—</i>		
	Pay of Agricultural Advisers ... ..	...	2,826
	Agricultural Colony ... ..	48,850	1,250
8	<i>Diet, Clothing and Bedding—</i>		
	(1) Morning meal for simple imprisonment prisoners.	...	500
	(2) Special diet in festivals days ... ..	...	1,200
	(3) Waist coat and woollen <i>topas</i> for prisoners over 50 years, convict warders, convict overseers, convict night watchmen	8,200	1,300
	(4) Reducing life cotton clothing for one year to nine months.	...	8,000
	(5) Substituting one <i>pyjama</i> for a <i>janghia</i> ...	...	1,500
	(6) Body oil for prisoners as protection against mosquitoes.	...	1,000
	(7) Provision for 3rd blanket ... ..	...	88,000
9	<i>Reformatory Influences—</i>		
	(1) Adult education and libraries ... ..	3,600	18,000
	(2) Supply of tobacco to prisoners ... ..	...	27,945
	(3) Conveyance charges for lecturers	...	8,000
	(4) Placards ... ..	1,000	...
	(5) Radio sets ... ..	3,000	1,000
	(6) Intimation of transfer to their relatives ...	...	725
10	<i>General Recommendations—</i>		
	(1) Facilities for further studies for Superintendents and Jailors.	...	1,000
	(2) Additional letters ... ..	...	3,000
11	<i>Re-armament—</i>		
	Purchase of muskets ... ..	24,480	...

## APPENDIX D—(b)

## Name of Head

*Prison Establishment*

Items	Non-recurring	First year's extra expenditure	Second year's extra expenditure	Third year's extra expenditure
	Rs.	Rs.	Rs.	Rs.
<i>Staff</i>				
Sixty additional posts of assistant jailors.	...	28,800	31,680	34,560
Sixty quarters for the same ...	60,000	...	...	...
Time scale for the existing warder staff.	...	1,660	1,660	1,934
Two hundred and seventy-seven additional posts of warders.	...	66,480	66,618	66,757
Cost of quarters for the same ...	1,66,200	...	...	...
Uniform for 277 warders ...	...	5,540	3,878	3,878
Extra expenditure on warder staff if treated as superior for leave rules.	...	7,500	7,500	7,500
Extra expenditure if warders, female warders are granted three 3rd class tickets for self one for wife or husband and one full or half ticket for each child.	...	6,500	6,500	6,500
Time scale of pay for female warders.	...	70	70	70
Bugler's allowance ...	...	144	144	144
Supply of uniform to 24 apprentice warders.	...	400	400	400
Supply of umbrellas to warders ...	...	4,000	2,000	2,000
Supply of jersey, great coat, etc. to female warders.	...	1,200	...	...
Supply of extra pair of shorts, and two shorts to warders.	...	5,223	5,223	5,223
Head office staff ...	...	12,000	12,000	12,000
<b>GRAND TOTAL ...</b>	<b>2,26,200</b>	<b>1,39,517</b>	<b>1,37,673</b>	<b>1,40,966</b>

## APPENDIX D—(c)

## Summary of financial statement, spread over a period of three years

Heads	1939-40		1940-41		1941-42	
	Recurring expenditure	Non-recurring expenditure	Recurring expenditure	Non-recurring expenditure	Recurring expenditure	Non-recurring expenditure
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
(1) Assistant to Inspector General of Prisons.	...	...	6,000	...	6,000	...
(2) Whole-time Superintendents for first class District Jails.	...	...	28,800	...	28,800	...
(3) Prison establishment.	1,39,517	1,40,000	1,37,673	86,200	1,40,066	...
(4) Training School	6,000	1,20,000	18,540	...	18,540	...
(5) Borstal Institution.	...	3,00,000	...	...	...	...
(6) Prison Labour and Manufacture.	88,576	47,100	54,870	23,500	61,760	5,300
(7) Agriculture in jails.	4,076	48,650	4,076	...	4,076	...
(8) Diet, clothing and bedding.	13,500	3,200	46,500	...	46,500	...
(9) Reformatory influences.	45,670	7,600	45,670	...	45,670	...
(10) General recommendations.	4,000	...	4,000	...	4,000	...
(11) Re-armament...	...	...	...	8,160	...	16,320
<b>GRAND TOTAL ...</b>	<b>2,51,839</b>	<b>6,66,550</b>	<b>3,46,129</b>	<b>1,17,860</b>	<b>3,56,312</b>	<b>21,620</b>

## APPENDIX E

## Reforms already introduced in the Jail Department since the advent of the Congress Government.

*Labour*

1. Every endeavour has been made to employ only those prisoners on hard labour, who are physically fit to execute their labour. Prisoners who lose weight or are below 100 lb. in weight are removed from hard labour like grinding corn. Prisoners who are physically incapacitated due to any serious infirmity or disease like enlarged spleen, hydrocele, have been ordered to put on distinctive clothing in order to eliminate any chance of mistakes. Prisoners who get blisters on hands are similarly removed. Hollow bamboo handles have been provided to mills in order to decrease chances of friction and formation of blisters.

2. Caster seed pressing in the Naini Central Prison by prisoners has been abolished.

3. Oil extracting and water lifting from wells by man power have since been abolished.

4. Proposal is under consideration to give some remuneration to prisoners employed on certain forms of labour for doing extra work.

*Industries*

1. A Director of Jail Industries has been appointed. Efforts are being made to introduce reforms and new industries in the jails. Under the supervision of two experts from the Industries Department, training of prisoners in spinning and superior blanket making is being done in Bareilly Central Prison.

2. *Khadi* spinning and weaving have been introduced in the Benares Central Prison and the weaving master has received training in weaving, etc. outside the jail.

3. Utensils for civil prisoners, silk *saries*, suiting and shirting cloth are now manufactured in the Benares Central Prison.

4. Government have sanctioned the training of dyeing masters in calico printing and to introduce it in the jails.

5. Government sanction has been applied for the manufacture of soap, ink and phenyle in the Bareilly Central Prison.

6. It is proposed to manufacture chalk crayons in jails.

7. A jail depot in Aminabad, Lucknow, to display and sell jail made goods has since been opened.

8. Government have sanctioned participation by jail factories in fairs and exhibitions.

9. Efforts are being made to start new industries such as sericulture, and metal factories.

*Reformatory influence inside the jails*

1. Delivery of suitable lectures to prisoners through the magic lantern by the officers of the Public Health Department.

*Notes.*—This year Government have provided funds for the purchase of magic lanterns, etc. and suitable lectures will be delivered at least in all the bigger jails through the agency of the Jail Department.

2. Encouragement of literacy amongst adult prisoners. A campaign and crusade against illiteracy has been launched and adult education started in all Central Prisons. Convict teachers have been appointed in every Central Jail to educate prisoners in their leisure hours and on holidays. Special remissions are granted as an incentive towards acquiring education to those who take interest and devote their time in studies.

Paid teachers have been appointed, two each, for a Central Prison, for imparting education to prisoners. Naini Central Prison has already got paid teachers.

3. Donation of books, etc, from the local gentry and the public-spirited persons have been invited through the Superintendents of Jails to improve the condition of jail libraries.

4. Introduction of physical exercises and games for the healthy recreation of "A" and "B" class prisoners has been sanctioned by Government.

5. Games and exercises are being introduced for "C" class prisoners in Central Prisons and it is proposed to have an inter-jail tournament in Lucknow of all Central Prisons.

6. "A" and "B" class prisoners are allowed to smoke *biris* and cigarettes at their own expense.

7. Smoking has been allowed to ordinary "O" class prisoners in one Central Jail as an experimental measure. If the experiment proves a success, it is proposed that *biris* and tobacco or *gur* to non-smokers to cost one pice for three days per prisoner will be issued. *Biris* at Government expense are supplied to the condemned prisoners.

Efforts are being made to cultivate tobacco in Central Prisons and in a few district jails. A *biris* factory has since been opened in the Fatehgarh Central Prison.

8. Good mottoes are now hung and printed on the walls of barracks, etc., at sufficient height as they will go a great way towards reforming the character of prisoners.

9. The following three Acts were passed by the Legislature this year :

- (1) The United Provinces First Offenders' Probation Act, 1938.
- (2) The United Provinces Borstal Act, 1938.
- (3) Prisoners' Release on Probation Act.

#### *Gardens and Farms*

1. Dairy and a seed farm have been started in the Lucknow Central Prison and it is contemplated to start the same in the Bareilly Central Prison and Rae Bareli District Jail as well in the near future if funds permit.

