

**CHAPTER - 1**  
**THE JAILS AND THE WOMEN PRISONERS**  
**AS THEY EXIST.....**

The state of Punjab is a prosperous region known for its industrious and hardworking people. But even as these tall well built people cope with numerous specific regional problems, accept changes and grow in a global world – the glaring fact that needs specific attention, is the growing incidence of crime and even more so - the growing incidence of crime committed by women. The changing nature and patterns of these crimes require serious consideration.

Most jails had little or no provisions for women to start with - later some arrangements were made to accommodate them. With the increase in women prisoners in each jail the area of confinement is deficient in many ways.

Taking up the region of Punjab, which is the focus of the present study, we find that all the prisons located in the various parts of Punjab do not have provisions to keep women prisoners. Only the District and Central jails, which are eight in number, have some provisions to keep women prisoners. There is one exclusive jail for women at Ludhiana, which houses only women prisoners. Once convicted, the women from all the other eight jails are supposed to be sent to this jail. However, a large number of under-trials are also lodged here.

Women are under detention in the **dowry act cases, drug trafficking- NDPS act, excise act, theft, murders due to family disputes and illicit relationships**. A majority of the women prisoners belong to the lower socio-economic strata, a few to the lower middle class and a very few belong to the middle middle class strata of society.

It needs to be mentioned that this section deals with conditions and the infrastructure, the environment and the space, as it exists in all of the nine jails of Punjab.

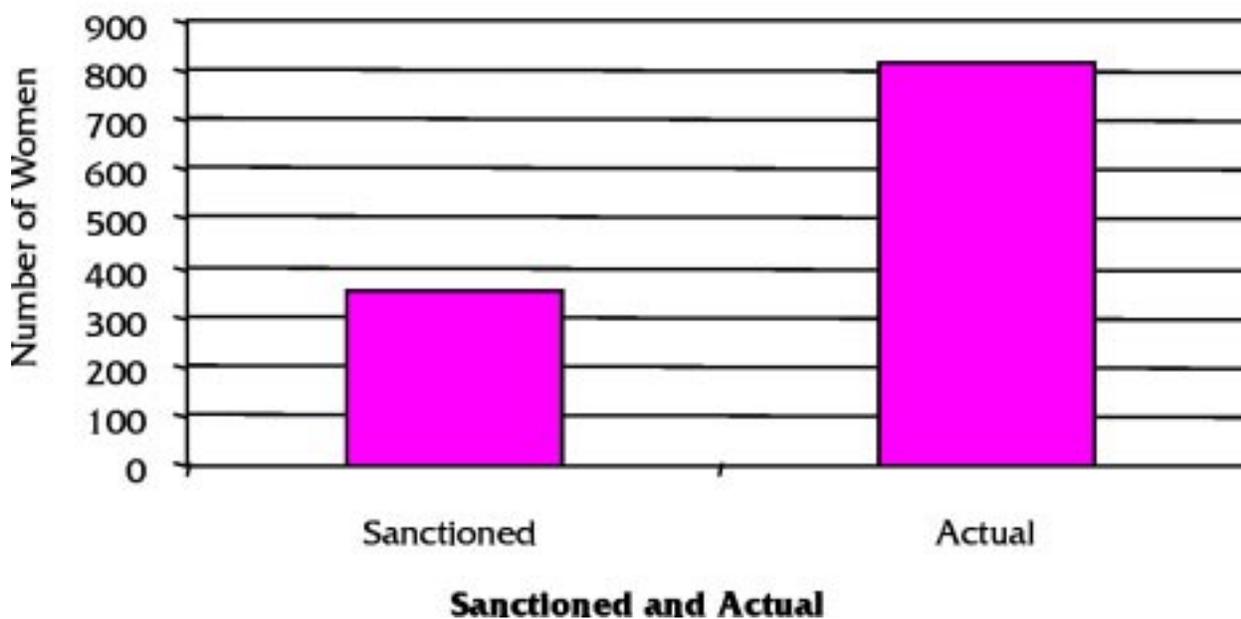
**1. The Women Prisoners**

There are **809 women prisoners** in the nine jails of Punjab. The sanctioned strength and provisions for keeping women prisoners in all the jails when taken together is 356. From among them, 197 are convicts and 612 are under-trials.

From the table given below, it is apparent that the actual, present strength of the inmates exceeds the sanctioned strength in all the jails. This number is more than double the original sanctioned strength and is therefore a pointer to the overcrowded situation in every jail.

<b>Name of the Jail</b>	<b>Sanctioned Strength of Women Inmates</b>	<b>Actual Strength of Women Inmates (On the Day of visit)</b>
Central Jail, Amritsar	35	127
Central Jail, Bathinda	08	41
Central Jail, Ferozepur	36	60
Central Jail, Gurdaspur	12	35
District Jail, Hoshiarpur	12	42
Central Jail, Jalandhar	25	69
Women Jail, Ludhiana	150	285
Central Jail, Patiala	18	64
District Jail, Sangrur	40	86
<b>Total Number of Women Prisoners</b>	<b>336</b>	<b>809</b>

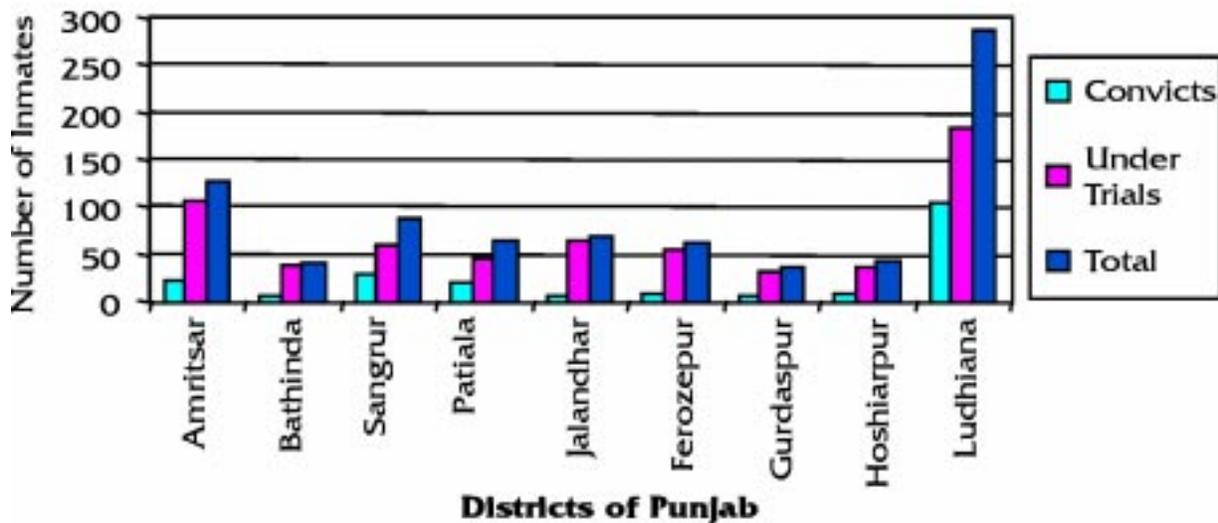
### Women In the Jails of Punjab



**The number of under-trials exceeds the number of convicts in the eight jails of Punjab.** Only at Ludhiana the under-trials, though a sizable in number are lesser than the number of convicts. The following table gives these details:

<b>Jail</b>	<b>Convicts</b>	<b>Under-Trials</b>	<b>Total</b>
Amritsar	22	105	127
Bathinda	4	37	41
Sangrur	27	59	86
Patiala	19	45	64
Jalandhar	5	64	69
Ferozepur	6	54	60
Gurdaspur	4	31	35
Hoshiarpur	8	34	42
Ludhiana	102	183	285
Grand Total	197	612	809

### **Women Inmates in jails of Punjab**



**There are No class 'B' prisoners in the jail because the Supreme Court has recently eliminated all category of classes.**

**For the purpose of analysis and generalizations the convicts and under-trials have been taken together, since they are not segregated or treated differently in any of the jails.**

A large number of women prisoners belong to the lower class category and a few to the low middle class category and a very small number to the middle class economic strata of society. A majority of them are illiterate and only a very few among the literate ones are qualified.

Very few women from other nationalities are prisoners in these jails. At Ludhiana, there is one woman from Pakistan and one from South Africa; at the Amritsar jail - there are 8 women from Bangladesh and one from Pakistan.

## **1.2 Convicts and Under-trials - A Few Differences**

- The Jail manual **Does Not** permit the Under-trials (men or women) to be allotted any work in the jail, while the Convicts do contribute in the working of the jail.
- Participation in Work Programmes or training programmes is also not compulsory for the Under-trials.
- The Convicts are given two sets of white khaddar suits and a duppata, once in a year. The Under-trials are not given any clothing because the jail manual does not allow it. They wear their own clothes and are allowed to keep 2- 4 sets of clothes. The convicts also wear some of their own clothes. The authorities are not very strict that the convicts should only wear white clothes.
- All other articles of use are given equally to all the inmates. They live together and are treated in a similar manner.

## **1.3 The Issue of Overcrowding in Jails**

- The foremost issue, which is the root of most of the inadequacies of the jail system, rests on the large number of women who have to be kept in the jails. **Overcrowding** is the major problem, which undermines the infrastructural and managerial services of the jail.

The **overcrowding** in every jail makes everything difficult - in terms of **resource allocation, management, and security arrangements, living conditions and providing for a larger and larger number of inmates.**

There are No arrangements to cope up with the numerous problems, which arise out of over crowding. The main reasons behind overcrowding are:

- (a) The **number of women criminals has increased** during the last two decades. Analogues, adequate arrangements for them are seriously missing.
- (b) Thus there is an increase in the number of women criminals and very little or no proportionate increase in the space allotted for their confinement.

- (c) The **increasing number of under-trials** who are lodged in the jails for long periods of time (one month to seven years) and **paucity of space**.
- (d) Since the provision for keeping women prisoners exists only in the Central and District jails, all the women who are to be kept in custody are brought from the neighbouring towns to the Central Jails / District Jails. This is another reason for overcrowding in the Jails.
- (e) **The number of incarcerated women who are under-trials is constantly increasing and is directly related to the Justice system.** Since the Judicial processes are tardy and it takes long, for the courts to decide cases, the under-trials have to be kept within the prison and they, then, become the **responsibility of the state and the jail**.
- (f) The criminal Justice system does not allow for speedy disposal of cases. In some instances the cases take 4-5 years to be decided and the individual who may or may not be sentenced has already served two to five years as an under-trial. In cases where the under-trial is not convicted, she becomes a faultless victim of the system of justice - neither the years of her life, nor the mental torment, nor the stigma she now carries can be purged and she becomes a social outcaste in many ways.

## **2. Living Conditions**

- In all the jails (except Ludhiana), a part of the jail premises have been converted into an enclosure, especially, for the women prisoners.
- This area is separated from the main jail building and is situated away from the area where men prisoners are lodged. The women are not allowed to move out of this enclosure without a female matron and they can do so only for specific purposes. They are either taken for Mulakats (interview with relatives), or when they have to be taken to the courts, the matron accompanies them to the gates and hands them over to the police guard, which always includes women constables.
- The gates of this enclosure are locked at all times and no one can enter this area without the permission of the Jail Superintendent.
- Even when the Jail Superintendent or the doctor visits this area, it is imperative for the matron to be present.
- There is privacy for the inmates, including when going to the toilet, during the day and at night.
- There are large rooms, as well as smaller ones, where women prisoners are housed.

- There is considerable overcrowding and the rooms are often swarmed with women, and congested.
- A number of the inmates sleep on the floor. Even in places where there are some beds, a number of women have to sleep on the floor because of lack of space.
- In every jail, the area in which women are kept is very small. Women are confined to this limited space:
  - (i) Often with no place to even walk, there is a complete lack of physical activity the result is, that their muscles become lax and they complain of pain in their legs.
  - (ii) In winter these aches and pains become worse and they tend to develop stiffness in their body. The older women tend to feel worse.
- Within this walled area, there is some open space in front of or around the barracks. This ground is often barren and uncultivated, with no grass or trees. During the day, the women sit around in groups.
- **There is no greenery, no trees or plants, no grass on the ground in any of the enclosures where women are kept. This makes the place look forlorn and bare. However, the main part of the jail, where men prisoners are kept, are fairly well maintained - there are enough trees and flowering plants in some of the jails.**

**The women prisoners - both convicts and under-trials live together, in this separate enclosure.**

## **2.1 The state of the Buildings**

- (a) Most of the buildings are old and in urgent need of repair.
- (b) The materials used in the buildings are old and outdated and the buildings seem to be rundown. Both the inner and outer walls in most of the buildings are badly maintained.
- (c) For example, the Jalandhar jail is 150 years old and almost unsafe to live in. The Gurdaspur jail is 100 years old.
  - **The Walls** inside the barracks are disfigured and in a shabby condition.
    - (i) The plaster on the walls is old and patchy,
    - (ii) White washing or any kind of repair has probably not been done for a long time.

(iii) This in itself makes the whole place look worn-out and dull.

- **The Floors** in each one of the jails are in an appalling state – the cement is old, worn-out and broken in many places, which gives the area a very unkempt look.
- The **Electricity fittings** are also in a poor condition. In many places there are No electric switches. This is a safety hazard.
- The number of **fans** is very less and it is hot and stuffy inside the barracks.

## 2.2 Kitchen

- **The Kitchen** in each jail is in a dilapidated state.
- Most of the kitchens have very little sunlight.
- The floors of the kitchen are broken in many places and the walls look rather dirty because of the grime and fumes deposited on them from the cooking process.
- Though some innovations have been made for kneading flour for chapattis, they are inadequate.
- The procedure of cooking the massive amounts of food is arduous and we could see men sweating over the huge pots of dal being cooked. This activity is carried on in hot and difficult conditions.
- There are no large sinks with running water required for cooking and cleaning.
  - (i) There are no adequate methods of lowering the temperature and reducing soot etc. caused by cooking.
  - (ii) **Nor** are there adequate facilities like **aprons and towels** etc. provided to the convicts who do all the cooking.
  - (iii) There is **no proper storage of water for cooking**.
- The cleanliness level of the kitchens is rather low.
- We also observed that there were bidi and cigarette butts outside some of the kitchens, which shows that the men who cook the food also smoke while cooking.
- **Each jail superintendent has tried to innovate and bring about some changes within the existing conditions, but they are far from adequate.**
- There are no visible provisions for fire extinguishers in cases of an emergency. This is a normal safety measure, which needs to be followed with firm intent.

### 2.3 The drainage system

- **The drainage system** is functional in most of the jails (as reported).
- The drains are cleaned periodically.
- But in some of the jails ( Jallundhur / Ferozepur), parts of the **drains are not covered**. This needs to be taken care of since it is unhygienic and can lead to mosquito breeding and the spread of disease.
- Some arrangements for an underground drainage system are essential.

### 2.4 Water Supply and Drinking water

- In some of the jails where there is a tube-well, the water supply is adequate.
- However in some of the jails, like the Ludhiana Jail, where there is no tube-well or pumps, the water supply remains inadequate.
- Also, facilities for storing water for use are deficient.
- Pitchers are provided to the women in their barracks to store water, in some of the jails.
- A few jails have water coolers for drinking water.