2. All available land in jails is being tilled for cultivation purposes, in order to increase the jail produce and also to train prisoners in the use of the latest agricultural implements and methods of cultivation.

#### *Establishment*

1. Arrangements have been made for the regular washing of uniforms of the jail warders in order to always give them a smart appearance.

2. Reduction of eight posts of Jailors in the Central Prisons and increase of 24 posts of Deputy Jailors were sanctioned in order to relieve the over-worked staff of Central Prisons.

3. Appointment of an overseer for the Jail Department has been made. He will check the estimates and it is expected, building work will be more economically done in future.

4. Change of the designation of Head Jailors of Central Prisons to that of Deputy Superintendent.

*Prison Hygiene and Medical Administration*

1. Mustard oil and soap is supplied weekly to Sikh and other male prisoners who keep their hair long on religious grounds.
2. Body oil is issued to prisoners in the winter months to improve the nutrition of their skin.
3. Certificates of proficiency in the First Aid are granted to prisoners of good character and intelligence who are taught the First Aid and Hygiene on Sundays and holidays in the Central Prisons.
4. Appearance of Jail Hospitals has been brightened up and suitable scenery pictures, etc., are hung up on walls, and hospital gardens improved.
5. A comb for their hair, 1 chhatak of soap and 1 chhatak of mustard oil are provided to every female prisoner per week. One or two looking glasses have also been provided in each ward.

*Clothing and Bedding*

1. Scale of clothing allowance for civil prisoners has been reduced due to fall of prices in the market.
2. Government sanction has been asked for, for the issue of a *pyjama* in place of *janghia* to prisoners to protect their legs from cold and to improve their clothing. This has since been sanctioned.
3. One of the most important needs of a prisoner in winter was to be provided with enough clothing to protect him from cold. Two jail blankets were considered wholly inadequate for the purpose and an additional blanket has been supplied to each prisoner in cold weather. This alone is a great achievement as it was computed to cost about a lakh of rupees.
4. In summer prisoners had nothing to cover themselves from mosquitoes, flies and insects. A *chaddar* has now been provided to all prisoners throughout the province.
5. *Sari* dress for females has been introduced in the Lucknow Central Prison as an experimental measure.
6. Hospital clothing has been improved.

*Non-Official Visitors*

1. All members of the provincial Legislature who represent urban or rural constituencies are now *ex officio* visitors and members of the boards of the District Jails and Central Prisons situated within the limits or at the headquarter district or districts of their constituencies.
2. Lady non-official visitors to jails have also been appointed in most of the jails.

*Dietary*

1. In order to break the monotony of the jail diet, variety has been introduced in the ration given to prisoners early in the morning. Instead of issue of parched gram day in and day out every morning, orders have already been issued to all prisons to give sweet *dallia*, boiled and fried gram, *gur*, etc., thus giving them daily change.
2. Issue of fruits to the value of annas 2 per diem thrice a week to each superior class of prisoners has been sanctioned.
3. Arrangements have been made to ensure variety in issue of *dals*.

*General*

1. Closure of the Lucknow Central Prison for the casual juveniles and their concentration in the Naini Central Prison, where proper facilities for their education, etc., under paid teachers exist.

2. A jail delivery was sanctioned by Government to reduce the population of jails.

3. Extra remissions were granted to revolutionary convicts at the scale laid down for C. N. W. and C. O's (not convict warders) from the dates they were eligible to these grades in all respects in order to compensate them for being debarred from promotion on administrative grounds.

4. Efforts are being made to keep each class of prisoners separate from others.

5. In order to avoid inconvenience to relatives and friends, prisoners on transfer from one jail to another are allowed to write a letter to their home notifying their change of address even if they are not entitled to write a letter under the rules.

6. Committees were appointed in Central Prisons and the Sultanpur District Jail for the examination of the cases of old and infirm and tubercular prisoners for premature release. The proceedings of the Committees were submitted to Government, who after due consideration of the recommendations, etc., sanctioned the release of 350 old and infirm prisoners from Central Jails and 44 Tuberculosis prisoners from Sultanpur District Jail.

7. Provincial and District Committees of the Aid to Discharged Prisoners have been formed for the after-care of released convicts.

8. Concentration of "B" class revolutionary prisoners in the Lucknow District Jail.

9. Several political prisoners were released before expiry of their sentences.

10. Closure of certain jails. It is expected that the average jail population will reduce to 20 per cent. less than usual. With this end in view Government closed some three (3) jails which are located at a thickly populated city or outside the district headquarter.

11. Government have provided funds for the segregation of prisoners. The scheme at present mainly aims at the concentration of incorrigible habituals in the Bareilly and Naini Central Prisons and casuals of very good character (star class) in the Lucknow Central Prison and ordinary casuals in the other three Central Jails.

12. Previously there had been some misinterpretation of the rules regarding the facilities of interviews of newly convicted prisoners with their friends, relations or legal advisers, but now definite orders have been issued that unless the Superintendents of the Jails suspect that the privilege in being abused reasonable facility should be given to the legal advisers, friends or relatives in the matter of interviews of such prisoners where cases are pending in the courts.

13. Orders have been issued that all under-trials of Sessions Courts should be paraded separately from those of Magistrates Courts on daily visit of the Superintendent and at all inspections and visits of officials and non-official visitors, etc.

14. To guard against escapes, etc., from outside gangs, it has been ordered that in all gangs comprising of twelve men there should always be two convict overseers, i.e. the gang should consist of ten convicts and two convict-overseers to assist the warders.

*Juveniles and adolescent delinquents*

1. A music class has been established in the Bareilly Juvenile Jail, where the students, are learning common songs and practice to sing them with the harmony of a drum played upon by a juvenile convict. They learn by heart a few good songs approved of by the Superintendent of the Jail.

In addition 'Mass Singing' of a common prayer on non-communal lines has also been introduced.

2. It is an admitted fact that a large number of convicts adopt agriculture after release and in order to enable us to show the boys the latest methods in agriculture a small model agriculture farm has been started in the Bareilly Juvenile Jail. With the co-operation of the Deputy Director of Agriculture the class is taken up by the Inspector of Agriculture, Bareilly twice a week for an hour. The boys are permitted to make notes and take them away with them on release.

3. Religious teachings in Hindu and Muslim theology are also imparted to the inmates of the Bareilly Juvenile Jail. The Hindus are taught *mantras* with meaning and elementary ideas of their religion and the Muslims *kalma* with meaning, the elements of *namaz* and something of their religion.

4. Boy Scouts training is given to the juveniles of the Bareilly Juvenile Jail and the boys can now play football, volley-ball, basket ball, etc. In addition Indian games like *kabaddi* some races and other games have been introduced.

5. Female juveniles in the Lucknow Central Prison, besides being given literary instruction are given training in handi-crafts, needle work, embroidery and crochet. A temporary female teacher has been employed for the purpose.

6. When a depot for the sale of jail made goods was opened in the market of Aminabad, Lucknow, the boy scouts of the Juvenile Jail, Bareilly, displayed all sorts of physical feats and *lathi* play, etc. before the public which was a unique thing in the annals of jail administration.

*Political prisoners*

1. Orders have been issued that "B" class revolutionary prisoners may prepare the menu of eatables for the different days of the week provided the present expenditure on their diet-vegetarian or non-vegetarian is not exceeded.

2. Orders have been issued that there shall be no restriction in the matter of supply of books, newspapers and periodicals to political prisoners irrespective of their class whether A, B, or C. They are permitted to have such publications at their own cost. All books which have neither been forfeited nor whose entry in the country is banned are allowed to the prisoners.

One daily newspaper, selected by the majority of the prisoners may be supplied at the cost of Government.

In case some prisoners do not understand English and the majority of prisoners want an English paper or *vice versa* the minority should also be provided with vernacular or English newspapers as the case may be at the expense of Government.

3. Now all interviews with political prisoners are supervised by Jail Officials and not by the C. I. D. or Police Officers.



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To

THE HON'BLE THE PREMIER,  
UNITED PROVINCES.

SIR,

Our Committee was appointed under Government D.-O. letter no. 226/A.C. dated March 28, 1938, with the following personnel :— Appointment and terms of reference

*Personnel*

- |   |     |                      |
|---|-----|----------------------|
| 1. MR. VENKATESH NARAYAN TIVARY, M.L.A. | ... | Chairman.            |
| 2. MR. RAHAS BEHARI TEWARI              | ... | } Members            |
| 3. MR. B. G. P. THOMAS, O.B.R., I.P.    | ... |                      |
| 4. BEGUM AIZAZ RASUL, M.L.C.            | ... |                      |
| 5. MR. GOPINATH SRIVASTAVA, M.L.A.      | ... |                      |
| 6. MR. G. A. HAIG, I.C.S.               | ... |                      |
| 7. MR. T. P. BHALLA, M.A., M.B., I.P.   | ... | Secretary and member |

2. Our terms of reference were as follows :—

- (1) Modification required in Government declarations and notifications under the Criminal Tribes Act.
- (2) Organization and means required for the reformation and reclamation of Criminal Tribes outside Settlements
- (3) Changes needed in the system and administration of Settlements with a view to ensuring the effective reform of the settlers and their subsequent absorption in the general community.
- (4) The agency to be employed for the reform and control of the criminal tribes in the Settlements and outside in the districts.
- (5) The probable cost of the proposed reforms.

3. The Committee held in all eight meetings, the first being on April 2, 1938, and the last on July 26, 1938. A questionnaire (Appendix II) was issued to selected officials and non-officials who have had experience of the work among the criminal tribes. They were requested to send their replies as early as possible. The committee also examined them orally. The rules, procedure and reports of the various provinces concerning the criminal tribes were also sent for and studied. Procedure

4. We beg now to submit our report embodying our conclusions and venture to express the hope that if early effect is given to the recommendations made by us, the problem of criminal tribes in these provinces will assume a different character. Up till now it has been treated as a problem to be dealt with by the police. The Committee would however approach it as a problem of social reclamation and absorption. The Criminal tribes are a legacy of unhealthy social environments and the wrong methods pursued through past centuries in dealing with them. They are not the sinners; they have been more sinned against. It is the belief of the Committee that if our proposals are adopted, the process of reformation and consequent absorption in the society of these tribes will be considerably accelerated. We are also satisfied that if our recommendation regarding the revision of notifications is given effect to in a liberal spirit, the number of registered and notified members of criminal tribes will be considerably reduced and thus a very large body of persons who are today branded as criminals through no fault of their own will become free citizens of the society.

5. It is a matter of deep satisfaction to us that our report is an unanimous one and that it has been possible for the officials and non-officials alike serving on the Committee to agree upon a common approach to the subject and put forward recommendations based on the administrative experience of the officials and the detached outlook of the non-officials.

6. As regards the statements in Appendix I the Committee should like to make it clear that, while generally approving of them, they do not wish to make themselves responsible for all the items included in them, or for the detailed provision made under different heads or sub-heads thereof. Mr. Bhalla was kind enough to prepare these statements; and they have been used by the Committee to illustrate in a general way the financial implications of our recommendations.

7. The Committee are glad to place on record their sense of high appreciation of the assistance rendered to the Committee by Mr Bhalla whose knowledge of the subject and willingness to place it unreservedly at the disposal of the Committee were of invaluable help to the members of the Committee.

We have the honour to be,

SIR,

Your most obedient servants,

VENKATESH NARAYAN TIVARY.

B. G. P. THOMAS.

RAHAS BEHARI TEWARI.

GOPINATH SRIVASTAVA.

G. A. HAIG.

K. AIZAZ RASUL (BEGUM).

T. P. BHALLA.

July 26, 1938.

## Report of the Criminal Tribes Committee

The Criminal Tribes constitute a unique feature of the criminal administration of India. They neither resemble the plundering Bedouin nomads of Iraq, nor the wild tribes of the North-West Frontier, nor the modern criminal gangs of America. The gypsies of Europe during the 17th and 18th century were perhaps their nearest approach.

A brief history of the criminal tribes

2. Sufficient data have not yet been collected to determine exactly the origin of the various criminal tribes and theories have varied from the criminal tribes being of the same stock as the European gypsies to their being descendants of the aborigines of old. Ethnology, tribal tradition, organization, religion and history throw some light on the general conditions under which the criminal tribes have grown up in India.

3. Ethnologically a large number of the tribes with their dark complexion and low foreheads appear to fall within the category of the aborigine though some of them such as Gujars are obviously the descendants of the invading Yu-h-chis and Sakas of the first five centuries of the Christian era. There are also a number of persons both male and female in almost every tribe who resemble the higher caste Hindu in their features. Indeed a number of tribes claim Rajput descent and bear Rajput clan names. It, therefore, seems that the Criminal Tribes are of mixed origin. To the criminal stock fresh numbers seem to have been added by the fallen members of the higher castes.

4. In religion too the old animism of the tribes has been superimposed by Hinduism and its caste system. The "Dasys" of the Vedas were conquered by the Aryans and submitted to the Aryan culture and religion but the more refractory among them apparently did not submit and continued in wandering bands but could not entirely escape the effects of the prevailing culture of the country. The caste system further strengthened the tribal organization and prevented the tribes from being absorbed in the general population. The men of the higher castes who joined could not elevate the tribes to the level of their caste but had to sink to the level of the tribe. Thus each tribal group retained its exclusive identity and continued its profession of easy and idle life of crime.

5. The tribal morals and social conditions grew up in consonance with the profession of the tribe, e.g. the liaison of the women generally receives no disapprobation because it is a means of getting support from the more influential people and obtaining useful information. Similarly the nefarious crimes of theft, burglary, swindling, robbery and dacoity came to be regarded as laudable and proficiency in them led to the leadership of the tribe.

6. The economic life of the tribe depended mainly on its success in crime and thus a system of mutual insurance grew up under which the family of the deceased or imprisoned members received a share of the loot. In short, a vicious circle has grown up in which heredity, economic and social circumstances have all united to weld the tribes into crime guilds.

7. Our province has got its own criminal tribes though a few of these are to be found in other provinces as well. In the matter of commission of crime no province is, however, immune from depredations of one or more of the daring criminal tribes, a considerable number of which do not hesitate to use violence in the perpetration of their crimes.

8. The provinces with the largest population of the criminal tribes are the United Provinces, Bombay and the Punjab, the comparative population being about 14 lakhs, three lakhs and one lakh and a half respectively. Of these 41,016 are registered in the United Provinces, about 13,000 in the Punjab and 11,000 in Bombay.

Survey of methods employed in the past for the reclamation of the tribes

9. In 1871 the first Criminal Tribes Act (Act XXVII of 1871) was enacted "to provide for the registration, surveillance and control of certain criminal tribes and eunuchs". The Hon'ble Mr. Fitz James Stephen, who introduced the Act in the Council of the Governor-General stated that among its other objects it aimed to deal with "armed parties of criminals living in fortified villages, going about systematically to commit acts of violence". Amendments to the Act were introduced in 1886 and 1897 but it failed to effect that control over the tribes which was its intention. Firstly the power was centralized in the hands of the Governor-General in Council and secondly, no provisions existed to control the movements of the registered members of the tribe. In 1902 and 1903 the deficiencies of the Act were pointed out by the Police Commission and eventually in 1911 on the motion of the Hon'ble Mr. Jenkins a new Act was adopted by the Imperial Legislative Council. The first Act had served its purpose by focussing attention on the problem of the criminal tribes.

10. It is interesting to note that among the members who sat in the Select Committee on the Criminal Tribes Bill in 1911 were the late lamented Hon'ble Mr. Gopal Krishna Gokhale, the Hon'ble Syed Ali Imam and the Hon'ble Mr. Chitnavis whose liberal thought and opinion are too well-known to need mention. The fact that they gave consent to such a stringent measure shows that they must have considered it essential not only for the protection of society but for the reclamation of the tribes themselves.

11. The Act of 1911 was a vast improvement and dealt with the wandering as well as with the settled tribes and made provision for exemption of sections of criminal tribes which though originally criminal had settled down to honest lives. In 1919 the late Hon'ble Home Member Sir William Vincent called a conference of officials and non-officials including representatives of States and the recommendations of this conference together with the suggestions made by the Indian Jails Commission and the opinions of local Governments formed the basis of the amending legislation that was introduced in the Indian Legislature by the Hon'ble Sir James Crerar in 1923. The power to restrict movements to a specified area was delegated to local Governments and officers to be appointed by the latter while provisions were also made for the transfer of criminal tribes between provinces as well as between States and provinces. The transfer from a province to a state, however, was subject to the consent of the registered member or members.

12. Next year in 1924 the criminal tribes legislation was consolidated into a fresh Act by the late Hon'ble Mr. Khapardey and the motion was adopted practically unanimously. Apparently the non-official Indian opinion agreed to the strict provisions of the Act as experience had shown that not only it ensured the protection of the public but helped in the reclamation of the tribes themselves.