### 3. Food and Diet

- There is **No separate kitchen for the female prisoners in any of the eight jails**. (At Ludhiana, which is an all women's jail, the women cook food and manage the kitchen).
- Food is cooked in one main kitchen, which is situated in the area where men prisoners are housed. A few men convicts work in the kitchen and are responsible for all the food cooked in the jail.
- The quality and quantity of food, the number of meals and the times at which the meals are served, is in accordance with the jail manual. The jail manual prescribes the following scales of diet:
  - (a) Cereals: Atta-230 gms / Dal =35 gms,
  - (b) Non- cereal / Vegetables = 250 gms
  - (c) Milk- 50 ml / Tea -3 gms / Sugar - 40 gms
- **It needs to be mentioned that the time at which the food is given and the scales of diet, have not been revised or reformulated since the time when the jail manual was first written in 1896.**

- Special and extra diets are provided to the inmates on the recommendation of the doctor, but these have to be in accordance with the jail manual.
- Raw, uncooked food, dry rations and fruits are allowed from outside and the inmates often look forward to getting some extra vegetables and fruits from home. This they use to supplement the food they get in the jail.
- The women are allowed to cook their own food within the enclosure. Angithis are provided for this purpose, though they are in an uncovered, open area. They procure raw vegetables, either from the canteen or get them from their relatives and make a few things for themselves, especially those that are not available in the prison.
- There is a canteen on the premises of the jail, which provides things for the consumption of the prisoners. These include food items too.
- Women are not allowed to go to the canteen but can ask the matron to get them anything they need from time to time. Some of them buy milk or rice, potatoes, onions, sugar, tealeaves etc.

#### **4. Clothing and other items of use**

- The Convicts are given two sets of white cotton suits and a duppata once in a year. Since these two suits are inadequate, they do wear clothes brought from home.
- The Under-trials are not given any clothing because the jail manual does not permit it. The under-trials wear their own clothes and are allowed to keep 2- 4 sets of clothes.
- The Jail Superintendent and the Matrons mentioned that the women do like to dress up on the occasion of festivals and especially on Karva- Chauth / Dewali / Gurpleav, they wear good clothes and put on mehndi etc.
- **However, in most of the jails the women inmates told us in whispers, that they are discouraged to wear nicer clothes and asked to wear old and slightly worn out clothes.**
- **They are also not allowed to apply lipsticks everyday. It is therefore recommended that the inmates be allowed to wear the clothes of their choice and be allowed to put on make up, as and when they like.**
- The rest of the items of use are provided to both the convicts and under-trials in a similar manner.
- They are also given one bathing soap once in a month and soap and hot water on the weekends to wash clothes and toothpaste if required.

- Though the jail authorities do mention that the items of use are adequate for the inmates, **we recommend a reassessment and additions to the items of use provided by the jail authorities- the quality and quantity of soap needs to be reviewed and increased.**

#### **4.1 Bedding**

- The bedding supplied to the inmates includes, one thick sheet (khes), one dari and blanket and a quilt in winter. Both the convicts and under-trials are given the same bedding.
- If an older or a sick woman requires something more ( bedding), it is provided by the jail authorities on a need basis.

#### **5. Work Programme**

- The women inmates are **not** involved in any work programme – whether it is productive work or skill training in the eight jails. Only at Ludhiana, a few of them participate in work programmes.
- No menial duties are assigned to the inmates on an everyday basis.
- The under-trials cannot be given any work since the jail manual does not allow it.
- The convicts who can be given work are too few in number. The jail authorities, therefore, do not seem to be making the effort to involve these few women in any work programme.
- **The Superintendents however felt that if all the under-trials could also be involved in work, some work programmes could be run for all of them. This will be beneficial in two ways (a) the women will remain occupied, and (b) they will be able to acquire a skill, which they may be able to use as a basis for employment later.**

#### **5.1 Education and Literacy**

- There are No Facilities for imparting any kind of formal or informal Education to the women – neither any Adult Education nor any other kind of basic educational programmes are being run by the jail authorities or by any NGO.
- There are no provisions for compulsory education to be provided to the illiterate prisoners.

#### **5.2 Library Facilities**

- There is a one-room library on the jail premises, where there are some old books and daily newspapers to read. In Gurdaspur, the library is being run from a small place inside a Gurudwara.

- However, since the women cannot move out of their enclosure, they cannot go to the library. If they express a desire to read something, they have to request the Matron to procure the book they want to read. A number of them are not aware of the library facilities.
- Moreover, the books in the library look old and are very few in number and, therefore, inadequate.
- Though there are newspapers available for the men prisoners, in some jails women get one newspaper and in others not a single newspaper is sent to the women section. On our behest, the authorities promised to send one newspaper to the women section everyday.
- This is another area, which needs attention. One method could be to motivate the Public to donate books and magazines for the jail.

### **5.3 Recreational Facilities**

- In the women's barrack, there is one small black and white TV, which they watch with interest and is perhaps their link to the world outside.
- However, there is no cable connection. They can only watch the Doordarshan programmes.
- In all the jails, it was mentioned by the matrons that the women sing Bhajans / Shabads in the morning and evening and are involved in "Path" and "Kirtan" everyday. **Irrespective of religious affiliations, all the women participate in this and seem to find some solace in this activity.**
- This, then, becomes **a kind of group activity and all of them, irrespective of religious affiliations, participate** in such activities. The inmates themselves admit that this enables them to retain their sanity. **Whether it is repentance or prayer—they seem to derive some moral strength from this activity.**
- At times, they sing songs and perform "giddha" ( a punjabi folk dance). In some of the jails, they sang songs and performed giddha for us. Some of the songs reflect their life in the prison. This then, becomes a method of entertainment as well as a way of physical exercise.
- No Physical Fitness programmes, which may include a daily drill or yoga are carried out in the jail.
- Occasionally, spiritual programmes like, 'the Art of Living' are conducted for the inmates. **The Superintendents mentioned that they try to introduce spiritual**

**programmes, which focus on meditation, but discourage religious groups to interact very frequently with the prisoners.** The inmates did mention that they benefit from the spiritual programmes. However, very few of them continue to practice meditation on their own. Though they pursue religiosity, spirituality is not a very desired goal.

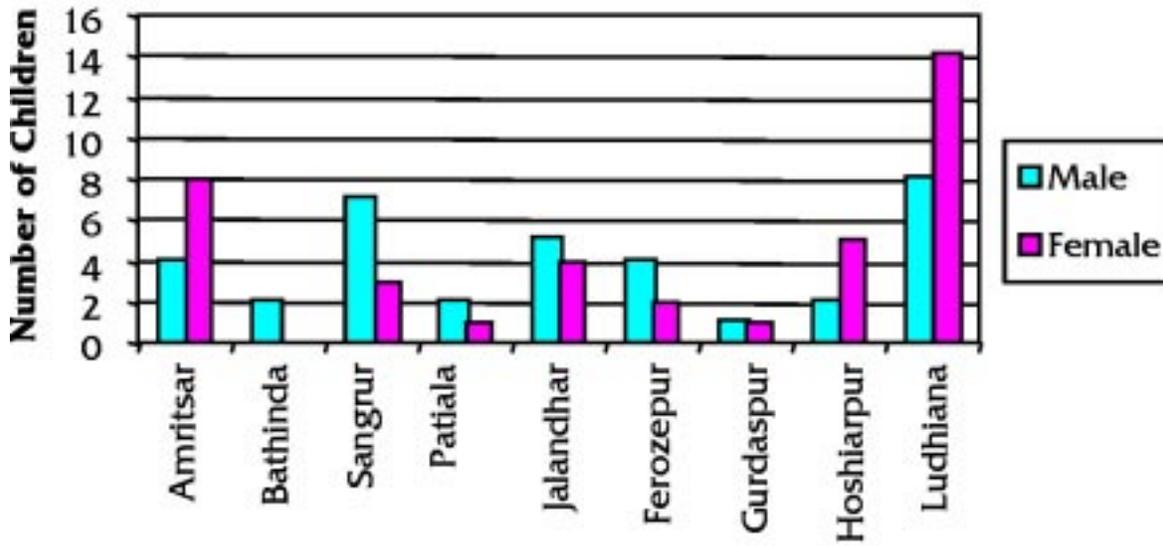
- The male prisoners do have the facilities to play basket ball / cricket/ and have access to a large open ground, women prisoners do not have any such facility.
- The women prisoners live in confined conditions and do not even have access to any indoor games. In one jail there is a carom board.
- **However there is a widespread notion and a belief that women do not need to play or do not participate in outdoor or indoor game. This may be culturally true to some extent, because sports do not form an integral part of the everyday lives of women in this part of the country. It is a cultural specific condition and needs to be viewed and understood in that context.**
- Since they have no responsibilities in the jail nor do they have to run a home, they should be encouraged to participate in some sort of games – indoor and outdoor.

#### **6. Children of Women Inmates**

The total number of children who are residing in all the nine jails with their mothers are as follows:

<b>Jail</b>	<b>Male</b>	<b>Female</b>	<b>Total</b>
Amritsar	4	8	12
Bathinda	2	0	2
Sangrur	7	3	10
Patiala	2	1	3
Jalandhar	5	4	9
Ferozepur	4	2	6
Gurdaspur	1	1	2
Hoshiarpur	2	5	7
Ludhiana	8	14	22
Grand Total	35	38	73

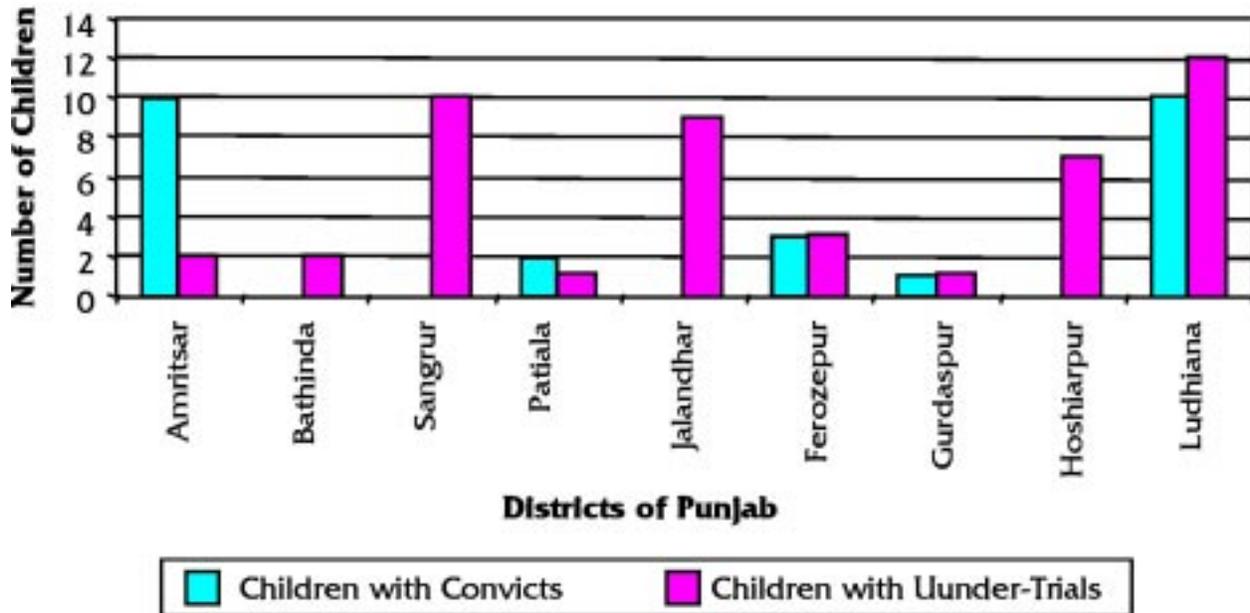
### Children in Jails



### Districts of Punjab

<b>Jail</b>	<b>Children with Convicts</b>	<b>Children with Under-Trials</b>	<b>Total</b>
Amritsar	10	2	12
Bathinda	0	2	2
Sangrur	0	10	10
Patiala	2	1	3
Jalandhar	0	9	9
Ferozepur	3	3	6
Gurdaspur	1	1	2
Hoshiarpur	0	7	7
Ludhiana	10	12	22
<b>Grand Total</b>	<b>26</b>	<b>47</b>	<b>73</b>

### Children with Convicts and Under-trials



- A child can live with his mother in the jail till the age of six, with the permission of the Jail Superintendent.
- After a period of six years, the children are sent back home with the relatives. They then get visiting rights according to the jail rules and they can come to meet their mother on the day of the interview.
- Besides, the other children, who live with relatives, also have the right to visit their mother in the jail.
- There is no separate accommodation or facilities for the children who live with their mothers in the jail.
- **The inmates prefer to keep the children with themselves and have never thought of an alternative since they believe that they will be able to take care of the child. They cannot part with the children. They are neither aware of, nor wish to talk about the fact that the jail environment is not a healthy or conducive environment for the growth of the child.**
- No diet supplements are given to the children in keeping with their special needs. They are only given an extra glass of milk.
- Nor are there any provisions for any games for the children.
- There are no methods of providing formal or elementary education to the children.

- The jail doctor takes care of the children in case of any illness.
- Inoculation of the infants is however arranged by the jail authorities.
- There is no pediatrician, who makes regular visits to the prison for medical care of the children.

#### **Comment**

- **Most of the women are unaware of the fact that the environment of the jail is not fit for the healthy growth of the children.**
- **All the women cling to the children and they cannot consider parting with them.**
- **Even when the children are undernourished and reach the school going age the jail authorities can make provisions for sending them to a Bal Niketan or similar institutions, the women DO NOT want to send them anywhere.**
- **The under-trials do not consider parting with the children, since they think that they will be leaving the jail soon.**

#### **7. Interviews with relatives**

- The method of interaction with family members is through periodic interviews, which the jail manual permits. Family members visit the jail to meet the inmates regularly.
- There is a separate area, towards the front of the jail, where the women prisoners are accompanied by the matron and taken for interview with their relatives.
- Convicts are allowed interviews ( mulakat) once or twice a week for a period of 30 minutes.
- Under-trials are allowed interviews (mulakat) twice / thrice a week for a period of 30 minutes.
- If both the husband and wife or more than one family member are in prison, they are allowed to meet once a week in the presence of the matron.
- During these mulakats, the inmates do get some time to talk, exchange their clothes and take whatever ( raw vegetables/ fruits) from their family. They then, cook them in their ward by purchasing wood from the jail canteen or with the left over chapattis.
- Interviews with lawyers generally take place in the court. But if there is a request from the inmate, she is allowed to meet her lawyer.
- The prisoners are also allowed to write and receive letters from their relatives (these are censored).

## **8. Health and Medical facilities**

### **8.1 Medical Doctor**

- There is **No Female Doctor**, in any of the jails, who is a permanent member of the jail staff. Even at the Ludhiana jail there is no lady doctor.
- There is only one male doctor, who is the medical officer of the jail, who is a permanent appointee, who takes care of all the inmates. He runs a small hospital on the jail premises but the women cannot go there. The doctor is supposed to visit the female section everyday or when he is required.
- A Gynecologist from the hospital to which the jail is attached, visits the jail once every week. Other Specialists (Skin, Dental, ENT) visit the hospital if required or the patients are referred to the hospital if the jail doctor finds it necessary.
- There are No Female nurses to assist the doctors or administer medicines or take care of emergencies.
- There is one Pharmacist on the jail premises, who is responsible for supplying medicines to the prisoners, which have been prescribed by the doctor.
- The availability of regular medicines is adequate as reported by the jail authorities.
- There is **No physical examination** of the prisoners once they enter the jail. The doctor merely records their general condition, without examination. If the prisoner is in the jail for more than a year no yearly check-ups or follow-ups are carried out. Neither are they tested for HIV/ AIDS during the first few weeks.
- There are no separate beds for sick and ailing women.
- Nor is there any provision for isolating women suffering from infectious diseases.
- However, some of the women inmates do suffer from chronic diseases. like hypertension, diabetes, heart ailments and are being treated regularly. The older women suffer from osteoporosis.
- There have been no reported cases of drug addiction among women prisoners, so the need for de-addiction does not arise. The de-addiction of men prisoners is carried out by the jail doctor within the small hospital of the jail. However, there is no special de-addiction programme nor is there the involvement of Alcoholic Anonymous for the purpose of de-addiction.
- Most jails, except the Ludhiana Jail have an ambulance, which is used to take patients to the hospital, as and when, required.