13. Briefly the provisions of the Act of 1924 including amendments up to September 30, 1933, may be summarized as below :-

The Act confers power on local Governments to declare by notification any tribe, gang or class as a criminal tribe and to direct the registration of all or some members of such a tribe and impose restrictions under sections 10 and 11 of the Criminal Tribes Act. Under section 10, the registered members of a criminal tribe are required to report their movements while under section 11 they may be restricted to a specified area or may be committed to a criminal tribe settlement. In practice the restrictions under sections 10 and 11 are applied only to refractory criminal tribes or to the more refractory members of a notified tribe, for instance, in the United Provinces out of a total population of nearly 15 lakhs of criminal tribes only 25,774 are liable to section 10 and 14,898 to section 11. Similarly though there is provision for drastic punishment under sections

21 to 24 of the Criminal Tribes Act except in cases of the most refractory members a much lesser punishment than the maximum is awarded. In short, the Act seems to have been administered with discretion and discrimination.

14. We should not, however, be understood to mean that the Act cannot be administered in a more liberal spirit and indeed the recommendations that we make later in our report are intended to liberalize the administration of the Act by increasing the facilities and means for the reclamation of the criminal tribes.

15. Simultaneously with the introduction of the first Criminal Tribes Act in 1871, active measures were adopted by Government for the reclamation of the criminal tribes. Aherias, Baurias and Haburas were settled in districts and effort was made to find work and employment for them. In 1909 the first settlement was founded in the United Provinces to keep the more turbulent and dangerous tribes under special restriction and to effect their reform. The Salvation Army were entrusted with the administration of the settlement and Government met its full cost. In the three provinces which have the largest number of criminal tribes, namely the United Provinces, Bombay and the Punjab a special staff was appointed for the administration of the criminal tribes. In the United Provinces the officer selected belonged to the Indian Police and in addition to his salary received a special allowance of Rs.200 per month. He was given the necessary clerical staff and four inspectors of police and was directly responsible to Government. Subsequently, however, he came to be attached to the C. I. D. and the importance of his office diminished. His staff of four inspectors was reduced to one inspector and until recently he had no Stenographer. His allowance was also cut down to Rs.100. The scope of his work, therefore, became restricted and more or less of a routine nature.

16. His duties in respect of criminal tribes are twofold: (1) control of settlements, (2) general supervision of the administration of the Criminal Tribes Act in districts. He has, however, no staff of his own in districts and he exercises supervision through his only inspector, who inspects the records pertaining to criminal tribes in the districts. The Superintendents of Police are mainly responsible for the administration of the Act and the reform of the criminal tribes in their districts. Under their control sub-inspectors especially appointed for the purpose maintain the records concerning the criminal tribes. Outside the six settlements, five non-official and one official, there is no agency for the reform of the tribes in the districts except the *panchayats* that have grown up particularly among the Pasis at the instance of the local police. Owing to lack of central direction and co-ordination these *panchayats* have had a haphazard existence and recently Government entrusted to the C. I. D. their organization and administration. But with an allotment of Rs.750 for *panchayats* among the criminal tribes in the whole province little can be achieved.

17. To sum up, except for 23 per cent. of the criminal tribes population committed to settlements adequate arrangements for the reform of 99.77 per cent. of the notified and about 82 per cent. of the registered population do not exist. The total annual expenditure including the pay and allowances of sub-inspectors criminal tribes section in the districts but excluding recoverable advances for commercial operations is about Rs.1,69,000, which can be hardly called adequate considering that this province has 46 criminal tribes and 39 mixed gangs with a total notified population of over 14 lakhs and registered population of 41,016.

18. In Bombay where the notified population is about 300,000, and the registered population only about 11,000, i.e. slightly above one-fourth of the United Provinces figures, Government have an elaborate staff consisting of an I.C.S. officer drawing senior scale pay with a special allowance of Rs.150 per mensem and a headquarters staff with three gazetted officers, one office superintendent, one auditor, one accountant and 10 clerks. As against six settlements in the United Provinces, Bombay has

11 run by official agency and four by non-official agency. The work of surveillance and control of the criminal tribes in the districts is vested in the district police and no special measures seem to have been adopted in Bombay for the reclamation of the tribes in the districts. The expenditure per year is about Rs. 3,17,300.

19. As in Bombay, so in the Punjab there is an elaborate staff of a Deputy Commissioner for criminal tribes as the officer in charge on special pay with two gazetted officers, one office superintendent, one head clerk, one accounts clerk, one stenographer, four senior clerks and 16 junior clerks, 16 probation criminal tribes officers, four clerks for probation officers and 16 servants as his assistants. They control the management of 10 settlements and exercise general supervision over 15 agricultural settlements and three colonies. The total cost to Government is approximately Rs. 4,32,000 per year while the criminal tribes in the Punjab number only about 13,000 registered and nearly 132,365 notified persons. Unlike Bombay the Deputy Commissioner in charge of criminal tribes is also responsible for reclamation work among the criminal tribes in the districts.

20. We think it is unnecessary for us to elaborate the point that as compared with Bombay and the Punjab though the population of our criminal tribes is nearly four times larger, the expenditure incurred is about one-third. We do not imply that no progress has been made among the criminal tribes in the United Provinces since the Act was applied in these provinces but we are definitely of opinion that owing to lack of machinery and adequate funds the progress has been slow and in spite of the operation of the Criminal Tribes Act during the last 68 years the problem is not near solution. In his annual report on the criminal tribes for the year 1936 the Assistant to the Deputy Inspector-General, Criminal Tribes Section calculated that the members of the criminal tribes were responsible for about 25,000 crimes involving a loss of about Rs. 6,00,000 a year in these provinces. The figures of 1937 show that 2,435 members of the criminal tribes were convicted under the Criminal Tribes Act, Indian Penal Code and Criminal Procedure Code, while there were 3,379 absconders. Considering that the members of the criminal tribes are hereditary and expert criminals and that the percentage of success in investigation in crimes concerning burglaries and thefts is very small it does not seem wrong to assume that the members of the criminal tribes are responsible for a very large number of crimes in these provinces. Their reform, therefore, is not only urgent from the humanitarian and moral point of view but also from an utilitarian aspect. Any expenditure incurred which may achieve the reclamation of the tribes will be doubly blessed and in our opinion should not be grudged. Moreover, there is little justification for the application of the strict provisions of the Criminal Tribes Act without an equally earnest endeavour being made for their reclamation.

#### Recommendations

21. We now come to our recommendations concerning our terms of reference. We make these, however, only in respect of hereditary criminal tribes and not of mixed gangs of ordinary criminals, who have been registered owing to their habitual association in the commission of non-bailable offences. Their numbers are negligible and as they do not in the main differ from other habituals, we do not consider the measures required for the reclamation of hereditary criminal tribes are necessary for them.

#### First term of reference

22. The first term of reference is to suggest modifications in Government declarations and notifications under the Criminal Tribes Act. We have not the necessary information to come to a definite finding whether all notifications should be cancelled or whether they should be modified and if so, in what manner? We are, however, in favour of modification of existing notifications and as regards the method by which this should be done, we consider that when material is gathered, each case should be judged on its merits and notifications modified (a) by excluding the area in which the tribe resides, or (b) by exempting families by name, or (c) by cancelling the modification altogether and only proclaiming the criminal families by name.

23. The collection of data in regard to each tribe in the district will necessarily take time and we have not considered it desirable to delay our proposals of reform in respect of the other terms of reference. Some of the members of our committee have personal knowledge of the criminal tribes and the statements of witnesses gave us sufficient information to justify us in laying down the general principle. The detailed examination of each case can subsequently be done suitably in the department itself. We, however, wish to make it clear that members of the tribes exempted from notifications should not be outside the benefit of our reform proposals. We think that for the first few years after their exemption they will require after-care so that there may be no relapse.

24. The second term of reference relates to the organization and means required for the reformation and reclamation of criminal tribes outside settlements. As with the exception of 1,881 and 1,578 registered and unregistered members respectively, the rest of the tribes numbering nearly 39,000 registered and 1,400,000 unregistered persons are spread out in the various districts of the United Provinces, the problem of their reform is the main problem of reform of the criminal tribes in the province. Even if complete segregation were desirable, we think, the prohibitive cost of such an arrangement, estimated at approximately 15 million rupees, precludes the possibility of reclamation by means of commitment of the tribes to settlements and reformatories. Means of reform, therefore, must be found in the villages themselves and the institution most suited to the village genius is the *panchayat*. The criminal tribes have already got their caste *panchayats* but unfortunately they have developed, owing to the circumstances of the tribes, into the main-stay of their criminal organization. Their "criminal" *panchayats* should be gradually supplanted by "reform" *panchayats*. The latter have been tried among the Parsis and the main obstacles in the way of their success that have been found are the following:—

Second term of reference

- (1) Hostility to reform of the more cunning and desperate members of the tribes, who monopolize the caste *panchayats* and use all methods from social penalties to violence and dishonest intrigue to cow down the better inclined members and keep them to the path of crime or at least to bully them into silence.
- (2) Abuse of *panchayats* by *panches*, local men of influence and dishonest police subordinates for their own ends.
- (3) Lack of resources for the economic, educational and social betterment of the tribes with the result that the *panchayats* have little to attract the members of the tribes.

25. We hope our recommendations which we make below will meet these difficulties. We contemplate a chain of organization from the village *panchayat* to the District *panchayat* in which the revenue staff, the police staff and other leading officials and non-officials will be closely associated to buttress it against the criminals of the tribes, who can be drastically dealt with and if necessary, committed to settlements to the encouragement of the better-behaved and discouragement of the ill-behaved members. At the same time the authority and prestige of the "reform" *panchayats* can be raised by consulting the *panches* in coercive as well as ameliorative measures concerning the tribe, e.g., preventive action, investigation, grants of scholarships to children, provision of employment or land to the unemployed members of the tribe, exemption from or relaxation of restrictions, etc.

26. The danger of abuse of the *panchayat*, we hope, will be met by our provision for the association of different interests therein, viz. members of the tribe, leading men of the locality, local officials including the police. These elements should ensure against any *panchayat* acting against the purpose for which it was created, while in the event of such a contingency arising, the Executive Committee

will have adequate powers to deal with the offending *panchayat* and its members. Inspectors incharge of a number of districts will be available to investigate cases of abuse as well as help in the organization of the *panchayats*. The privileges and honour of the post of the *panch* and *sarpanch* should also restrain holders of these offices from such misconduct as may lose them these posts.

27. As regards finding of land and employment for the unemployed members of the criminal tribes the District Magistrate as President of the District Committee and a Deputy Collector as the Secretary, we hope, will be able to give material assistance. The achievement of the Barwari officer, who is a Deputy Collector in the Gonda district, in finding 10,000 bighas of land for the members of the Barwar tribe gives us hope that similar achievement would be possible in other districts. The association of officials belonging to the health, agriculture, education, and revenue departments as well as Chairmen of the District and Municipal Boards and their Education Committees would also be of material assistance. Besides, we contemplate that paid *panchayat* officers should be appointed in each district where sub-inspectors incharge of criminal tribes sections exist at present. The *panchayat* officer will be able to help the District Committee in the organization and administration of the *panchayat* system. The work of keeping records of the criminal tribes which at present is done mainly by the Sub-Inspectors, Criminal Tribes Section we consider could be done by a literate English-knowing constable attached to the Prosecuting Inspector's office and the saving that will accrue from the abolition of the posts of sub-inspectors criminal tribes will more than cover the cost of the proposed *panchayat* officers.

28. As regards funds, we recommend that Rs.18,000 should be set aside for the organization and administration of the *panchayats*. Moreover, we hope the District Committees consisting of officials and non-officials will be able to raise local subscriptions from philanthropic persons. For education, apart from the usual provision of free-ships and scholarship made for the children of the depressed classes of which the members of the criminal tribes would get a share, we recommend the provision of a sum of Rs.16,000 for scholarships to their children. With these provisions, we hope, *panchayats* will be sufficiently attractive and opportunity will be created for bettering the economic condition of the members of the criminal tribes and at the same time dealing firmly and justly with those who refuse to improve. Means and men will be created in the tribes themselves for the promotion of their reform.

29. We now give the details of the organization and rules of the *panchayats* that we contemplate. Separate *panchayats* will be organized for each criminal tribe in the district unless its members are so few as to make it impracticable. The primary unit will be a village or a group of villages where 20 families or more belonging to a tribe reside. Over the primary unit will be the thana *panchayat* and the District Committee whose main duty will be to ensure the organization and efficient working of the primary units.

#### (a) Primary Panchayat

30. All adults will be members of the Primary *panchayat* and will elect five *panches* from amongst them, who will form the executive and will elect one of themselves as *sarpanch*. Meetings will be held fortnightly and the *panches* and *sarpanches* will try to make the *panchayats* the centres of social life of the tribe, and congenial village amusements, games and *kathas*, celebrations of festivals, etc. will be organized to make them attractive. Opportunity will be afforded to members to represent their grievances and the *panches* and *sarpanches* will try to remedy them where they can or will refer them to the thana *panchayat*. Social punishments or petty fines not exceeding Rs.5 on defaulting members and



rewards for good conduct will also be announced in the meetings. The *panches*, apart from these meetings, will utilize opportunities of sitting with the members round the village fire and impress on them the necessity of reform. The *panches* may divide responsibility amongst themselves by taking specific charge of a few families in their village and work especially amongst them in addition to their general work.

(b) *Thana Panchayat*

31. The jurisdiction of the thana *panchayat* will be the area of the police circle and it will consist of five *panches*, four of whom will be elected by *panches* and *sarpanches* of the primary *panchayats* and the fifth will be a non-official social worker if available, otherwise the Station Officer of the thana concerned. In any case, the Station Officer and other influential local officials and non-officials will be associated with the thana *panchayat* as patrons and friends of the criminal tribes. The meetings of the thana *panchayat* will be held quarterly and in them the working of the primary *panchayats* and means for their improvement would be reviewed. Patrons who are likely to be helpful should be invited to attend these meetings.

32. The thana *panchayat* will organize general meetings of the tribes twice a year and dates should be so fixed as to avail of the help of a gazetted police or revenue officer on tour in the locality who may also be invited to preside over these meetings. These general meetings need not be separate for each tribe. The agenda of these meetings may be as follows:—

- (i) Speeches explaining the advantages of reform, announcements of exemption from or relaxation of restrictions of well-behaved members as well as fresh registration and punishment of members who have misbehaved.
- (ii) Grant of Sanads and rewards for good work, if any.
- (iii) Announcement of any facilities in education, agriculture or employment obtained for the members of the tribes.
- (iv) Consideration of complaints from the members attending.
- (v) Any other matter admitted by the President as fit for discussion.

(c) *District Committee*

33. The District Committee will be the chief body responsible for the proper organization and administration of the *panchayat* system in the district. The District Magistrate, the Superintendent of Police and a Deputy Collector will be *ex officio* President, Vice-President and Secretary respectively. If a suitable honorary social worker is available, he may be appointed Joint Secretary. The paid *panchayat* officer will be *ex officio* Assistant Secretary. The members will consist of officials and non-officials, e.g. the local stipendiary officer in charge of Rural Development, Public Health Officer, officers of the education department, gazetted revenue and police officers and non-officials connected with institutions such as the Sewa Samiti, Harijan Sewak Sangh, Arya Samaj, Women's Christian Association and other bodies working for moral and social uplift as well as influential citizens, e.g. landlords and big employers of labour. The Chairmen of the District and Municipal Boards as well as of their Education Committees will be *ex officio* members of the District Committee. Ten members of the criminal tribes elected by *panches* and *sarpanches* of the primary and thana *panchayats* will complete the committee.

34. The District Committee will appoint an executive committee of not more than 11 members. Its office bearers will be the same as of the District Committee and the remaining eight members will be elected. Two seats would be reserved for members of the criminal tribes on the District Committee. The Executive Committee will hold quarterly meetings and the District Committee once a year. In the latter the members of the criminal tribes *panchayats* may also be asked to attend as spectators.

35. Among other things the Executive Committee will grant scholarships to promising boys and girls belonging to the criminal tribes who have been recommended by the officers of the education department, consider the means of finding land and employment for members of the criminal tribes, review the progress of the work done and lay down the future programme of work and deal with matters referred to by the thana *panchayats* or placed before it by the President. The President will have authority to remove any *panch* or *sarpanch* from his office and he will besides be responsible for ensuring that the grant given by Government is properly spent as also the donations and subscriptions collected from the public. Money raised by the *panchayats* in the shape of fines on the members will be left with the primary *panchayats* for expenditure on games and other social amenities. The paid *panchayat* officer as Assistant Secretary will keep all records at headquarters concerning the *panchayats*. He will organize the primary *panchayats* and attend as many meetings as he can and will inform the Secretary of any defects that come to his notice. He will also study the characteristics and social customs and *modus operandi* of each tribe and promptly bring to the notice of the Secretary any reasonable suspicions that he may have regarding the members of the tribes or their *panches*. He will have no right to interfere in the police investigation of cases nor in police surveillance over the tribes but he will have liberty to bring to the notice of the Secretary any abuses which may come to his notice.