- The Jail authorities do make arrangements for the proper inoculation of the children, who are with their mothers.
- There are **No arrangements for Special Medical care for Physically Handicapped and Mentally Handicapped individuals.**
- There is **No involvement of any NGO** in the health care aspect of the women prisoners.
- Besides, there are **No Health awareness programmes** or other programmes for assistance to the women, organized in the jail.
- There are **No Counselors**, to whom the inmates can talk to, or who can give them some advice to overcome their anxieties and other emotional problems.
- We were told by a number of women that they are very depressed during the first few days when they are in prison. Gradually they do adjust to the jail environment, but periodically go into depression and suffer from anxiety. Often they are unable to sleep at night and suffer from insomnia. One of them said: “ **the day somehow goes by, but it is difficult to sleep at night – the night does not seem to end**”. The doctor often gives them sleep-inducing drugs, but this is merely a short-term treatment. **What they need is consistent counseling.**

## **9. Classification and Segregation of Prisoners**

- The women prisoners are not segregated on the basis of the crime. They are not classified on the basis of offence, for example - habitual offenders or prostitutes, or those involved in murder or in heinous crimes. They are not kept in separate custody nor are they separated from other inmates.
- Neither are they classified on the basis of the **length of sentence** accorded to them.
- Classification and segregation on the basis of Age is also not made. Therefore, **all the younger girls and women are housed together** with the older ones. All young prisoners between the ages 18 to 22 are kept along with the adult women. They stay in the same enclosure.
- The paucity of space also hinders their segregation, which is often essential since some of them can be a bad influence on the others or even lure them into other criminal acts.
- A large number of women in the jails, especially in Amritsar, Bhatinda and Sangrur, have been held under the NDPS Act (Narcotic Drugs and Psychotropic Substances Act). This area has a high level of smuggling and sale of drugs.

- (a) During the last few years there has seen a marked increase in the number of women in the drug trade.
- (b) The NDPS act also having become more stringent, a number of women are periodically caught under this act.
- (c) Also, the involvement of the Sansi tribe women in drug trafficking is rampant.
- (d) There are instances where individuals (both men and women) are caught in trying to supply drugs inside the jails. Often the methods used are novel and amazing. Women play a crucial role in the smuggling of drugs by pasting thin layers of these drugs on their thighs, under their clothes when they come back from parole.
- (e) Besides these, women have been detained in dowry death cases, murders of relatives, in trafficking of girls, excise cases etc.

### **9.1 Procedural Aspects**

- Female wardens and female policewomen conduct physical search of the female prisoners.
- If a female inmate has a problem against a jail official, she is allowed to use an external channel - her family, friends, or an NGO can file a complaint about a prisoner's situation with the authorities.
- **No corporal punishment is given to the women inmates**, neither are they kept in isolation or handcuffed by the jail authorities.
- **The Jail authorities have reported that there is no official delay in forwarding appeals of any of the inmates to the courts**
- **In cases where there are** older women or seriously ailing prisoners, **attempts are made for the** expeditious disposal of these cases for the purpose of premature release.
- The prison manual is supposed to be made available to the inmates. However, the jail manual is not available in any of the jails. Nor are the women aware of this. However, we did find that they are well conversant with the law. They themselves told us that they have learnt a lot and have acquired much more legal awareness and have become conversant with the processes of law, after being imprisoned.
- There is only a very small section of the jail manual that specifically deals with women and their special needs.

- The rights and privileges of the prisoners are not displayed in the women section of the jail. Neither are the women aware of their rights and privileges inside the jail. As mentioned earlier, they are acquainted with the law and the legal process.
- Once a week, the Jail superintendent visits the female section, and listens to their grievances / problems and tries to resolve them.

## **9.2 Legal Aid**

- Legal aid, which is free of cost, is provided to the female prisoners, if they cannot afford to hire a lawyer on their own or as and when desired by them.
- The female inmates are taken to the courts as and when required by the procedural system. A matron takes them from the enclosure to the gates and then, the women police accompany them to the courts.
- It was also found that the Free Legal aid provided to the women inmates at the district and session court levels is fairly adequate. But when the cases reach the High court level, it becomes very difficult to pursue them. Because of the low economic positions of the family, their relatives are unable to go to Chandigarh frequently to meet the lawyers. Therefore these cases take even longer to be decided.
- The authorities also mentioned that women inmates were aware of the jail manual. However, we found that none of the women was aware of it. On the other hand, they were well aware of the law and legal procedures.
- **There are no Provisions for Lok Adalats in any of the jails.**

## **9.3 Release on Parole/Furlough**

- **If a prisoner conducts herself in an appropriate manner and her conduct is good, then the Superintendent has the authority to grant her Parole and Furlough in accordance with the provisions of the jail manual.**
- **Parole is a period of 28 days of leave from the jail, granted after every six months.**
- **Furlough is a period of 14 days of leave, granted after the first 3 years. Subsequently, Furlough is given every year.**

## **9.4 Process of Release of the Prisoners**

- After the stipulated period of imprisonment, when the sentence has been completed, the relatives of the inmate are informed to come and take the woman from the jail.

- But if no one comes to fetch her, then, the woman is sent with the matron and a police guard to her home or the address on the jail records.
- There is, however, **no system of making any rehabilitation arrangements** for these women. The reasons given for this is that women go back to their homes and do not need to start a new life, elsewhere.
- **However, there are a few women whose circumstances and situations either do not allow them to go back home or they do not have a place to go back to. The jail is not attached with any such organizations, which can help these women.**

## 10. Management of the Jail

- There is **no separate cadre of women officers** in the Jail staff. Therefore, there are no women jail officers in any of the eight Jails. Except in Ludhiana, there are a few women officers and other women functionaries who run the jail efficiently.
- There is a separate ward for women prisons, which is managed by the **women jail staff**.
- There are **No women jail wardens / No women Doctors / No Psychiatrist nor women Counselors posted in the jail.**
- There are **two Matrons**, who are assigned to the female ward of every jail. They live on the jail premises and work in shifts, since one of them has to be on duty inside the ward at all times.
- Often, some help is taken from the older convicts whose behavior has been found to be good, to manage and help in the administrative activities of the women jail ward.
- The security staff and other functionaries also complained that there is a **stagnation of promotion** in their job and they are getting much less remuneration in comparison to the Police department.

### 10.1 Training of the Jail Staff

- **Training** is given to all the jail functionaries at the beginning of their job for a period of six months at the institute at Patiala.
- The senior jail functionaries attend periodic courses at the Correctional Institute at Chandigarh and those organized in other parts of the country.
- The training includes both (a) Physical training, and (b) some Educational training.

- Every jail functionary is supposed to attend three training courses during the duration of his job.
- However, a few of the jail functionaries have not attended a single course. A majority of them have attended one initial course after they were recruited but have not attended any subsequent course. In most instances when the circular of an upcoming course reaches the jail, it is difficult for the jail Superintendent to spare even two of the good workers he has on his staff since most jails are understaffed.
- Though there are courses on Human Rights, there is **No course on Gender Sensitization**. Some limited training is imparted in human handling skills.

## **10.2 Administrative Arrangements and Administrative Infrastructure**

### Existing Infrastructure

- The existing Infrastructure in all the jails is old and has not been upgraded in accordance with the changing times.
- **The typewriters are old and outdated** – this makes the work very slow. The output of one individual becomes much lesser if the machines they work on are old.
- **Even in Jails where there are computers there are no computer-trained personnel to run them.**
- There are no fax machines / photo copy machines or other such administrative facilities.

## **10.3 Residential and rest areas for the Staff**

- It needs to be reiterated that the **living conditions of the jail functionaries are inadequate and deficient in many ways.**
- This needs to be given special and specific consideration since their conditions of work are difficult and hours of work are long and their job carries great responsibility.
- In every Jail, the **living quarters are in an appalling state** – they are old and in an absolute state of disrepair. For example, in Hoshiarpur, there are only two small rooms, for the family of one security staff member to live in. There is No separate kitchen within the house. Also, the level of the floor is so low that after one rainfall the house gets flooded.
- The houses of Superintendent and Deputy Superintendent (at Hoshiarpur) are in such a poor condition that it is very difficult to live in them.

- The area where the security staff live (only for men) is in a bad shape. There are no fans, no clean drinking water and are uncomfortable in every way. There is an enclosure, which is working as a kitchen – the roof leaks there and the cook has not been paid his salary (Hoshiarpur).
- This staff feels that the prisoners' condition is perhaps better than theirs. They are unhappy and working in very difficult conditions. They neither have a TV, nor any facilities to look forward to even in their free time. There are very few toilets for the staffers and they are dirty and in a shabby condition.
- They also complained that they couldn't invite any guests or friend to their place because of lack of space and the dirty surroundings in which they live. There is tall grass growing around the residences of the staffers, which is dangerous since it is infested with insects and snakes as well. **This unhealthy environment is making a great impact on their lives.**
- **These are basic essentials, which the staff needs to be able to live a decent life and perform better. The living and working conditions of the jail staff need immediate attention.**

#### 11. NGO Involvement

- **The involvement of NGOs and social activists in the activities of the prison are limited.**
- They are restricted to religious groups who visit the jail periodically. Because of their religious affiliations the Superintendents mentioned that these organizations are not encouraged to visit the jail regularly. However, spiritual programmes are allowed from time to time.
- The inmates also feel that they do benefit from these programmes / discourses etc. It also provides a change for them and an opportunity to meet some people from the outside. We noticed that the women wish to talk and narrate their stories to anyone who can hear them.
- The prison authorities did mention that these NGO's sometimes provide some assistance in literacy programmes; giving messages on health and hygiene and counseling of the inmates. However, how this is actually carried out was not clear.
- Only at Bhatinda, there is a definite involvement of NGO's in the health care aspect of the women prisoners. Health awareness programmes are conducted periodically and the inmates benefit from them. Eye check-up and dental check-up camps are also organized by the NGO's from time to time. Again, this is the only jail where the NGO's are contributing by assisting the jail authorities in many ways and playing

a constructive role. This is an example of a “ good practice “ which can be followed by NGO’s in other jails as well.

The infra-structural conditions, which are provided within the Jails, are negatively related to the number of inmates and the resources allocated to them. There are major differences between the facilities provided to the women and men inmates. Though this study does not deal with the men prisoners, an inadvertent comparison is likely. The buildings, being old and inadequate, with hardly any space to call her own, without any special facilities for the children who are in the jail and those who are outside, with no counseling or support systems which can guide her – the imprisoned woman realizes she is a victim of her own action, every single day. With no participation in any work regimen, she sits idle – talking to others like herself – she lives a wasted existence!

## **CHAPTER - 2**

### **CHANGES FOR A BETTER LIFE IN PRISON....**

Female crime has become more visible through increased Reporting, Policing and Sentencing of female offenders. What happens beyond this deviant behaviour – once the walls of the jail rise around the offender is a specific case in point.

Initiatives focused on justice issues are intertwined with incarceration of women and their confinement. What really happens to women incarcerated in prisons today - is an issue which is getting considerable attention all over the world and needs to be specifically addressed in the present economic, socio – cultural, situation in India. This is directly related to the predicaments faced by the women inside the prison and the difficulties faced by their children and families outside; their own plight when they leave the prison - if they are poor, there are no jobs for them nor are there any support systems on which they can depend on. Their anguish inside the jail and their dilemmas regarding the reconstruction of a different life, once they leave the jail are pragmatic issues – seemingly left to the individual to deal with since there are no agencies or support system, which can become enablers in any way.

The language spoken in the prisons is different - each one knows the others story. As soon as a new inmate arrives, her distress is heard and she is taken into the fold, and taught the ways of the prison. On the surface and perhaps, otherwise, there exists great comradeship among the inmates. Often, they collect money and give “shagan” to a newborn or give money to a child who goes to school. Often they begin to feel that this place is like a large family and yet each one of them wants to be out of the jail. They are friendly with the warden, who encourages them to join religious activities or participate in recreational activities like singing and Giddha - activities which provide some outlet to their suppressed desires. In between the tears and the distress they do create a life for themselves in a different manner!

There is another side of the story as well - the prison staff is overburdened and overworked. They work with deviants, often dealing with their distress and anger. The hours of work are long, their duty involves vigilance and they have to work with great caution, their responsibilities are manifold and their working conditions are tough. With no suitable places for rest, their living conditions are inadequate and uncomfortable, and they

work without incentives. As one of the Matrons remarked – “we are also prisoners in these walls and the jail – only we are not criminals – we have little contact with the outside world and it is a ‘mithi kaid’ for us too”.

We understand that a jail is a place where the inmates are confined to undergo punishment and it is an attempt towards correcting their behaviour and in re-socializing them into acceptable, normative behavioural roles, which will enable them to become responsible members of the society. At the same time, it is essential to provide them with the basic minimum humane living conditions, which ensure a clean environment to live in, as well as to provide for a proper utilization of their time and energies so that their distressed and empty minds may not lead them into depression.

For changes that ensure a better life in the jails, we propose the following detailed recommendations, which may be considered for implementation at pragmatic level, at the earliest.

**A detailed analysis of each one of the jails has been undertaken. Our discussions with the IG Jails, all the Jail Superintendents and other Jail Functionaries—the Deputy Superintendents, Assistant Superintendents, Matrons, the Security staff, Jail Doctors and Pharmacists; our conversations with the women prisoners; as well as our Own Observations, are the basis of these recommendations.**

### **Suggested Changes for Improvement**

There has been a marked increase in the number of women committing crimes – ranging from simple thefts to murder. This is a dimension of the social reality of present times and it is a fact that needs to be addressed in a more practical and realistic manner.

#### **1. The Issue of Overcrowding in Jails**

**The foremost issue, which needs to be addressed in each jail of Punjab is of Overcrowding.**

- The main reason for overcrowding is the increasing number of under-trials. Thus the problems of (a) the availability of space, (b) the resources allocated, and (c) the management services.
- This is directly related to the judicial system and the procedures of law and justice. Therefore steps to deal with this situation need to be undertaken
- A definite **increase in the area**, which is exclusively for women prisoners in every jail, is recommended.
- **Planning of this area is essential** - modern architecture offers numerous possibilities.

- Planning of the area should be based on providing them with decent living conditions and fulfilling their basic needs.
- In consonance with the facilities provided to the men prisoners, the area where women prisoners are lodged should also have similar facilities.

### **1.1 Building**

- The **building of every jail needs Additions, Renovations and Improvement with Modernization** – these should be periodically reviewed, in order to meet the needs according to the changing conditions.
- **New Barracks** for women need to be added to the existing ones, in every jail because of the constantly rising number of women offenders and paucity of space.
- **Provisions for cells**, which can accommodate 4-6 women, would be a good arrangement, rather than having one big hall or a barrack where 20-30 women are lodged together.
- Another possibility is of a **dormitory-type of arrangement** where a folding plank of wood can be used as a bunker bed. This can be a method of creating more space and accommodating more women.
- Each woman should have a bed to sleep on – a basic need for an individual.