36. The *panches* and *sarpanches* will be given a letter of appointment and distinctive badges of office on their election. The colour of the *safa* to be worn by them may be prescribed by the District Executive Committee. After election of a member as *panch* or *sarpanch* the restrictions under the Criminal Tribes Act should be removed in respect of him as far and as soon as possible. Their children should receive preferential consideration in the matter of grant of scholarships for higher, technical or literary education as they may be fit for. Similarly they should receive preferential consideration in the matter of employment and cash rewards should also be given for specific good work. If a *panch* or *sarpanch* misbehaves or does not do his duty properly, all or any of the privileges mentioned above may be forfeited, he may be removed from his post, be disqualified for election as a *panch* or *sarpanch* for any period considered fit by the President and may further be recommended for more severe restrictions under sections 10 and 11 of the Criminal Tribes Act.

37. The *panchayat* officer will maintain a *thanawar* register of *panchayats* together with the names of *panches* and *sarpanches*, a cash book showing income and expenditure and an order book containing the orders of the President and the Secretary. A register of minutes of the meetings of the District Committee and the Executive Committee will also be kept by him.

38. Elections will be held every three years. On the occurrence of a vacancy a fresh election will be held within three months. The retiring persons will be eligible for re-election. The District *panchayat* and the Executive Committee may frame any bye-laws which they find necessary.

39. As regards the *panchayat* officers, we recommend their recruitment by the Public Services Commission on the result of a competitive examination. The subjects prescribed for examination should be sociology with special reference to penology, history of criminal tribes, Criminal Tribes Act, Indian Penal Code and Criminal Procedure Code and general knowledge. A suitable number of the highest placed candidates should be further submitted to a medical examination (free of cost), a *viva voce* test and physical fitness test for which marks will also be given. Candidates who are obviously physically incapable of doing useful work as *panchayat* officers will be disqualified. During the *viva voce* and physical fitness test and the final selection the officer incharge

of the criminal tribes should be associated with the members of the Public Services Commission. The candidates at the time of examination should not be less than 24 years and more than 30 years of age. The pay of the *panchayat* officer should be Rs.60—5—120 with efficiency bar at Rs.100. They should draw the usual rates of travelling allowance. In addition to the *panchayat* officers, propagandists from among the members of the criminal tribes may be employed on a salary of Rs.25—24—40 per mensem. The post of *panchayat* officer should be pensionable and the post of propagandist non-pensionable but should have Provident Fund benefits.

40. The District Committee may utilize religious societies and social service bodies for carrying on active propaganda among the tribes. Religious propaganda, however, should be done on a voluntary basis through religious bodies professing the same faith as the tribes.

41. We consider that if Commissioners of Divisions and Deputy Inspectors-General of Police during their inspections of the district will pay special attention to the reform work among the criminal tribes in the district considerable impetus will be given to the movement.

42. The third term of reference relates to the changes needed in the system and administration of settlements with a view to ensure the effective reform of settlers and their subsequent discharge and absorption in the general community. Before we make our recommendations we consider it necessary to describe the existing system of settlements in the United Provinces. There are six settlements of which two, namely Fazalpur and Kalyanpur are industrial-cum-agricultural, one at Gorakhpur labour supplying and three, Sahebganj, Kanth and Aryanagar, purely agricultural though in the last named settlement industries on a small scale have recently been started. The Salvation Army run four settlements and the Arya Samaj one, while the Kalyanpur settlement is under direct official management. Conditions in the various settlements are more or less similar with the result that for the reformed settlers they are more strict and for the refractory settler less strict than desirable. For want of arrangements outside for reformed settlers, discharges from settlements have been few indeed. The settlers themselves are reluctant to leave the protection of and amenities of life in the settlements for an uncertain existence outside. Our opinion is that settlements should serve as a sort of clearing houses from which refractory members should emerge reformed, settle in the country-side, and eventually be merged in the general population of the area. We also consider it essential that the baneful influence of the refractory and dangerous settlers should be removed and there must be some sanction to act as a deterrent against misbehaviour in settlements. We, therefore, recommend that a Reformatory as in Bombay and the Punjab should be established in these provinces and it should be located in one of the recently abandoned jails. We think the District Jail at Allahabad will be the most suitable as that city will provide a good market for the sale of goods manufactured in the Reformatory while it also has the advantage of a number of residents engaged in social and welfare work, who can be trusted to take an interest in the reform of the criminal tribes.

43. As regards children in the Reformatory, we recommend that they should be segregated from their parents and kept in a separate part of the building. The parents should, however, be permitted to see them.

44. The authority to commit a settler to the reformatory should be vested in the officer in charge of the criminal tribes subject to the approval of Government in each case. In our opinion a stay of three years in the reformatory is necessary for the reform of an inmate, after which period his case for transfer to an industrial, a labour supplying, or an industrial-cum-agricultural, or a purely agricultural settlement should be considered on the merits of his case. In the settlements the question of discharge should similarly be taken up after three years and if the settler is an industrial worker he should be encouraged to build his house outside

Third term of reference

How?

To meet object consider

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the settlement enclosure on land set aside for the development of a free colony which will be under the general supervision of the manager but without the restrictions of the settlement. The houses should be built on a standard pattern and a subsidy upto 50 per cent. of the total expenditure should be granted by Government to the settler. Small agricultural colonies consisting of 10 to 15 families should be founded for the settlement of discharged settlers who would prefer an agricultural life. These colonies should be in healthy surroundings where the influence of the local population is likely to be beneficial for the reclamation and absorption of the settlers in the general population of the village. As regards agricultural settlements we are of opinion that if all but a few settlers are reformed the settlement should be abolished and converted into a free colony to be kept under general supervision for a period after which all control and supervision should be withdrawn. The few settlers who have not reformed should be transferred to other settlements.

45. The experience of rapid reform among the gypsies who were settled in small numbers in the various districts as compared with that among the tribes concentrated in large numbers in one area, e.g. the Bauriahs, as well as the progress shown by the small agricultural colony founded at Sataran in the Moradabad district make us feel that in small agricultural colonies lies the key to a rapid reform of the criminal tribes. In small numbers they will be more susceptible to the influence of the honest population of the neighbourhood and will not be in a position to bully the peaceful citizens as they do in localities where they predominate. We are, therefore, of opinion that small agricultural colonies should be encouraged as far as possible. Initial subsidies including grants for purchase of tools and bullocks, house building and subsistence allowance for a period of six months will be necessary to induce the settlers to go to these colonies. It may be possible to get land for this purpose from landlords in areas which are not under cultivation and which they desire to be reclaimed.

46. The *panchayat* officer in the district and the District Committee will exercise supervision over the agricultural colonies and where their number is large a special officer may also be employed to look after them.

47. Assistance of religious and social bodies on a voluntary basis and if necessary, by grant of subsidies should be taken for the moral instruction of the members residing in the colonies.

48. To sum up, our recommendation is that instead of the uniform system of settlements which exists at present a graded system with the reformatory at the top and the agricultural colonies at the bottom should be organized. We do not consider it necessary that every settler must go through the *g. mul* of these various kinds of settlements. If a settler is good enough for an industrial or agricultural settlement, he need not be sent to the reformatory.

49. The fourth term of reference relates to the question of the agency to be employed for the reform and control of the criminal tribes in settlements as well as outside in the districts. We have already made our recommendations as regards reform in the districts under the second term of reference. As regards settlements, we would briefly note on the agency employed in Bombay and the Punjab where a larger number of settlements exist.

50. In Bombay, out of 15 settlements 11 are run directly by official agency and four by non-official agency. In the Punjab previously there were official as well as non-official settlements but since two years only official settlements exist. The advantages of settlements directly managed by official agency are expedition in work, central co-ordination and effective disciplinary control over the employees in the settlements. There is also the possibility of organizing a proper settlement service in which promotion and punishment may be so controlled as to create an incentive for better work among the employees. The experience of the Kalyanpur settlement of the United Provinces also indicates that they are cheaper to run. Non-official

Fourth term of reference

settlements, however, are also not without their advantages. Non-official agencies are in a better position to enlist public sympathy and raise subscriptions for the benefit of the settlers. They can also secure service of public-spirited citizens who may consent to work on an honorarium. We, therefore, are of opinion that both systems of management should continue. In the case of the reformatory we consider that it must be run by Government and as regards other settlements, we would prefer their management to be vested in suitable non-official bodies under Government control. We, however, consider that for the present at least one settlement also should be managed direct by Government.