### **1.2 Floors and Walls**

- The walls in all the jails need to be repaired – plastering is required along with white washing. Painting the walls as a temporary arrangement could be another option. This will ensure cleanliness, since the walls can be washed and cleaned.
- Walls can be **reconstructed or modified with new materials** so that they can be washed periodically. This can ensure clean and hygienic conditions for the prisoners. This will also decrease the incidence of the spread of certain diseases.
- **The Roof** of most of the buildings needs to be **repaired at many places and requires immediate attention.**
- The **Floors** in every barrack in every Jail need to be redone and replaced with new flooring. Some modern flooring materials like tiles can be used for this purpose.
- This
  - (i) Will be much easier to clean.
  - (ii) It will be more hygienic, and
  - (iii) It will not be damaged easily and periodic repair will not be necessary.

**Modernization of the walls and floors can be carried out with modern materials available. These last longer and can be kept cleaner e.g. putting tiles on walls and floors will not only lessen the cost of periodic white washing but can also be kept cleaner and are more hygienic.**

- **Electrical wiring and electrical fittings need replacement since they can be dangerous.**
- It is imperative to install **Fire Extinguishers** in all the jails. This is a normal safety measure, which needs to be followed with firm intent.
- More **fans** in each cell or living space should be provided.
- Additions of Air Coolers are another possibility.
- Water Filters and Water coolers and Pitchers for storage of water are an essential requirement.

Provision of a **small cupboard** for each prisoner is very essential in order to provide them with space where they can keep their belongings. At present, they put their limited belongings in plastic or cloth bags and hang them on the wall or in small tins (Pipas). This not only looks shabby but also deprives them of any space, where they can keep their belongings (however limited).

### **1.3 The Open Space within the Enclosure**

- Within the enclosure where women are kept (except at Ludhiana jail), there is only **a small ground** in front of the barracks or surrounding it.
- These grounds look barren and untended: there is no grass growing there. Though women sit here during the day, it is **not adequate for the women to walk for the purpose of any physical exercise.**
- Since the number of women is large, it is even more difficult for women to make use of the limited space.
- It is recommended that **this area be cultivated** – grass and flowering plants can be grown and the **women can participate in taking care of this area.**
- In the Ludhiana jail, there is a lot of potential to work on the area in and around the building. If adequate water supply is made available, this area can be made into a nice garden, and grass and plants and medicinal trees (neem / amla) and shady flowering trees can be grown. Here again, the women can participate in this process. **This is also a therapeutic activity.**

- **A small canteen** can be constructed **within the women's section** in order to make it easier for them to obtain things, which they require from time to time. This will make them less dependent on the jail staff and in turn reduce some of the burden of work on the staff.

#### **1.4 Kitchen**

Large quantities of food are cooked in the kitchens in each jail, but the corresponding adequate facilities are missing. We suggest the following detailed changes to be undertaken at the earliest :

- The **Kitchen** in each one of the jails **needs to be renovated and restructured**. Most of the kitchens are old and dingy, with very little sunlight.
- **The Floors need to be replaced with tiles or some modern materials so that they can be cleaned easily and are also cost effective.**
- **The walls of the kitchen should be painted or replaced with tiles so that they can be easily cleaned and thus make the place more hygienic.**
- **Electric Chimneys are an imperative measure, which need to be installed in each kitchen.** Since large quantities of food are cooked, it generates a lot of heat and grime. This can be effectively taken care of by these electric chimneys.
- **Atta kneading machines** should be installed in every jail so that the process becomes more hygienic and clean.
- Other equipment used in the kitchen for the purpose of cooking and storing food can be improved. Modern equipments allow for numerous possibilities. ( for example the chapattis, which are made in large quantities, are kept in old wooden boxes or on sheets, which cannot be cleaned. These boxes can be replaced with insulated boxes or metal boxes).
- **Large exhaust fans** should be installed in order to keep down the temperature in the kitchen.
- Methods of using things like **aprons and towels** etc., that can make the cooking procedure cleaner, should be followed by the men cooking the food.
- The method of storing of water for cooking should be based on using clean water. This can be ensured by the use of syntax tanks, which need to be installed separately for the kitchen.
- The group of men who are involved in cooking should be periodically replaced with another group so that the same set of convicts do not have to constantly carry on this rather tedious job since it entails working for long hours around hot stoves.

## 1.5 Improvements for water supply

- **Water is a health need and an essential one**, which requires immediate attention. Adequate water supply can take care of the numerous problems that may arise out of insufficient and contaminated water.
- Water is a vital requirement, as drinking water and for making food.
- Water is also necessary for **maintaining cleanliness and hygienic conditions** (in the toilets and otherwise) – **personal and general**.
- Therefore, it is strongly recommended that the following steps be taken at the earliest :
- A **tube-well** on the jail premises is an essential requirement since water is indispensable to many basic needs. The Ludhiana jail does not have a tube-well. Tube-wells need to be installed in all the jails at the earliest in order to improve the water supply.
- **Syntex underground storage tanks and pumps**, can effectively resolve a number of problems related to water in the jails.

**Installation of syntex tanks for storing water should be regarded as a necessity.**

- **Hand pumps or a few extra taps** can also be installed.
- **A corollary to this is – the inmates should also be made aware of the proper utilization of water and that it should not be wasted.**
- **Pitchers or Water campers** be provided inside the barracks for storing drinking water for the inmates.

## 1.6 Sanitation

- There is one toilet located within each barrack, which the women can use at night. The rest of the toilets and bathing areas are located outside the barracks, which have doors.
- **The number of toilets and bathrooms are absolutely inadequate and directly related to the overcrowding in the jail**
- The **ratio** of toilets is inversely related to the number of users. **The number of toilets in proportion to the number of the users is highly disproportionate** and that is one main reason for the **low level of hygienic conditions**.
- These **Toilets and Bathrooms are very old and need to be restructured and modernized**. Tiles or other modern materials can be used, which are easier to clean and last longer.

- Most of the **WC's** need to be **replaced and changed in all the jails**. The Indian style toilets of course work best when the number of users is large.
- The **Hush systems** should be modernized and made functional at the earliest. These can also improve with the augmented water supply.
- Also, the **inmates** should be made **to understand the need to use flushes and keeping their surroundings clean**.
- Immediate arrangements for underground drainage systems are essential.

### **1.7 Restricted movement should be permitted**

- The female inmates of the jail, at present, are not allowed to visit the Gurudwara/ Mnadir, Library, or Canteen, which are located within the jail premises. **They must be allowed to visit these places in the company of female guards at certain times during the day, or, at least, twice a week, when the male prisoners are under lock-up. Certain days and hours can be fixed to facilitate this kind of restricted movement.**
- This will enable them to use some of the facilities, which are available on the jail premises. It will also become an activity some of them would look forward to.

### **2. Clothing and other items of use**

- There are no stringent rules for the convicts to wear white suits given by the jail authorities. **This can be seen as a good practice**, especially, in the light of the fact that both the convicts and under-trials are housed together. Also, **wearing ordinary, regular clothes may give them a sense of normalcy, once they realize that they have to live within the jail.**
- Allowing them to dress for festivals is another good practice.
- However, in some of the jails **the women inmates told us in whispers, that they are discouraged to wear nicer clothes and** asked to wear old and slightly worn out clothes. They are also **discouraged to wear lipsticks everyday.**
- **It is, therefore, recommended that the inmates be allowed to wear the clothes of their choice and allowed to put on make up, as and when they like.**
- **The attitude of the Matrons, especially, regarding this needs to be changed—they may be advised not to discourage women from wearing nicer clothes or lipsticks etc.**
- **Modern Psychology now confirms that dressing according to ones choice and wearing clothes one likes, lessens the depression and distress among individuals and gives them a feeling of normalcy.**

- For personal use, female prisoners should be **provided with a comb, a mirror, better quality of bathing soap, improved quantity and quality of washing soap,** and especially **sanitary napkins.**
- We also recommend **a reassessment and additions in the items of use provided by the jail authorities - the quality and quantity needs to be reviewed and increased.**

## **2.1 Bedding**

- Two more sheets, a pillow and two pillow covers, may be added to the list of items given as bedding to the inmates.
- An attempt to provide beds must be made so that the women do not have to sleep on the floor.
- Some smaller beds can be also given to the children who live with their mothers.

## **2.2 Food and Diet for Women Prisoners**

- After consulting the jail superintendents, some method of involving women in the kitchen activities can be worked out. For example, the making of chapattis can be moved to the women enclosure. This will be beneficial in two ways:
  - (a) some of the women will remain occupied, and
  - (b) they will probably do a good job of making chapattis.
- Extra diets, on the recommendation of the doctor need to be reviewed and relevant additions made.
- The provisions in the jail manual must be positively viewed and interpreted in a constructive manner according to the changing times. Some flexibility should be allowed to the Superintendent of the jail to **modify the food patterns** in consultation with some of the inmates. Constructive improvisation can be made within the same food stocks available.

For example: **The food being given is wasted by most of the women inmates to the extent that in every jail, the left over chapattis are used as fuel for burning in order to cook food by the inmates themselves.**

Therefore, some alternative procedures may be adopted:

- (a) **The left over food to be distributed in a slum,** or, any area, which is identified as an area where food is needed; or

- (b) If the inmates are made aware and asked to specify that they will take 3-4 chapattis (instead of the 6 they get), then, the left over flour can be used to make 'halwa' or any other thing, which the inmates like to eat.
- It is strongly recommended that a **glass of Milk** be added to the diet given to women. Women of all ages – Young women, Expectant and Lactating mothers, Pre-menopausal and Menopausal women - all need a glass of milk a day.
  - Some variation in the food pattern may be introduced. For example, the women from Bangladesh crave to have **rice** since they are rice eaters. Other inmates also wanted rice to be introduced in their diet at least twice a week.
  - Another aspect which needs to be **reviewed and changed** in consultation with the Jail **Superintendents** and a **Diet Planner**, is the **Pattern** and **Quantity of Food** given to the prisoners.
    - (a) From the Six chapattis given to all women along with Dal or vegetables, a considerable amount of food is wasted everyday.
    - (b) Also, the diet contains more proteins and carbohydrates and is not really a balanced one, though adequate.

Steps towards initiating a <b>Three- Meal Diet</b> a day can be seriously considered:
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It is recommended that the **pattern of diet and food be modified** on the following lines with the help of a **diet planner and in consultation with the jail authorities**, so that a **balanced diet** can be provided to the inmates:

- 6.30 a.m. – Morning Tea.
- 8.30 a.m. – A glass of milk and two buns.
- 11.30 - 12.00 noon – Lunch (can be modified)
- 3 p.m. – Channa and tea
- 6 p.m. – Dinner (can be modified)
- Appointment of **Dietician or a Diet Planner** who can assist the jail Superintendent is an important recommendation.
- The Dietician or Diet planner from an institution can be attached to the jail and can be asked to work with the jail authorities for 3- 5 days every three months. **This will not only ensure a scientific planning of the food but also act as a method of monitoring.**

### 3. Recreational Facilities

- **It is suggested that larger TV sets be made available in every jail since the number of women is considerably large and a small TV set is inadequate.**
- **Cable connections** can also be allowed with only specific channels and perhaps a movie can be shown on a Sunday.
- Some **sports facilities** for women should be introduced: badminton, basketball, volleyball, carom, etc.
- **Radio and a central music system** may be installed in the jail, which can play bhajan and kirtan or instrumental music in the morning and some songs for one hour during the day.
- Involving the inmates in activities like **Theatre, Painting, Sculpture** etc. can be therapeutic too.

#### 3.1 Work Programme and Skill training

- The women inmates are not involved in any work programme – whether it is productive work or skill training. Their energies and time are being completely wasted and they sit idle the whole day.
- Only the Ludhian Women's Jail has a work programme for the convicts but that, too, is not running effectively or efficiently, because of the lack of resources and non-availability of raw material or out-sourcing and marketing facilities being absolutely inadequate.
- The Jail manual bars under-trials from any kind of work except in cases where the under-trials themselves wish to work. The convicts who can be given work are too few in number.
- The jail authorities, therefore, do not seem to be making any effort to involve these few women in any work programme. The Superintendents' however felt that **if all the under-trials could also be involved in work, some work programmes could be run for them.**

**If work programmes are initiated and made participatory and compulsory, they will prove beneficial in many ways. This is an aspect, which should be re-considered** in the following manner:

- (a) A large majority of the prisoners in every jail are under-trials, the number of convicts is much smaller.

- (b) The under-trials consume a large proportion of resources without making any contribution. They are, thus, a drain on the resources of the jail and the state.
- (c) Moreover, **work can be more therapeutic than exploitative.**
- (d) Work will enable the women to use their **energies and time in a constructive manner.**
- (e) They will be **less distressed if they are engaged in productive work.**
- (f) It will **enable them to earn for themselves and their families** as well.
- (g) Further, this **learnt skill could become a source of livelihood** once they are released from the jail.
- (h) It will also give them **a feeling of self-worth.**

### **3.2 Wage Structure**

- **The wage structure** also needs **reformulation and improvement.** The wage structure may be increased to at least Rs. 20 / Rs 25 Rs, 35 for unskilled / semi-skilled / skilled work respectively.
- Improved wages can then, be an incentive for the women to work and earn money for themselves or their families.
- Provide them with skill training, which can prove useful to them after they leave the prison.
- Give them a feeling of self-worth.
- Since there is no compulsion to work and the under-trials are not supposed to work, most of the women do not like to do anything at all and just waste away their time, sitting idle.

**A large human resource is being wasted in prisons. This human resource can be constructively utilized and developed through work programmes.**

We saw some of them doing very beautiful crochet work and two other women knitting sweaters at Ludhiana. If motivated and given adequate wages, their energies and time can be constructively channelized. Some of the women are talented and others are capable of learning. **If given the right incentives and the much-required push, they can not only learn a skill but also perhaps change their lives.**

### **3.3 Resource Allocation and Work Programmes**

- **We suggest that some of the following skill training and work programmes be initiated** in all the jails and **Resources be allocated for them.**

- Resources, to begin with, will be required. Later, some of the programmes may be able to sustain themselves. Estimates can be worked out easily, or, an **initial amount of Rs. 1 lakh** can be provided to each jail to **start two programmes for women prisoners.**
- **Some of the programmes, which can be initiated, are:**
  1. **Paper bags- both from newspapers and from hand- made paper.**
  2. **Achar, Jam and Jelly making.**
  3. **Dari making.**
  4. **Crochet.**
  5. **Flower making.**
  6. **Bakery - this can be very effectively run at Ludhiana.**
  7. **Papad Making - with a tie up with Lijat Papads or any other private party can be very productive. This can be begun at Ludhiana or Amritsar.**
  8. **Dairy Farming.**
  9. **Candle Making.**
  10. **Embroidery.**
  11. **Beautician course (a number of inmates themselves wanted to learn this).**
  12. **Knitting on the knitting machines as well as hand knitting.**
  13. **Mehandi.**
  14. **Hair Cutting.**
  15. **Book Binding.**
  16. **Flower cultivation.**

### **3.4 Education and Literacy**

- At present, there are **No Facilities for imparting any kind of Education** to the women - **neither any Adult Education or any other kind of basic education programmes** are available for the prisoners.
- It is recommended that every jail should attempt to **fill the post of the teacher** allocated, so that one teacher can come and teach them on a regular basis.
- IGNOU - affiliations with IGNOU ( Indira Gandhi Open University) can be worked out to implement specially designed programmes to improve the basic literacy levels

of inmates. A recent programme has specially been initiated for the prisoners by IGNOU.