51. We are strongly against any effort at proselytization being made in settlements as we are against any particular social or religious body being entrusted with a monopoly of their management in the province. In order to encourage healthy rivalry and obtain the benefit of different experience, the offer of suitable social and religious bodies for the management of settlements should be considered. The Harijan Sewak Sangh has made an offer regarding the management of the Gorakhpur settlement and we recommend that it should be carefully examined and if found acceptable in consultation with the Salvation Army authorities the management should be transferred to them.

52. As members of the criminal tribes are susceptible to religious influence we consider religious instruction to be a good means of their reform. Facilities, therefore, should be offered in the settlements for religious preachers of the same religion as the tribes to lecture to them on a voluntary basis. Such lectures, of course, will be delivered subject to the control of the manager of the settlement.

53. As regards the headquarters staff we consider that the officer incharge should be responsible for work not only in the settlements but also in the districts. Thorough knowledge of criminal tribes, their *modus operandi* and crime instinct, being essential for their proper understanding and reform and as the work in districts is closely associated with the police, we consider that the officer incharge of the criminal tribes work should be a selected Superintendent of Police to be attached to the headquarters of Government. In order to attract the best man and also to encourage the Superintendents of Police in the districts in the reform of criminal tribes the post should be made attractive and be classified as an important charge. He should be assisted by an adequate clerical and administrative staff including an officer of gazetted rank and inspectors incharge of groups of six to eight districts. The gazetted officer should be recruited either from the provincial police or other executive service or from non-official bodies provided the person selected has experience of reform among the criminal tribes. The inspectors in the beginning will be selected inspectors of police who should be granted a suitable allowance in addition to their grade pay. As the *panchayat* officers gain experience half the strength of the inspectors should be recruited from them and the question whether future recruitment should be exclusively from amongst them or from police inspectors as well should be decided in the light of experience gained.

54. The duties of inspectors will be of a two-fold character, (1) to inspect the records concerning the criminality of the tribes in the office of the Superintendent of Police and (2) to organize *panchayats* and other reform measures among the criminal tribes in the districts. They will also be expected to keep in touch with the management of the settlements and should have a general knowledge of their working. In short, the inspectors will be experts to assist the District Officers in the reform work as well as in the administration of the Criminal Tribes Act.

55. Pandit Rahas Behari Tewari raised the question of the sale of girls belonging to settlements by their parents for purposes of prostitution and desired that it should be prohibited. The committee commend the objective but are not sure how it can be attained without moral awakening in the tribe itself. The practice should, however, be discouraged as far as possible.

Miscellaneous

56. The other suggestion of Pandit Rahas Behari Tewari that hostels should be provided for the children of the criminal tribes in the settlements where they should be maintained free of cost, half of which should be subscribed for by the society in charge of the settlement and half by Government did not commend itself to the rest of the members of the committee for financial reasons.

57. Similarly his suggestion that the limit of dowry should be reduced from Rs.250 to Rs.100 was not accepted by the committee as it was found that it has not been possible to enforce even the existing limit.

58. As regards orphans belonging to the criminal tribes in and outside the settlements, we recommend that they should be sent to local orphanages approved of by Government.

59. Our last recommendation is that there should be a Standing Advisory Committee to be elected from both the houses of Legislature to advise on such questions as may be placed before it.

60. The fifth and the last term of reference is the cost of the proposed reforms. Separate appendices are attached giving detailed estimates of expenditure under the various heads and the totals are given below :—

	Rs.
1. Head Office establishment ... ..	51,456
2. Reformatory Settlement ... ..	19,569
3. Panchayat Organization ... ..	87,240
4. Loss on industries at the reformatory and tools and plants (non-recurring).	7,000
5. Agricultural colonies ... ..	25,000
Total	<u>1,90,240</u>

61. Adding the existing expenditure of Rs.67,586 on settlements the total expenditure on criminal tribes will come to Rs.2,57,834 which is far below the expenditure of over 3½ lakhs both in Bombay and the Punjab notwithstanding that our criminal tribes number three times as many as in the other two provinces.

62. The current expenditure on criminal tribes under the various budget heads is as follows :—

	Rs.
1. Jails budget ... ..	67,586
2. C. I. D. budget (includes pay of A. G. B. C. T. inspector, their travelling allowance and office).	21,176
3. Police budget (pay of 43 sub-inspectors in the districts average pay Rs.125 per mensem).	64,500
Total	<u>1,53,262</u>

63. We have proposed the abolition of the sub-inspectors criminal tribes and suggested that they should be replaced by English knowing proficient constables in the districts. As these posts were originally created for criminal tribes work we consider their cost in the police budget a legitimate share of the criminal tribes budget. Taking Rs.20 as average pay of proficient constables in the district, their cost in 45 districts where records have to be maintained comes to Rs.10,800. Adding this sum which will be a charge on the police budget and deducting Rs.1,53,262 the present expenditure, the additional cost of our proposed reforms will be Rs.1,15,372. If the non-recurring loss of Rs.7,000 on the industries in the reformatory is excluded as also the profit of Rs.10,000 made at the Kalyanpur settlement, additional cost of our reforms will be only Rs.98,372 per annum. In the first few years it is likely to be even less for our calculation of the pay of the staff is based not on their initial pay but on their average pay. An additional expenditure of Rs.25,000 has already been sanctioned this year by the Hon'ble Premier, so the balance required will be Rs.73,000.

64. In our calculations above we have not included the interest free loan of Rs.95,000 paid to the Salvation Army and the Aryanagar settlements for industrial operations nor have we included the recurring grant of Rs.60,000 to the Kalyanpur settlement for a similar purpose which is recouped each year. These

Fifth term of reference

sums are not really spent and so we have not classed them as expenditure. For the industries of the reformatory that we have proposed we consider that an advance of Rs.40,000 will be required for its commercial operations. This sum will, however, be recouped each year by the sale of products in the reformatory and there will be no actual expenditure.

65. The criminal tribes are a legacy of the past several centuries and cause the people of these provinces a loss of several lakhs of rupees a year. The expenditure incurred on their reclamation at present also does not bear its full fruit for it seeks merely to reform about 3,500 persons committed to settlements but neglects over 14 lakhs of notified and 39,000 of registered population spread out in the districts from whom the men in the settlements are drawn. Only the acute symptoms are treated and the main disease is left untouched. From the purely utilitarian point of view the necessity of rapid reform among the criminal tribes cannot, therefore, be gainsaid. On humanitarian and social grounds also the additional expenditure is essential as the criminal tribes constitute a blot on our society. We also think that there is no justification for the application of the stringent provisions of the Criminal Tribes Act unless adequate steps have been taken to achieve the ulterior aim of the Act, viz., the reformation and uplift of the criminal tribes. We venture to hope that our proposals will "aid to our resources to effect the liberation of the criminal tribes from the lives of misery, squalor and crime to which they have for many generations been condemned by circumstance, custom and heredity and their restoration to society as honest, industrious and useful citizens". Government spend large sums of money in relieving distress when an epidemic breaks out even though its ill-effect is fortunately only temporary. The criminal tribes have become a sort of permanent epidemic and, therefore, expenditure by Government and public co-operation are needed even in a greater degree in dealing with them.

66. We beg to give below a summary of our recommendations:—

(i) Government notifications in respect of the various criminal tribes should be modified on the merits of each case on the following lines:

- (a) by excluding an area in which a tribe resides; or
- (b) by exempting families by name; or
- (c) by cancelling the notification altogether and only proclaiming the criminal families by name.

(ii) Reform *panchayats* should be organized among the various criminal tribes with village as primary unit followed by the thana *panchayat* and the District Committee. Officials and non-officials and philanthropic societies together with elected representatives of the criminal tribes will be on the District Committee with Collector as President, Superintendent of Police as Vice-President, a Deputy Collector as Secretary and a paid *panchayat* officer as Assistant Secretary.

(iii) Sub-Inspectors, criminal tribes should be abolished and in their place constables should be employed to keep police records and *panchayat* officers should be recruited by the Public Services Commission for reform work. Besides, paid propagandists may also be employed as well as any voluntary agency that may be available for reform propaganda among the tribe

(iv) *Panches* and *sarpunches* should be encouraged by grant of concessions.

(v) A grant of Rs.18,000 should be made for the organization of *panchayats* and Rs.15,000 for the grant of scholarships to the children of the criminal tribes.

(vi) Instead of the existing uniform system of settlements a graded system with reformatory at the top followed by industrial, labour supplying, industrial-cum-agricultural settlements and free agricultural colonies at the bottom should be organized. It is not necessary that every settler must go through the *gamut* of these various settlements but it is intended that there should be progressive treatment and eventually the settler should be left in the agricultural colony to be absorbed in the general population.

Summary of  
recommendations  
1st term of  
reference

2nd term of  
reference

3rd term of  
reference

(vii) The District Jail at Allahabad should be utilized for housing the reformatory.

4th term of  
reference

(viii) Under the third term of reference the agency required for reform outside the settlements has been mentioned. As regards settlements, both official and non-official agency under official control should be utilized for their management. The reformatory must be run by Government and of the other settlements at least one should be under direct Government management. No single philanthropic society should be given monopoly of management of settlements and offers from agencies like the Harijan Sewak Sangh should be considered

(ix) No effort at proselytization should be made in any settlement but religious instruction through preachers belonging to the same religion as the settlers should be given in the settlements on a voluntary basis.

(x) The officer incharge of the criminal tribes should be attached to Government headquarters instead of the Criminal Investigation Department and he should be assisted by adequate clerical and administrative staff including an officer of gazetted rank and inspectors incharge of groups of six to eight districts. The officer incharge will be responsible for the reform of the criminal tribes both in and outside settlements. He should be a Superintendent of Police. The duties of inspectors will be to organize *panchayats* and other reform measures among the criminal tribes in the districts within their jurisdiction and also inspect records concerning the criminality of the tribes in the police office in the district. In short, inspectors will be experts to assist the District Officers in the reform work as well as in the administration of the Criminal Tribes Act.

5th term of  
reference

(xi) The probable cost of the proposed reforms will roughly be about a lakh of rupees per year (*vide* Appendix I on page 15).

Conclusion

67. In conclusion we offer our thanks to those official and non-official gentlemen who sent us their written statement in reply to our questionnaire and subsequently appeared before us as witnesses. We also record our appreciation of the hard work which Mr. Khanna, Mr. Bhalla's stenographer did in addition to his ordinary duties in the anti-corruption department.

VENKATESH NARAYAN TIVARY.

B. G. P. THOMAS.

RAHAS BEHARI TEWARI.

GOPINATH SRIVASTAVA.

G. A. HAIG.

K. AIZAZ RASUL (BEGUM).

T. P. BHALLA.

July 26, 1934.



## APPENDIX I

## (1) Headquarters Establishment

				Rs.
1.	Average pay of S. P. incharge including a special pay of Rs.150 per mensem	...	...	1,150 per mensem
2.	Average pay the Assistant of gazetted rank including a special pay of Rs.50 per mensem	...	...	450 "
3.	Six inspectors average pay Rs.240 Special pay Rs. 60			
	Rs. 300 each	...	...	1,800 "
4.	Office Staff :—			
	(1) Head clerk Rs.130—6—180	...	...	155
	(2) Stenographer Rs.60—4—120	...	...	92
	(3) Accountant Rs.60—5—100	...	...	82
	(4) Five clerks at Rs.35—2½—60 each	...	...	240
	(5) One Daftari Rs.15—1—20	...	...	18
	(6) Six orderly peons (4 for G.Os and 2 for office) at Rs. 11 each	...	...	66
	(7) Telephone	...	...	15
	(8) Contingencies	...	...	20
	(9) G. O's travelling allowance	...	...	200
	Total	...	...	4,288 per mensem.
				or 61,456 per year

## (2) Reformatory settlement

Salary :—

				Approximate average Rs.
(1)	Manager Rs.200—10—350	...	...	287 per mensem.
(2)	Assistant Manager Rs.70—5—120	...	...	107 "
(3)	Accountant Rs.60—5—120	...	...	99 "
(4)	Industries Masters two, each at Rs.40—2½—60	...	...	110 "
(5)	Work Supervisors two, each at Rs.30—1—40	...	...	65 "
(6)	Jamadars two, each at Rs.15—1—20	...	...	34 "
(7)	Chaukidars two, each at Rs.12—1—15	...	...	28 "
(8)	Settler overseers at Rs.4 each	...	...	40 "
(9)	Four Sweepers at Rs.10 each	...	...	40 "
(10)	One peon at Rs.11	...	...	11 "
	Total	...	...	821 per mensem

Rs.821 × 12 = Rs.9,852 per year.

Contingencies :—

				Rs.
Lighting	...	...	...	150
Repairs to building	...	...	...	1,200
Postage...	...	...	...	100
Printing and Stationery	...	...	...	250
Medicines and sanitation	...	...	...	1,200
School expenses	...	...	...	1,500
Miscellaneous	...	...	...	200
Old and reformed settlers	...	...	...	500
Substantive grant for 50 boys at Rs.6 per mensem	...	...	...	3,600
New settlers grant	...	...	...	1,000
Total	...	...	...	9,700

Rs.9,700 + Rs.9,852 = Rs.19,552 net total.

**(3) Panchayat organization**

	Rs.
Thirty Panchayat Officers at Rs.60—5—120 each average Rs.90	... 2,970 per mensem
Twelve Propagandists at Rs.25 each	... 300 "
	<hr/>
Total	... 3,270

	Rs.
	$\text{Rs. } 3,270 \times 12 = 39,240$ per year
Scholarships for technical and higher education	... 15,000 "
Grants to Panchayats at Rs.500 each for 36 districts	... 18,000 "
Travelling expenses of Inspectors, Panchayat Officers and Propagandists...	15,000 "
	<hr/>
Total	... 87,240 "

**(4) Loss on Industries at the Reformatory and Tools and Plants**

	Rs.
(1) Provision for loss on Industries during the first year	... 5,000
(2) Looms and accessories	... 2,000
	<hr/>
Total	... 7,000

*N.B.*—(1) The expenditure under this head is non-recurring and losses will in course of time be converted into profits.

(2) An industrial advance of Rs.40,000 adjustable each year will be required to finance the industries.

**(5) Agricultural Colonies**

	Rs.
Grant for building houses, wells, etc. to the new colonies	... 25,000

## APPENDIX II

## QUESTIONNAIRE

1. Will you recommend modification of notifications under section 3, Criminal Tribes Act proclaiming a tribe as criminal by excluding from its purview the area in which the reformed members live or by exempting certain families or else by proclaiming the criminal members as gangs and exempting the rest of the tribe?
2. What in your opinion is the best means of reformation of criminal tribes living outside the settlements?
3. Do you think the introduction of the *panchayat* system among the tribes will be of help? If so, what should be the organization of these *panchayats*?
4. Do you think religious instruction of the tribes by teachers belonging to the same religion as the tribes themselves will be conducive to their reform? If so, would you entrust the work to private missionary bodies or else like religious teachers to be engaged by Government?
5. Do you consider there should be a graduated system of settlements from stricter to milder to which a member of a criminal tribe may be progressively committed till he is fit for discharge or are you in favour of one uniform type of settlement for all the members?
6. Do you think commitment to settlements should be by tribes, gangs or individual members or families or are you in favour of all these methods being employed as the occasion demands?
7. Is the number of settlements in the United Provinces sufficient? If not, how many and where and of what type new settlements will you recommend?
8. What in your opinion are the respective advantages and disadvantages of settlements run by private societies and official agency?
9. What arrangements will you recommend for the settlement of reformed settlers after their discharge?
10. Do you think the absorption of the members of criminal tribes into the general community is possible by creating small agricultural colonies consisting of 10 to 15 families spread all over the province or do you think large numbers should be concentrated in specified areas. What supervision and control do you think will be necessary in respect of both the schemes?
11. What form of religious instruction and through what agency will you recommend for the criminal tribes settlements and agricultural colonies?
12. What means would you suggest for the better education of the children of the criminal tribes? Are you in favour of separate schools for them?
13. To what extent and how should the educated boys and girls belonging to the criminal tribes be assisted by Government in settling down in life?
14. In what direction the assistance of the public should be invited to help in the reform of the criminal tribes?
15. Do you consider the recruitment of a separate service necessary for the reform of the criminal tribes both in and outside settlements?
16. Should the children of the criminal tribes be compulsorily separated from their parents and if so, what arrangements should be made for their education and up-keep?
17. Is it desirable and practicable to prevent the holding of the tribal *panchayats* in the criminal tribes settlements?
18. What arrangements would you recommend in the settlements for the up-keep of the orphans?
19. Have you any other suggestions to make or schemes to propose for the speedy reformation of the criminal tribes?

LUCKNOW :

April 25, 1938.

T. P. BHALLA,

Secretary, Criminal Tribes Committee.