- Adult Literacy programmes can be effectively run.

### **3.5 Library Facilities**

- There is a one-room library on the jail premises, but the women inmates are not allowed to go to the library since they cannot move out of the enclosure. If they do wish to read something, they request the Matron in-charge, who gets them what they want. Very few inmates use this facility.
- **A newspaper in Punjabi and Hindi should be sent to the women section everyday.**
- This is another area, which needs attention. One method could be to motivate the Public to donate Books and Magazines for the jail.
- The library can be improved and books and reading material made available to the women. One method could be to put some of the books from the library in a cupboard, in the Matrons room. The women can then access them easily. Periodically, these books can be replaced with other books from the library.
- Reading is also therapeutic and the inmates should be encouraged to pursue this activity.

### **4. Medical and Health Facilities**

- Every inmate should be **medically examined** within the first two weeks of her arrival in the jail. The doctor can maintain a medical case history.
- Subsequently, **yearly medical examinations** can be conducted for the health care of the inmates.
- There is a **vital need for a Lady Doctor**. She could be permanently appointed as a member of the jail staff and be accessible to the women prisoners at all times. All the nine Jails require this. At Ludhiana, where the number of women is the largest- this should be done at the earliest.
- Provisions for starting a Five Bed Female Hospital with one Lady doctor and two female nurses is recommended for every jail.
- Alternatively, the jail hospital can have a **separate medical female ward**, in which female nurses should be appointed to look after the seriously ill or any inmate having any kind of ailments, which needs medical supervision.

- This hospital can also have a laboratory with a lab attendant and provide facilities for conducting tests - like blood tests for sugar, pregnancy etc.
- There should be posts of **female nurses** and nursing assistants, so that they can assist the doctors and administer the right dosage of medicines to the patients.
- Some of the inmates mentioned that they buy their medicines from outside since they are expensive and are not available in the jail. Either their relatives get them medicines or they bring their stock of medicines when they come back from parole.
- Supply of medicines and the **kind of drugs** available with the Pharmacist need to be separately looked into.
- **Health awareness programmes** can be organized from time to time, which can be very beneficial to women of all ages. NGO's and other health organizations can make a positive contribution in this area.

**A regimen and a system of some physical exercise - whether it is a daily drill or yoga be introduced compulsorily in every jail. This will (a) not only help in maintaining physical fitness for each individual, but (b) Also put the inmates into a daily routine, and (c) Reduce some mental stress as well.**

- The female prisoners often do **suffer from depression** from time to time. This was mentioned by the women themselves and confirmed by the doctor. They are more depressed during the first few weeks when they enter the jail and later as they settle down, it affects them periodically. However, it is an issue, which needs to be seriously investigated, and **Counseling needs to be started immediately**. A female counselor should interact with the inmates regularly.

#### **4.1 Female Counselor**

**An imperative need is the appointment of a Female Counselor. The function of the Counselor in preset times has undergone a tremendous change and each one of the women prisoners will benefit from such an arrangement.**

- A Counselor can be instrumental in enabling the women prisoners to introspect and bring attitudinal change. She can counsel and motivate them towards a more positive way of life.
- She can record the case history of each prisoner.
- On arrival at the prison, each woman may be assessed by the counselor:
  - (a) the causes and influences of their offending behaviour can be discerned.
  - (b) On this basis the risk of re-offending behaviour can be minimized.

- (c) Further, her willingness to change can also be estimated.
- (d) Her educational needs, health needs, special needs can also be evaluated.
- (e) Substance Abuse programmes - designed to address an offenders' substance abuse, when it is one of the main contributing causes of their offence.
- (f) Corrections as a strategy to improve behaviour and attempts towards motivation and change can then be worked out.
- (g) Straight Thinking - designed to assist offenders to address the main causes of their offending behaviour – they can be trained into critical reasoning required to live a decent life in society.
- (h) IGNOU (Indira Gandhi Open University) - affiliations with IGNOU can be worked out to implement specially designed programmes to improve the basic literacy levels of inmates. Recently, programme has specially been initiated for the prisoners by IGNOU.
- (i) Adult Literacy programmes can be effectively run.
- (j) A large range of interactive programmes have been developed, which can be initiated with the prisoners, according to their needs.

**The Counselor can then be an enabler in many ways. This process will allow for the most appropriate form of intervention and each offender can benefit from it.**

## **5. Segregation of Convicts**

The convicts serving the imprisonment for **heinous crimes and offences like drug trafficking and flesh trade, or multiple murders, must be separated from the under-trials, as they can lure the other inmates towards these serious crimes.**

## **6. Rehabilitation**

- **There is no system to arrange for rehabilitation of prisoners after release nor are there any monitoring agencies. There are no short-stay homes for homeless released prisoners.**
- Though a majority of the women are accepted back into the family, **there are a few cases where the woman is not accepted by her family or there is no other relative of the woman**, then she is alone and there is no place where she can go. It is then important to make some alternative arrangements for these women.
- The more **pressing issue is that of finding employment after release.** This is a task, which can be undertaken by NGO's and civil society and can be of immense practical use to them.

Various studies at the international level show that **community based rehabilitation** can reduce the number of under-trials in jails. Also, first time- offenders can be sent to these rehabilitation centers. The whole area of **alternatives to prisons** is something, which requires in-depth research and analysis and needs to be incorporated in the justice system. This again is important for the women because of their central role as the nurturer of the children and often the provider as well.

## 7. Administration and Management of the Jail Staff

Since the jail staff is much lesser than the sanctioned strength - with the growing number of prisoners to take care of, the staff is constantly overburdened and overworked.

- **Immediate recruitment of More Staff is an Urgent Need** – the Office jail staff and Security staff has not been recruited since 1992 and the Senior Official staff has not been recruited since 1994. Looking at the increase in the number of jail inmates this is an immediate requirement.
- **A separate women’s cadre is a necessity** in every jail.
- Additional staff of at least **Two Matrons and Two female jail wardens** is needed to supplement the present staff, since it is difficult for only two Matrons to manage the multifarious duties they are assigned. One of the matron’s is on duty all the time and she has to keep an eye on all the inmates. She also has to accompany the women prisoners for their ‘mulkat’, or, go to the canteen to get things they need as well. Their hours of work are long and their duty is tough too. They need better facilities for work and an addition in the staff.
- This will not only be advantageous to the overall functioning of the jail but will also allow for better attention to the female prisoners.
- It is also suggested that the **security staff as well as the Matrons and the Wardens be transferred to the Police lines or Home-guards section, after serving in the jai for 3 years, for a period of Two years, because:**
  - (a) Working with deviants is taxing;
  - (b) It sometimes tends to de-humanize them;
  - (c) It will provide them an opportunity to work away from the confines of the jail for a while and they will then be able to perform better at both the places of work.

## 7.1 Salaries and Scales

- It is essential to recognise the fact that these Jail functionaries work in with offenders and deviants who may often be difficult to tackle. Their hours of work and the kind of work is strenuous and demanding and their **working conditions NEED TO be reconsidered and Improved.**
- The Security staff and Matrons also complained that there is a **stagnation of promotion** in their jobs and they are getting less in comparison to the Police department (one Matron has got only one promotion in 15 years). This is often frustrating and may hinder the performance of duty.

## 7.2 Suggested Changes

- (a) The **salaries and scale patterns of the jail staff need to be reviewed and restructured.** The staff in every Jail expressed their opinion that their pay scales should be **at par with that of the Police Cadre.**
- (b) **We strongly recommend that a special committee be set up to look into the salary structure and promotional opportunities of every Jail Functionary and some special incentive be included keeping in view their specific working conditions and onerous duties.**
- (c) Along with this, every promotion may not only be based on their performance of duty and length of service but they be required to attend a **reorientation course every three years.**

## 7.3 Training for Jail Functionaries

- Training is given to all the jail functionaries at the beginning of their job for a period of six months and subsequently they are supposed to attend three more trainings during their entire service period.
- However, we found that a few of the jail functionaries have not attended a single course, while a majority of them have attended one initial course after they were recruited but have not attended any subsequent course. In most instances when the circular of an upcoming course reaches the jail, it is difficult for the jail Superintendent to spare even two of the good workers on his staff, since most jails are understaffed.

## Suggested Changes

- **Compulsory training** for the staff at the time of joining **their job should be made imperative.**

- **Every increment** should be based on **attending a re-orientation course every 3 years, along with performance of duty and seniority.**
- **There should be re-orientation courses from time to time for the up-gradation of their working skills.**
- Special training courses should include, **Orientation and continuous up- gradation of information** in accordance with **international standards** in treating prisoners.
- **Gender sensitization** courses should be introduced and orientation of the men staff towards gender issues and treatment of inmates be part of their consciousness.
- A course on **Human-Handling Skills** also needs to be included.
- A **course in Criminology** will also help the staff to understand criminals and their psychology.
- Methods should be evolved to **sensitize them to deal with the criminals with compassion.**
- **Breaking down of old stereotype attitudes of the jai staff** needs to be pursued – especially like not allowing the inmates to wear nice clothes or apply lipstick are stereotypical attitude because it is believed that prisoners should lead a deprived life.
- Curriculum may also include ” **Best Practices “ or Success stories** of other prisons, which can be modified and used by the jail functionaries.

#### **7.4 Living and Working Conditions of the jail staff**

- It is evident from the state of the buildings, the living quarters of the jail staff that neither the government nor the administrative machinery has given enough attention to the maintenance and the upkeep of the buildings or attempted to provide a comfortable living space for the jail functionaries.

#### **7.5 Residential areas**

- It needs to be reiterated that the living conditions of the jail functionaries are inadequate and wanting in many ways.
- This needs to be given **special and immediate consideration since their conditions of work are difficult and hours of working are long and a job of great responsibility.**
- In every Jail, the **living quarters are in a dilapidated state** – they are old and in an absolute state of disrepair. The **houses of the jail staff are in an appalling condition.** For example, at Hoshiarpur, there are two small rooms allotted to

employees. There are only two rooms for the whole family but there is no kitchen within the houses and during the rainy season, water floods their houses and causes much damage.

- Moreover, the surrounding grounds to the jail at Hoshiarpur are **absolutely unkempt** - there **is tall wild grass growing and weeds** all around. It is marshy and water collects in the pits when it rains. The whole place is unsafe, as snakes and other such poisonous animals are a constant hazard. There is no maintenance of the surroundings.
- It is extremely difficult for the staff to live there.
- The houses of Superintendent and Deputy Superintendent are in such a poor condition that they are almost unfit to live in.
- The Security Staff complained that the facilities given to the prisoners are much better than those being provided to them. They do not even have a television or clean drinking water, or fans or decent food. The number of toilets for the staffers is very less and they are unclean and in a shabby condition.
- **In all the other jails as well, the living and working conditions – the houses and the rest areas are absolutely inadequate and need attention at the earliest. This is imperative in view of the fact that improved living conditions will enable the staff to perform better.**

<p>It needs to be reiterated that immediate <b>attention needs to be directed towards the Living and Working conditions of the Jail staff.</b></p>
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We recommend the following :

- A **complete Hostel** should be built for the jail staff, where they can rest and where they can spend their free time.
- There should be a **common room** with a television / music system / radio / indoor games so that they can unwind and relax.
- There should be provisions for a good kitchen, with a cook for the jail staff.
- Most of the jails are located within large areas, which can be made use of and utilized optimally. A **small club** can be set up for the jail staff where they and their families can be provided some amenities for sport and entertainment, so that their life conditions become better.
- There should be a **separate library for the Jail staff** , equipped with the latest information / books and papers on Jails / Human rights initiatives / UN and other international declarations relating to prisons.

- This will enable them to have easy access to the latest information and knowledge, as well as enable them to learn about different practices being followed elsewhere in the world. This will further **ensure some motivation and reorientation to addressing the prisoners and their needs.**

#### **7.6 Administrative Arrangements and Administrative Infrastructure**

- The existing **Administrative infrastructure needs to be updated** in terms of changing existing technology with **Modern Information technology related equipment like Computers, Fax Machines, Photostat Machines, Scanners, electronic type writers,** and the like. This will ensure better outputs and expedite the work procedures.

#### **7.7 A separate Welfare department is essential in every jail.**

- The welfare Department should include:
  - (a) **Two to Four Counselors** (two female counselors for the women section and two men counselors),
  - (b) **One Welfare officer,**
  - (c) **Students from the departments of Sociology, Psychology and Law,** from the universities should also be encouraged to involve themselves with this section of the jail. They can contribute by recording the case histories and interacting with the women prisoners.
  - (d) **Members of this department can counsel the inmates regularly.**
  - (e) **They can also keep up an interface with the jail staff and counsel them as well.**
  - (f) **They can constructively look into the welfare of employees as well as the prisoners.**
- One **Law Officers** should also be appointed in every jail since they can make positive contributions towards providing legal advice to the inmates, as well as work with the administrative staff of the Jail.
- Modern, sophisticated arms and ammunition to be provided at each jail to cope up with external security threats.
- A **jail website** could also be initiated, over a period of time. This would not only provide the latest information on the Jail and its functioning but also include innovative methods which can be used as “ Best Practices “ or models for other jails to emulate and learn from. It has been observed that each jail does have some

specific practices, which can be adopted by others. These practices have been successful initiatives and can be helpful in improving other jails as well.

### **7.8 Administrative Delays and Governmental Apathy**

- **It was also seen that, often, huge grants sanctioned to the jails, by the Central government, lapse since the State Government is unable to match the required amount to utilize these grants.**
- As a rule, the State has to match one third of the total grant sanctioned by the Center. **The Punjab Government has been unable to do so several times and the grants therefore, remain unused.**
- **This is directly related to the fact that Jail systems are at the low-end priority with the state government.**
- We also recommend that **Special Budget allocations be made immediately for the renovation and reconstruction of the Kitchens and Bathrooms in each jail.** Similarly, specific budget allocations can be made for other essentials.

### **8. Children**

A child can live with his mother in the jail till the age of **six**, with the permission of the Jail Superintendent. However, there are no special facilities available for these children. Yet the women prisoners like to keep their children with them.

- Most of the women are unaware of the fact that the environment of the jail is not fit for the healthy growth of the children.
- They cling to their children and they cannot even consider parting with them. This is a cultural specific issue as well.
- Even when the children are undernourished and reach the school going age and the jail authorities can make provisions for sending them to a Bal Niketan or similar institutions, the women DO NOT want to send them anywhere.
- Another reason for not considering sending the children is the fact that a large number of the women are under-trials and think that they will be leaving the jail soon.
- There are very few inmates who are interested in sending their children to some institute where they can acquire good education, interact with their peers and avail of other facilities through which they can live a normal life.
- **ALTERNATIVE ARRANGEMENTS FOR CHILDREN ACCOMPANYING THEIR MOTHERS are imperative since the jail environment is not conducive for the all-round growth and development of the children.**

- **Awareness among the women** should be generated so that they begin to think in terms of agreeing to leave their children with institutions so that the children are able to live in a normal environment.
- There can be provisions made for a **crèche / nursery school / day care**, within the premises of the jail so that the children can spend the day with their peers, learn in a normal environment and also spend some part of the day with their mothers.
- Also, some arrangements to provide some games for the children can be made for their recreation – games like ludo, chess, and children’s cricket, footballs, badminton and some educational games if possible.
- Donations from the community in the form of books, storybooks and children’s toys can also be another possibility.
- Additional **foods and nutrients** need to be added to the diet since the physical and mental growth of the child is directly dependent on the nourishment provided to them. Increasing the quantity of milk and including eggs, rice, and vegetables in their diet should be seriously considered.
- The children after the age of six have to live with the rest of their family or relatives as the case may be. Older children also learn to live without their mother once she is in the jail.
- **Considering that the woman is the nucleus of the family, once she is in jail, the children become the victims and are put to undue hardships. What happens to them – who is responsible for taking care of their food, health or educational needs, or their safety or any kind of protection, are questions, which loom large. There are no organizations or agencies at the state level or community based groups who assist such children in any way.**
- If the woman is also the **provider of the family** especially in the lower sections of the society **or a single parent, the plight of the children is perhaps worse.**
- **In some cases the women lamented, that since their husbands are also in jail or if she is a widow, then her relatives may not be able to keep all the children and the siblings then get separated and have to live with different relatives and at their mercy. This becomes an emotionally traumatic experience for the children.**
- **Moreover, prison, as a form of punishment for women is particularly problematic, as it often removes the glue that holds families together. Children**

**growing up in a family where the mother is in jail are more likely to go down the path of crime and become future threats to society themselves.**

## **9. Some of the Problems which worry the Women inmates**

- Most of the women, who are incarcerated in the district jails once convicted, have to be moved to Ludhiana, which is the only exclusive Women's Jail in Punjab.
- However, the inmates do not want to be shifted to Ludhiana, since most of them belong to areas, which are located away from Ludhiana. In some of the cases, especially, the dowry death cases, where the whole family is in the same jail, they do not want to be shifted from there because they would then be unable to meet their families, whom they can meet in the jail once in a week.
- Each one of the convicts insists that she **does not** want to be shifted to Ludhiana, even though Ludhiana has better facilities for them. Their reasons for not wanting to move to Ludhiana include:
  - (i) If they are shifted to Ludhiana their families and relatives are likely to face a lot of hardships, especially, when it comes to meeting them once a week.
  - (ii) This would mean an additional expenditure for the relatives.
  - (iii) Also, it wastes one working day of a relative to travel a long distance to be able to meet the inmate.
  - (iv) In some cases, where the woman is a convict and the husband is taking care of the children, he either has to make them miss school to meet their mother, and if he travels alone to see her, there is no one to look after the children in his absence. If the children are small, it becomes even more difficult.
  - (v) Added to this is the fact that, on most mulakats, the relatives bring some raw foods, dry rations and fruits for the inmates, which they look forward to.

### **9.1 If they are moved to Ludhiana, often, the consequences are**

- (a) Much lesser number of meetings with relatives and children.
- (b) Much lesser appropriation of food items from home.
- (c) In some instances, where the court cases are still going on, it is difficult for them to follow up with their court cases, if the distance to the place increases.
- (d) Most of the women are unhappy to be moved to Ludhiana, so much so that they are ready to live in difficult, overcrowded jails than go to a better living area in Ludhiana

- (e) They all admit that Ludhiana jail is better in many ways but they are willing to forego everything in order to be able to live in a place near their hometown.

**9.1.1** All the above-mentioned reasons are significant. Also, on the basis of my discussion with the IG, Prisons (Punjab), some of the following provisions can be made in the central jails to accommodate the women convicts:

- It is possible to keep larger number of convicts in the district jails, if the area and infra-structural facilities are improved.
- The Jail authorities are agreeable to begin some small projects to involve these convicts in every jail.

**10. We have been unable to assess the chances of or the extent of sexual harassment of women prisoners in the jail since the questionnaire did not include any such issues. Also, a different kind of study would be required for this purpose since it is a sensitive issue. This study needs to be spread over a longer period of time and more frequent contact with the inmates would be required.**

## **11. SPEEDY REDRESSAL OF UNDER- TRIALS**

### **Directly related to the system of Justice**

- The Criminal Justice system does not allow for speedy disposal of cases. In some instances the cases take 4-5 years to be decided. The individual who may or may not be sentenced has already served five years as an under-trial. In cases where the under-trial is not convicted, **she becomes a faultless victim of the system of justice, neither the five years of her life she has spent as an under-trial, nor the mental torment, nor the stigma she now carries can be purged in any way.**
- One of the Issues which stands out is the fact that **more than three fourth of the women in every Jail** (except for Ludhiana which is a women's jail) are **under-trials**. Even in Ludhiana, about half of the prisoners are under-trials. The length of their stay in the jail ranges from a few days to **four** years.
- **Considering that women are the nucleus of the family their children become the victims and face much adversity, when the mother is in jail.**
- **This long period of detention and the uncertainty of the situation can be very harrowing and frustrating for the inmates.**
- **While talking to the inmates, it was obvious that they seemed to be very bitter about the judicial process and mentioned that they were always under undue stress because of the uncertainty of their situation and the sentence.**

- **Attention needs to be drawn towards the Judicial system, which is directly related to the detention and sentence of every individual who is in custody.**
- **Speedy and time-bound disposal** of Petty cases and first time offenders should be ensured.
- Sometimes, the hearing of the cases prolongs over years and the prisoner may have stayed in jail for much longer than the punishment accorded to her.

### **11.1 Appointment of Judges**

- The Punjab and Haryana High Court has a **sanctioned strength of 53 Judges. At present, the actual appointed and working Judges are only 27.**
- **If all the vacancies were filled, the probability of early decisions of the cases would increase considerably.**
- **A Time-bound justice system or Special Court which include a sensitized women Judiciary should be evolved.**
- Another concrete suggestion is the appointment of additional **4-5 Judicial Magistrates, in each district.** This will:
  - (a) Definitely quicken the pace of the disposal of cases.
  - (b) **Of course, the state will need to spend on their salaries but if the costs are calculated in terms of the money spent to keep prisoners in jail, which is a heavy expense on the state exchequer, the salaries of the judges could easily be worked out.**
  - (c) Added to this would be the **assuaging of human suffering** and the **uncertainty, which constantly haunts the under-trials.**

### **11.2 The analogous advantages** would be manifold:

- (i) the number of under-trials in each jail would decline considerably,
- (ii) the period of stay for the under-trials in the jail would come down,
- (iii) the overcrowding in jails would be reduced considerably,
- (iv) the state expenditure would decrease substantially,
- (v) the problems that women under-trials face by staying in detention for upto 3-4 years which include taking care of their children, will also be solved, and the children and their families do not undergo unnecessary suffering.

**A time-bound justice system needs be evolved keeping in view the special needs of women.**

**11.3 It is also strongly recommended that a special, separate place be assigned where juvenile female offenders can be lodged, so that they do not have to stay with the older women. The young women have specific needs, their counseling, work programmes and educational and other requirements can be appropriated in a manner that is commensurate with their needs and interests.**

**11.4 There are a fair amount of older women offenders entering the criminal justice system and there are those who are growing old living in the prisons. Is there then a possibility of AN ELDERLY JUSTICE SYSTEM, which will understand and address the problems and treatment of older women prisoners and their special needs and their cultural specific role in the Indian society.**

### **11.5 Custodialization of the women**

- **The indiscriminate custodialization of the women needs to be discouraged through careful sentencing and much greater reliance on non-custodialization options which are currently available and followed in some countries of the world.**
- **Moreover the custodialization of the mentally afflicted women should be immediately renounced.**
- **Those taken in protective custody should be diverted to separate institutions and increasingly to community based non-formal custodial and correctional options.**

**12. Interface between the Prison Officials, the Judiciary and the Police should be organized periodically in order to develop a healthier attitude towards each other. The prison officials feel that their work and their difficulties in dealing with various kinds of crimes and criminals should be understood in the right spirit both by the Police and the Judiciary.**

### **13. Suggestions for An Open Jail System**

An **open jail system** can be developed to ensure responsible behaviour by the women prisoners, as it can be an incentive to the incarcerated women to work towards becoming a part of this system.

In Sanganer, (near Jaipur), in Rajasthan – an OPEN JAIL has been set up only for male prisoners.

- (a) The convicts are moved to this Open Jail after they have served three fourths of their sentence. On the basis of their good conduct they are then allowed to live with their family members on the jail premises.
- (b) The families of these prisoners live in small huts constructed for them.
- (c) They are allowed to work outside and earn a living for their families. Some of them are fruit and vegetable vendors, mechanics, salesmen in shops etc.
- (d) They are allowed to go out and work during the day but they have to come back to the jail in the evening at a stipulated time.
- (e) This restricts their freedom but allows them live a more responsible and normal life since they are able to carry on the same jobs or professions after leaving the jail, which gives them a sense of self-worth.

**On this pattern, we strongly recommend that the OPEN JAIL systems be introduced in Punjab for the women prisoners. This can be modeled on the lines of the Sanganer experience and developed and adapted to the socio-cultural specific needs of the region of Punjab.**

**It will also lower the resentment of the women prisoners towards the system and will enable them to take care of their families. It will also be an incentive to participate in any jail duties and work towards being able to live in the open jail system.**

#### **14. Need for Research**

- There is a need for **continuous research, so that the causes of crime and criminal behaviour, the reasons of committing crimes be discerned and analyzed** and this can then enable the Police and Awareness agencies to understand and address the issue more effectively.
- An **update to the present research periodically** will not only encourage the Jail personnel to keep up their commitment to work, but also provide an opportunity for them to voice their concerns and enable the governmental agencies to address issues in the right perspective.
- **The NCW could work with the state level agencies, such as the Jail Minister, IG Prisons, Financial Secretary of the state,** to ensure directional change, use of budgets allocated and specific improvements which are vital for the women living in detention.
- **This will enable the right utilization of resources and redistribution of resources to make them gender inclusive and focus on the special needs of women.**

## **15. Re-writing and Reformulating the jail Manual**

**The Jail Manual was first written in 1896 and was reviewed in 1996. However, it still remains a mere copy of the previous one without being rewritten or modified in keeping with widespread changes which have taken place in the Indian society.**

**In 1896, the manual was written during the time, when India was colonized by the British and the manual therefore reads like a colonial document, where the jailor was supreme and the manual rules were meant largely to suppress those who went against the then state.**

Independence of India set into motion a democracy, which gave freedom to the people and the right to live a life of dignity. Fifty years later, the Indian society has gone through the stages of a Industrialization, a developing economy, the spread of Capitalism and now Globalization – their impact on the lives of men and more so the lives of women, have been extraordinary and unmatched. The transformation also includes changes accommodating the growing needs of humans. **It is in the background of this transformed social structure, the growing realization of Human rights initiatives and the respect for a life of dignity that the Jail manual needs to be REWRITTEN and modified considerably.**

**A Committee comprising of sensitized individuals can be constituted to undertake this task. Since the task is stupendous the committee should be given at least one years time to work on this.**

**The jail manual should be rewritten from the perspective of international standards and norms that now exist to promote good practice in prisons and protect the rights of prisoners and act as instruments of corrective behavior in keeping with Human rights standards.**

Thus, there is a growing need to bring the operational reality to meet ground level reality and initiate Real Change at various levels, for the betterment of the incarcerated women as well as the jail functionaries.

### **SUMMING UP**

This report has been an earnest attempt to throw light on the life lived behind the high prison walls. But the moving finger that writes, yet may not be able to do justice to the unmitigated plight of the inmates who are emotionally distraught, surely carrying the guilt of their crime - have nothing to look forward to, nothing to wait for – every day is a burden they carry . Their fervent wish is to be able to leave the prison – knowing yet not knowing the uncertainty of another existence. What they really need is compassion, and succor and social justice, which can salvage their fundamental humanity.

It is a tribute to the resilience of human nature that they manage to find some solace and enjoyment in the worst possible circumstances – there are smiles behind the sadness in their eyes – flickers of hope – their fervent appeals to us to help them in some way. Their eyes say and the expressions on their faces speak a message – “ we are humans too”. ....

**The brilliance of the sunshine isn't for me to see,  
The air of freedom isn't for me to breathe,  
My lot is survival in darkness and despair,  
A life in prison is agony beyond compare.**

**I relive my crime day after day,  
I pine for loved ones left so far away,  
Living - a torture I must silently endure.**

**With misery behind and agony ahead,  
No laughter, no joy - only tears to shed,  
A life wasted - a life wilting away !**

(a poem by **Anu Seth**)

## **CHAPTER - 3**

### **CASE STUDIES**

#### **WOMEN'S JAIL**

- Ludhiana
- Jalandhar
  - Ferozepur
  - Gurdaspur
  - Patiala
  - Sangrur
  - Hoshiarpur
  - Amritsar
  - Bhatinda

## **LUDHIANA JAIL**

The Women's Jail, at Ludhiana, is one of its kinds in northern India, which **exclusively houses women prisoners**. There are only eight other jails in this region, which have provisions for keeping women prisoners. Once convicted, in any of the jails in Punjab, the women are supposed to be moved to the Women's jail at Ludhiana.

Constructed to accommodate 150 prisoners, the jail is congested, with the present 285 women prisoners and 22 children, who are lodged here. **There are 183 convicts, 102 under-trials, and 22 children living in the jail.**

The jail staff works under a **female Jail Superintendent** and **all other official staff members are females**. Except for two male members on the staff, the jail is run by an all female staff - the security personnel, the wardens and matrons are all women. It needs to be commended that there seems to be a well coordinated functioning within the jail and all the jail functionaries seem to be working in harmony.

Though constructed in 1988, the architecture is faulty. All the cells and barracks are located on the first floor of a round shape building. In a country where there is so much sunlight, it is a dark and dingy place. The area in which the jail is constructed is of a reasonable size, but there are no trees, grass or plants grown, because of the lack of adequate water. The land around is thus dry and sandy and makes the place look even more bare and forlorn.

The two-floor system does not house any women on the ground floor, thus making it difficult for the older and the handicapped women. They are often unable to climb the stairs due to osteoporosis and other joint or bone related problems or because their handicap.

The jail Superintendent has been working at Ludhiana, since the last three years. The Deputy Superintendent is also a woman. Besides, the rest of the office staff, there are 28 Matrons working inside the jail.

**Since this is an All Women's jail there are no men prisoners.**

The following table shows the sanctioned capacity, along with the actual total strength of the prisoners in this jail:

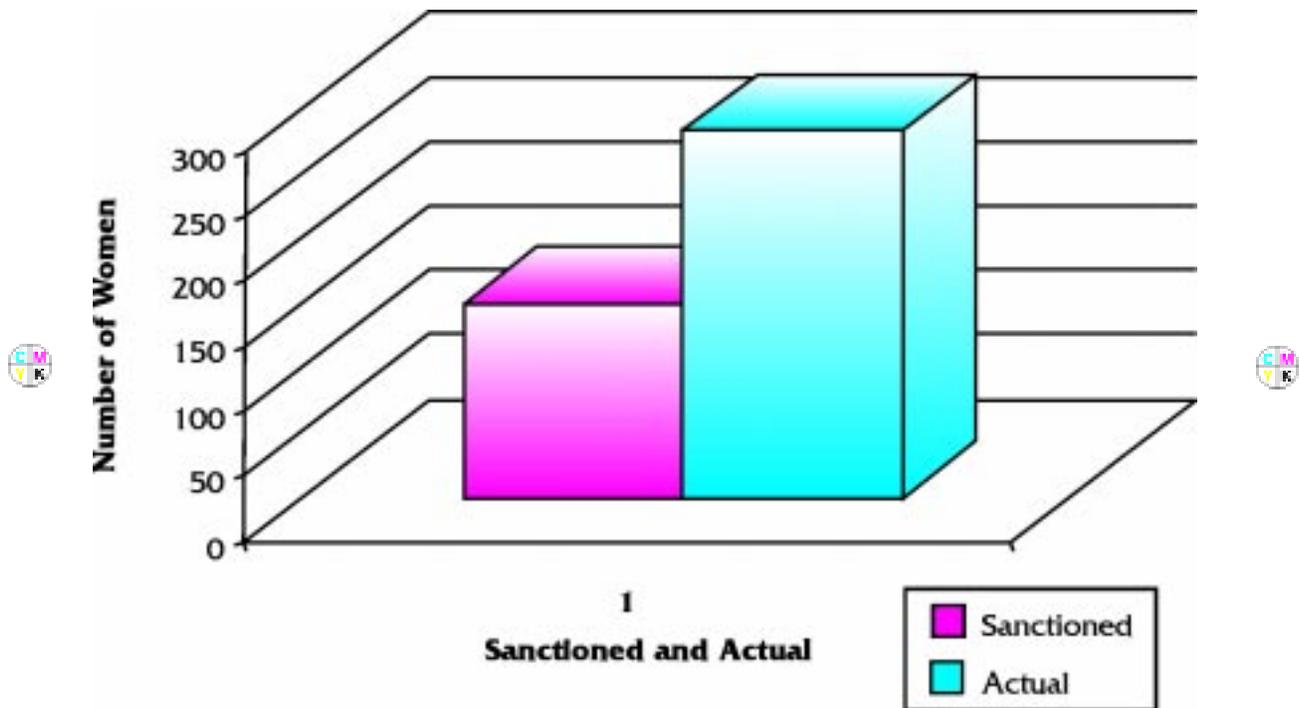
**Total Sanctioned capacity (prisoners) 150**

**Actual Strength (on the day of visit) 285**

Male / Female	Sanctioned Strength	Actual Strength
Male	N.A	N.A
Female	150	285

**Actual strength of the Convicts and Under-trials (as on the day of visit) 285**

	Convicts	Under trials	Total
Male	N.A	N.A	N.A
Female	183	102	285



**Number of children with women prisoners and their age group**

**Children with Convicts 10**

**Children with under-trials 12**

Sex	Strength	Age Group
Male	08	0-6 years
Female	14	2-6 years

## **Living Conditions**

- **This jail is an overcrowded jail, with paucity of space and an ever-increasing number of women prisoners.** The authorized accommodation at the jail is only 150, but the number of women prisoners is constantly rising. At present, **the jail has 285 inmates with 22 additional children.** From among these **285 women, 183 of them are convicts and 102 are under-trials.**
- Most of these inmates are Indian, **except for one South-African woman and one Pak national.**
- **Being a separate women jail, there is no exploitation of the inmates in the jail.**
- There are no women detainees, who are beggars or vagrants in the jail.
- A large number of women in this jail belong to the lower class or the lower middle class, strata of society. A very few belong to the middle class level. A majority of these women prisoners were housewives before they were detained for criminal behaviour. Some of them were working on family farms, or as labourers on the fields and a very few worked in shops or offices.
- **No corporal punishment** of any kind is given to anyone.
- **Women are not handcuffed or isolated.**

**This is an overcrowded jail. The Reasons for Overcrowding** can be attributed to

- (a) The increasingly high incidence of Crime in which women are involved.**
- (b) All the women under-trials, in all the other eight jails of Punjab, once convicted are transferred to this jail.**
- (c) Even so, the number of under-trials is fairly large and that accounts for over-crowding as well.**

- **The living conditions at this jail are better** in many ways since women have the freedom to walk and sit on the grounds and can also be involved in some skill training programmes from time to time.
- Since there is an all female staff, the women inmates feel much more secure.

## **Building**

- Although a fairly new structure, the jail building has **a highly faulty architecture-**round in shape, it is a dark and dingy place
- There are cells on one side and barracks on the other side, on the first floor of the building.

- The living area is on the first floor of the building. This makes it difficult for the handicapped and older women to climb up and down the staircase on account of osteoporosis and other ailments. They have to come down for their meals and to access anything several times during the day.
- The building looks forlorn, with no trees and plantation of any kind because of the lack of water. This gives the place a barren and dry look.
- There is a big ground in the middle of the jail, where the women sit during the day and can walk.
- There is a structure for an **open-air theater** built inside the jail compound, which is utilized for performing cultural activities and 'giddha' etc. This place can be put to more use.
- **Walls:** The plaster is peeling off the walls and there is dampness in the rainy season. These need repair and whitewashing periodically. Painting the walls instead of whitewashing would ensure better cleanliness of the building.
- **The Roof of the building is damaged and needs to be repaired at many places and requires immediate attention.**
- The Floors are in fairly good condition and clean (though only cemented).
- Electrical wiring and electrical fittings need replacement since they can be dangerous.

### **Cleanliness, Sanitation and Hygiene**

- Since this is an exclusive women's jail there are no problems regarding privacy from other men prisoners.
- However, **individual privacy is an issue, which needs to be seriously considered.**
- **The toilets are located within the cells, without any doors and there are no walls either.** This makes it **impossible for the individual to have any of privacy.**
- There are 41 Toilets and 29 Bathrooms for the 285 inmates of the jail.
- The ratio of the toilets / bathrooms to the number of inmates would then is 1:7 and 1:10 respectively.
- The problem of cleanliness in the toilets is related to the inadequate water supply.
- The toilets in the barracks, which have doors, are loose at the hinges and need to be replaced or repaired.

- Due to unhygienic conditions the toilets emanate a foul smell. Lack of water worsens the conditions and the prisoners have no choice but to cope up with the stink.
- The existing conditions of the Toilets and Bathrooms need to be improved as well. Modern materials, which are cleaner and can be maintained better, should be used with the consultations of architects. Materials like tiles on the floors and walls can be kept cleaner and thus provide for better hygienic conditions.
- The WC's are broken in many of the toilets and need to be changed. Indian style WC's are best suited in these places.
- Most of the **flushes do not work** and since there is a shortage of water the overhead tanks are not filled. This again needs immediate attention. This **requires pumps to fill the overhead tanks and repair or replacement of the flush system.**
- **Water is not sufficient** and it becomes difficult for the inmates, since they have to often carry water from the ground floor for bathing etc.
- We were told that, **two pumps are being installed on the jail premises. Along with this, water storage facilities need to be provided immediately.**

### **Drainage**

- The drainage system as reported by the jail authorities is satisfactory.
- The drains are cleaned periodically.
- However, the jail authorities suggested that they **require a Repair cell of the P.W.D within the campus** to improve the systems of functioning, which constantly need attention.

### **Kitchen**

- Since there are only women prisoners here, the kitchen is run by the women inmates themselves.
- **It needs to be mentioned that this kitchen is by far the cleanest from among all the jails we visited. This may be attributed to the fact that women have a natural and learned attitude towards cleanliness.**
- The kitchen however, lacks the adequate facilities required for cooking sizeable amounts food. There are no modern equipments, nor aprons or towels or napkins, which can be used while cooking.

- The small exhaust fans are inadequate to keep down the temperature in the kitchen.
- The method of storing of water for cooking is inadequate.
- The kitchen is clean though requires modernization.
- There is provision for clean drinking water and cooking every day.

### **Water Supply and Drinking Water**

- The **water supply is inadequate and insufficient** for the needs of the inmates.
- The jail authorities are very concerned about the hardships faced by the inmates, since, water is essential for personal and general cleanliness - it is a basic requirement.
- Also, the facilities for storing water for use are not sufficient.
- This jail also **does Not have a tube-well** or pumps or storage tanks and these are reasons for the inadequate water supply.
- Pitchers or water campers can be provided inside the barracks for storing drinking water.

### **Food and Diet**

- Food and the number of meals are being given according to the prescribed scale in the jail manual. The pattern of meals – the quantity and quality of food is the same as in the other jails.
- **Special foods are made on festivals with the contribution of the jail staff and some contributions made by the inmates.**
- Extra diets, on the recommendation of the doctor are also given in accordance with the jail manual.
- Raw, uncooked food is allowed from outside and the inmates often wait for their relatives to get them some extra food.
- There is a canteen on the premises of the jail, which stores things for the consumption of the prisoners. These include food items too. This is the only jail where women can access the canteen themselves and often buy things they need.
- The Superintendent however, informed us that they are able to provide very few vegetables to the inmates because they are dependent on the Central jail for the supply of vegetables. The Central jail manages to send vegetables to this jail only when they have a surplus output, since vegetables are cultivated there.

- The Superintendent mentioned that she and her colleagues often contribute to get “halwa” made on the full moon day (Purnima) for the inmates.

### **Clothing and other articles of Use**

- Two white cotton (khadi) suits and one dupatta are given to every convict (once in a year). Since these two pairs are not adequate, they get their own white suits made out of other materials and wear them. However, they are allowed to wear clothes of their own choice often or on Sundays and on festivals.
- The under- trails are not given these sets of clothes. The under-trials wear their own clothes and can keep a few sets of clothes.
- The Jail Superintendent mentioned that on festivals and especially on **Karva- Chauth, the women like to wear good clothes and put on mehndi and dress up with great care. Sometimes they like to dress up for the mulkats as well.**
- Soap is provided for washing and bathing. Other items like oil, comb, sanitary napkins etc. are also provided.

### **Bedding**

- One towel, one bed sheet, one blanket and one quilt are provided to all the inmates once in a year. This bedding is sufficient to meet the needs of the inmates.
- If however, someone requires extra blankets during winter, the authorities provide them.
- But there are No mattresses, though there are few beds in the cells. A large number of inmates have to sleep on the floor.

### **Work Programme**

- This is the **only jail where there is a work programme for the women prisoners.**
- This is primarily attributed to the fact that there are a large number of women convicts here.
- The convicts are required to participate in work programmes but the under-trials are not supposed to work.
- The **Jail manual bars under-trials from any kind** of work. Except in cases where the under-trials themselves wish to work. In such a case, she can give her willingness to work in writing. Subsequently, she can participate, learn and work in any work programme she is interested in.

<b>The Work Programme is considered Therapeutic and is not forced labour.</b>
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**Work as Therapy is highly recommended** since:

- (a) It enables the women to be engaged in productive work.**
  - (b) It keeps their minds busy and reduces depression and distress.**
  - (c) They also get paid for their work.**
  - (d) They are able to learn a skill and may perhaps be able to use it as a means of livelihood after leaving the jail.**
  - (e) It enables them to develop a sense of self-worth.**
- However, there is **No Factory Budget** provided to the jail. Work on the basis of private orders is undertaken. The inmates participate in this work, such as embroidery and stitching, whenever they get an order.
  - There are No NGO's involved in promoting or involving women in skill training or a work programme.
  - Moreover, the work programme runs in a very limited manner because of the reasons mentioned above.

#### **Training Programmes for the inmates**

- Several training programmes are run from time to time in the jail. Programmes in **embroidery, knitting, stitching, dari-weaving, crochet** are conducted periodically.
- The jail superintendent mentioned that she has made several attempts to link up with one of the handicraft units of the Punjab state government, so that the products made by the women can be outsourced through these agencies. However, she has not been able to work out anything with these units because of stringent governmental rules.
- There are 36 sewing machines. From among these, 8 are ordinary sewing machines and 28 are fashion makers-, which can be used for fine embroidery work.
- The work is taught and supervised by an Embroidery-Instructor. However, at present there is no regular instructor.
- There is a separate room where these machines are kept and where women can sit and work.
- However, we found that only a few machines are being used at present and the rest are covered and unused.
- Since it is not imperative to work, and the under-trials are not supposed to work, there is very little motivation for individual women to participate in any work

programme. Most of the women do not like to do anything at all and just waste away their time. **A large human resource is being wasted in the prisons.**

- **We saw some of the women doing very beautiful crochet work** and two other women **knitting lovely sweaters.** If motivated and given adequate wages, their energies and time can be constructively utilized. **Some of the women are talented and others are capable of learning. If given the right incentives and the much-required push, they are capable, not only of learning a skill, but perhaps changing their lives.**

### **Wage Structure**

Since, only the convicts are engaged in the work programmes, they get paid according to the old pattern of wages. **This wage structure needs to be reconsidered and revised.** The present wage structure is :

Daily wages (amount per day)	<b>For convicts</b>	<b>For under trials</b>
Semi skilled / skilled	Rs. 8/Rs. 10/Rs. 12 Per day	N.A.

### **Education and Literacy**

- **This is the only jail, which has a separate classroom and a permanent teacher to teach the inmates.** Even so, this facility is underutilized, partly because of the lack of a compulsory regimen and partly because of the disinterest of the inmates.
- Literacy classes are held in the classroom where a regular teacher is employed to impart education to the women.
- However, very few women regularly go to the classroom.
- The teacher tries to enlist their interest but did mention that a majority of them do not pursue education seriously. She also mentioned that a few women learn to read in order to be able to read their religious books.
- **There is no compulsory literacy programme for the illiterate inmates.**
- **There are a few books which are kept within the classroom, but they are old and worn out. Very few inmates show any interest in reading.**
- The inmates are not given any kind of information regarding the method of operating a bank / post office or access health care centers or register in an employment exchange etc.
- However, on admission to the jail they are apprised of their rights in the jail.

## **Health and Medical Facilities**

- Notwithstanding a large occupancy of 285, there is **No Residential doctor, No Psychiatrist and No Counselor to look after the Physical and Mental health of the women and their special needs.**
- There is one Pharmacist, who takes care of the supply of the medicines, which are prescribed by the doctor.
- The jail authorities reported that the availability of the medicines is adequate.
- There is no reported case of HIV / AIDS positive patient or of anyone suffering from T.B.
- There is one male doctor who comes from the adjoining jail, to attend to the women inmates. This doctor is an appointee of the Central jail, which is located adjacent to the Women's jail. He visits the Women's jail everyday.
- A Gynecologist from the General hospital visits the jail on a weekly basis.
- The services of the specialists and civil surgeon are provided whenever required. Either the specialists visit the jail periodically, or the person who requires attention is taken to the hospital.
- There are **no female nurses** to assist the doctor or monitor medication for the inmates.
- Women, who have more serious illnesses and need special medical attention, are taken to the hospital.
- **There are Provisions for Isolation / segregation of patients**, if and when required- especially in cases of contagious diseases.
- There is one woman who is handicapped – she walks on crutches and finds it extremely difficult to negotiate the stairs. She has to come down for her meals and any other thing that she requires.
- Also, older women complain that they find it difficult to climb the stairs because of osteoporosis and other joint related problems. **Special arrangements need to be made for the physically handicapped and the older women, on the ground floor** so that they are spared the undue stress and pain.
- The jail does provide for some minimum facilities for the Expectant and Lactating mothers. They are given one kg. of milk, in addition to their regular diet. No other nutrients are however provided.

- The same doctor provides anti-natal and post-natal care, or a specialist is called, if required.
- The older women prisoners impart some information regarding child rearing and mother hood to the young mothers.
- Very little and light wok is assigned (if at all) to them during pregnancy and the lactation period.
- A few older women also need attention for their vision and five of them need dentures.
- The jail authorities arrange for inoculation of the infants.
- A few women suffer from chronic ailments and are being treated regularly for - Diabetes, Asthma, Hypertension and Arthritis.
- The jail **Does Not have an Ambulance** and it becomes difficult for the authorities to make arrangements in case of an emergency. They have to depend on the adjoining jail for an ambulance, which is rather difficult.
- There have been **No Custodial Deaths** in the prison during the last five years.
- There has been **No unusual incident** in the jail during the past year.

### **Recreational Facilities**

- There is a black and white TV for the inmates and all the inmates watch TV programmes keenly. This has become an important part of their daily activity.
- Some of them also play badminton and carom board. They play other games on their own.
- Two rooms within the jail have been converted into a gurdwara and a temple. A number of women participate in “path” and “kirtan” everyday – both in the morning and evening. They sing “Bhajans” and “shabads” and this they say gives them some solace. The inmates have decorated these places and run them too.
- They sing songs and participate in ‘giddha’ often.
- Physical exercises are carried out sometimes but there is no programme on yoga or meditation.

### **Interviews with relatives**

- Interaction with members of the family take place trough periodic interviews according to the method prescribed in the jail manual.

- Convicts are allowed interviews with their family members once a week for 30 minutes.
- Whereas, the under-trials are allowed interviews twice a week for 30 minutes.
- If there are other family members in the adjoining jail, which is the Central Jail, then these women have a fixed day in a month to meet them. They are taken to meet their relatives under the supervision of women jail officials.
- The system of interviews with lawyers is based on the request of the lawyer. Any number of interviews with the lawyer are allowed, with the prior permission of the Jail Superintendent.
- There is No separate barred area in this jail, where interviews (mulakats) can be held. There is a small space at the entrance of the building, where the women sit on the floor and talk to their relatives.
- The Superintendent told us that this is **highly unsafe and insecure**. The female guards at the door do not have any weapons either. This needs immediate attention.

#### **Release on parole / furlough**

- **If the prisoner conducts herself in an appropriate manner and her conduct is good, then the Superintendent has the authority to grant her Parole and Furlough in accordance with the provisions in the jail manual**
- **Parole is for a period of 28 days after every six months.**
- **Furlough is for 14 days after the first 3 years. Subsequently, they get Furlough every year.**

#### **Management**

- **The management of this jail includes** only women personnel.
- There is a female cadre only in this jail – the hierarchy goes upto the Superintendent (Grade-II).
- **The Sanctioned Strength and Actual Strength of the jail staff is as follows:**
  - **Sanctioned strength** 38
  - **Actual strength** 28
- There are **24 Matrons and 4 head Matrons working in the jail.**
- The **actual strength and the sanctioned strength of the jail staff are not commensurate** and the actual strength falls short of the sanctioned strength. This

implies that the **staff has to work for longer hours and is considerably overworked.**

- In view of the overcrowding in the jail, the ratio of the staff and the inmates is inversely related and it **leads to more stress and added workload for the jail staff.**

### **Training**

- There **is a training programme for all the jail personnel, at the beginning of the job.**
- This is a six-month training. It includes physical training, knowledge of the jail manual, human rights issues, knowledge of laws and the legal system, and other necessary information required to deal with the other agencies, which are connected to the jail system.
- However, the training does not include any Gender Sensitization programmes.
- There is no special training given in human handling skills, but the Superintendent mentioned that **the female instincts and sensitivities enable them to handle the inmates with compassion.**

**There are no NGO's or social activists, who are involved in any of the Prison Activities or Welfare activities for the inmates.**

- It was also mentioned by the jail authorities that whenever some individuals have tried to come and meet the women prisoner, they are not cooperative and are not interested to share their problems and views with the outsiders. However, we found that they were more than willing to talk and started pouring out their stories readily and talked at length about their grievances especially regarding the judicial system.

### **Conditions of women under-trials**

**The living area of the convicts and under-trials is separate. Most of the convicts are given cells to live in - Two to Four women share one cell.**

**However, the intermixing of the convicts and under-trials cannot be separated, nor is it possible to keep them apart. Neither the structure nor the activities of the jail allow for this. During the day, they meet and sit and talk and interact with each other.**

- Prisoners are **neither segregated on the basis of age nor on the basis of kind of crime, nor the length of the sentence.** They all live together and interact with each other - habitual offenders, prostitutes, murderers - are not kept in separate custody.

- **All adolescent prisoners of ages 18 to 22 are kept in custody with adult women. They stay in the same enclosure.**

#### **Detention period of the Under-trials**

<b>Detention period</b>	<b>Number</b>
Upto 6 months	42
6-12 months	37
1-2 Years	12
2-3 Years	4
3-5 Years	2
Above 5 years	5

- The above figures show that 7 women have been detained in the prison for more than 3 years – these cases need to be reconsidered for speedy judgment and redressed at the earliest.
- There is no system of Lok Adalats.
- The under-trials are produced in the courts as and when required by the court procedures. They are taken to the courts by the police and are under their security.

#### **Facilities for accompanying children**

- There are no special facilities provided to the inmates with children.
- From among the **22 children - 8 are males and 14 are females**. They are in the age group 1-6 years, since children upto the age of six can live with their mothers. Later, their relatives either take them home or the children are sent to the Bal Bhavan or to a hostel, which has been identified. **One child has been sent to this hostel and is quite happy there.**

#### **Number of children with women prisoners and their age group**

Children with Convicts	10
Children with under-trials	12

<b>Sex</b>	<b>Strength</b>	<b>Age Group</b>
Male	08	0-6 years
Female	14	2-6 years

- After a period of six years, the child gets visiting rights, according to the jail rules and he can come to meet his mother on the day of the interview.

- The other older or younger children, who live with other relatives, also have the same rights to visit their mother in the jail.
- There is no separate accommodation or facilities for these mothers and children.
- Only one extra glass of milk is given to the children as an added diet. There are no other kinds of foods or nutrients, which are given to them.
- There is a teacher to educate the children, but there is no systematic manner of carrying out a formal, structured teaching programme.
- As for recreation of the children, they can play in the jail ground. There is also a Ludo and carom board for them to play with.
- The children are Not given any clothing or separate bed or bedding.
- The jail doctor takes care of the children in case of any illness.
- Inoculation of the infants is however arranged if required.
- There is no Pediatrician, who makes regular visits to the prison for medical care of the children.
- As mentioned earlier, except for an extra glass of milk, the children are not given any extra nutrients or foods as their special diet, which is needed for their growth.

### **System of Release**

The relatives are informed about the release of the prisoner. In case relatives do not come at the time of release, the jail matron is sent with the prisoner to leave her at her house.

### **Rehabilitation**

- **There is no system to arrange for rehabilitation of prisoners after release, nor are there any monitoring agencies. There are no short-stay homes for homeless released prisoners.**
- A majority of the women are accepted back into their family, though the level of acceptance is not known.
- There are a few cases where the immediate family does not accept her, nor are there other relatives who wish to take her in their fold. In such situations, there is nowhere she can go. It is important to provide some assistance and support to these women.

- The more pressing issue is that of finding **employment after release**. This is a task, which can be undertaken by NGO's and civil society and can be of immense practical use to them.

#### **Related to the Judicial Process**

- The Jail authorities have reported that there is no official delay in forwarding appeals to the courts.
- **In cases where there are older women or seriously ailing prisoners, attempts are made for the** expeditious disposal of these cases for the purpose of premature release.

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| <ul style="list-style-type: none"><li>■ <b>There is No corporal punishment given to the women.</b></li><li>■ <b>Neither are the women handcuffed.</b></li><li>■ <b>Nor is there a system of isolation of women.</b></li></ul> |
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- The prison manual is supposed to be made available to the inmates. However, we did not find the jail manual anywhere nor were the women aware of this.

#### **Legal Aid**

- The jail authorities do arrange for Free Legal Aid for those prisoners who are unable to engage lawyers on their own. Some women have benefitted from
- However, there is no Provision for Lok Adalats in any of the jails.

#### **Recommendations**

These recommendations are based on our discussions with the Jail Superintendent and our own observations. The Following recommendations are being made for appropriate consideration and Action:

- This jail is an overcrowded jail with paucity of space and more women prisoners. Therefore a number of issues regarding infra-structural facilities are related to this.
- The building requires **Renovations and Repairs**.
- The building needs many additions. **Addition of 2 barracks with a capacity of accommodating 200 women, and additional cells are an urgent need.**
- The living area is all on the first floor of the building. This makes it difficult for the handicapped and older women to climb up and down the staircase on account of osteoporosis and other ailments. They have to come down for their meals and to access anything several times during the day. Therefore, **some rooms on the ground floor should be added.**

- The building looks forlorn with no trees or plantation of any kind because of the lack of water. This gives the place a barren and dry look. **Cultivation of trees and plants** would be appropriate.
- The **walls** need to be whitewashed and repaired. The plaster is peeling off the walls and there is dampness in the rainy season. These need repair and whitewashing periodically. Painting the walls is good option since they can be washed and kept cleaner.
- The **roof of the building** needs to be repaired at many places and requires immediate attention.
- **Electrical wiring and electrical fittings** need replacement since they can be dangerous.
- A **small cupboard should be provided** to each woman so that she can keep her belongings in a clean manner.
- Also, **individual privacy is an issue, which needs to be seriously considered at various levels.**
- The **Toilets** are located within the cells without any doors and no walls. This makes it impossible for the individual to have any of privacy.
- Doors in some places need to be replaced.
- Increase in the number of toilets and bathrooms, is an imperative need.
- This existing Toilets and Bathrooms need to be improved as well – modern materials, which are cleaner and can be maintained better, should be used in consultations with architects.
- Materials like tiles on the floors and walls can be kept cleaner and thus provide for better hygienic conditions.
- The WC's are broken in many of the toilets and need to be changed. Indian style WC's are best suited in these places.
- Most of the **flushes do not work** and since there is a shortage of water the overhead tanks are not filled. **Replacement of the flush system** is an immediate need.
- Pumps to fill the overhead tanks are essential.
- **Water is not sufficient** and it becomes difficult for the inmates since they have to often carry water from the ground floor for bathing etc.

- We were told that two pumps are being installed in the jail, but water storage facilities need to be provided immediately.
- **A tube-well** is a necessary requirement.
- **A generator is another essential need.**
- The **kitchen** is clean though **requires modernization.**
- Improved provisions for storing water, better equipment for cooking and storing food in the kitchen are also required.
- With improved water supply, **plants and trees** can be grown around the jail compound. Trees, especially trees like Amla, Neem or shady flowering trees can be grown. The women inmates can be involved in the maintenance of the grounds and a garden. This can also be therapeutic.

### **Medical Facilities**

- This jail requires a permanent post of a **Female Medical Doctor**, who can stay on the premises of the jail and can be easily accessible.
- Two female nurses to assist the doctor and monitor medication is another requirement.
- If possible, it is recommended that there be a small hospital on the jail premises, with some basic facilities. The lady doctor and female nurses can run this.
- At the hospital, there can also be provisions for a laboratory with a lab technician. Basic facilities for some tests, like blood tests, malaria, sugar and pregnancy tests etc., can be made available.
- **An Ambulance is another requirement of the jail.** It is very important for the jail to have an ambulance of it's own because in cases of emergency, specially like delivery cases or a heart attack, there is little time to make arrangements for an ambulance.
- **A counselor** is imperative for the mental health needs of the inmates. A counselor can become an enabler to the inmates so that they are able to realize their offensive behavior and be motivated to change their attitudes.
- **Physical exercise:** Most of the inmates are in the age group where they need to be extra cautious of their health and hence need to exercise daily. Some provision like morning P.T. / drill / yoga must be made a part of their jail routine. They should be encouraged to participate in some outdoor activities and games to keep them physically fit and mentally sound. Often, with no household work or other

activity, their muscles become lax and they complain of aches and pains. Therefore, they can all benefit from a physical fitness regimen.

- Special arrangements need to be made for the physically handicapped. Also, the older women find it difficult to negotiate the stairs. Arrangements on the ground floor need to be made so that they are spared the undue stress and pain.

### **For Children**

- At present there are 22 children on the jail premises who are less than six years of age. Though there is a teacher, education is not compulsory for the children. Children need to be provided with elementary books and elementary education can be made compulsory for them through a regulated time and a formal method of teaching. Besides, educational toys and games should also be provided for them.
- Some diet nutrients may be added to their food, since the children are growing and they also have special needs.

### **Work programme**

- The Jail manual bars under-trials from any kind of work except in cases where the under-trials themselves wish to work. This is an area which should be re-considered in the following manner:
  - (a) A large majority of the prisoners in every jail are under-trials. The number of convicts is much lesser.**
  - (b) They consume a large proportion of resources without making any contribution.**
  - (c) Moreover, work can be more therapeutic than exploitative.**
  - (d) Work will enable the women to use their energies and time in a constructive manner.**
  - (e) They will be less distressed if they are engaged in productive work.**
  - (f) It will also enable them to earn for themselves and their families as well.**
  - (g) Further, this learnt skill could become a source of livelihood once they are released from the jail.**
  - (h) It will give them a feeling of self-worth.**
- **A Factory Budget** should also be allocated to this jail, so that continuous work programmes can be implemented.

- **The wage structure needs to be revised and reformulated** to become an incentive for the inmates to work and earn as well.
- **A large human resource is being wasted in the prisons.**
- We saw some of them doing very beautiful crochet work and two other women knitting sweaters. If motivated and given adequate wages, their energies and time can be constructively utilized. Some of the women are talented and others are capable of learning. If, given the right incentives and the much-required push they can, not only learn a skill but also perhaps change their lives.

**Isolation of Convicts:** The convicts serving the imprisonment for heinous crimes and offences like drug trafficking and flesh trade, or multiple murders, should be separated from the under-trials, and the younger women, as they can be detrimental to the interests of other inmates.

### **Speedy Redressal of Under-Trials**

- The justice system should attempt time-bound decisions for the women offenders.
- Petty cases must be disposed off at the earliest.
- Sometimes, when the case goes on for years, the inmate tends to serve more punishment than her sentence.
- **A Time-bound justice system or Special Courts with a sensitized woman Judiciary should be evolved.**
- **The posts of non-governmental visitors should be assigned to Social Activists and individuals who are sensitive to the conditions and concerns of the prisoners and can play a constructive role.**
- **Another pressing issue is that of finding employment for the women prisoners after release. This is a task, which can be undertaken by NGO's and civil society and can be of immense practical use to them.**

### **Administrative Requirements**

- **An imperative need of this jail is to have a separate and safe Administrative building, which should be located outside the main jail building.**
- There is No separate barred area where mulakats can be held – this makes the whole place unsafe.
- The Superintendent told us that the jail is **highly unsafe and insecure**. The female guards at the door do not have any weapons either. This needs immediate attention.

- The administrative building is located within the main building of the jail, which makes it highly insecure and unsafe. There are no guards with weapons to tackle any kind of eventuality. Appropriate steps towards having a **separate administrative building with a guarded mulkat area need to be added immediately.**
- It was also noticed that all other eight jails have been given complete Computer sets for making the official work easy and convenient. But at the Women's jail at Ludhiana there are No computers. Therefore, it is recommended that **computers be provided to them at the earliest.**
- **The jail also needs security cameras and other security equipment in order to make it more safe and secure.**

**The Ludhiana Jail has specific requirements, which need to be looked into, and followed up at the earliest.**

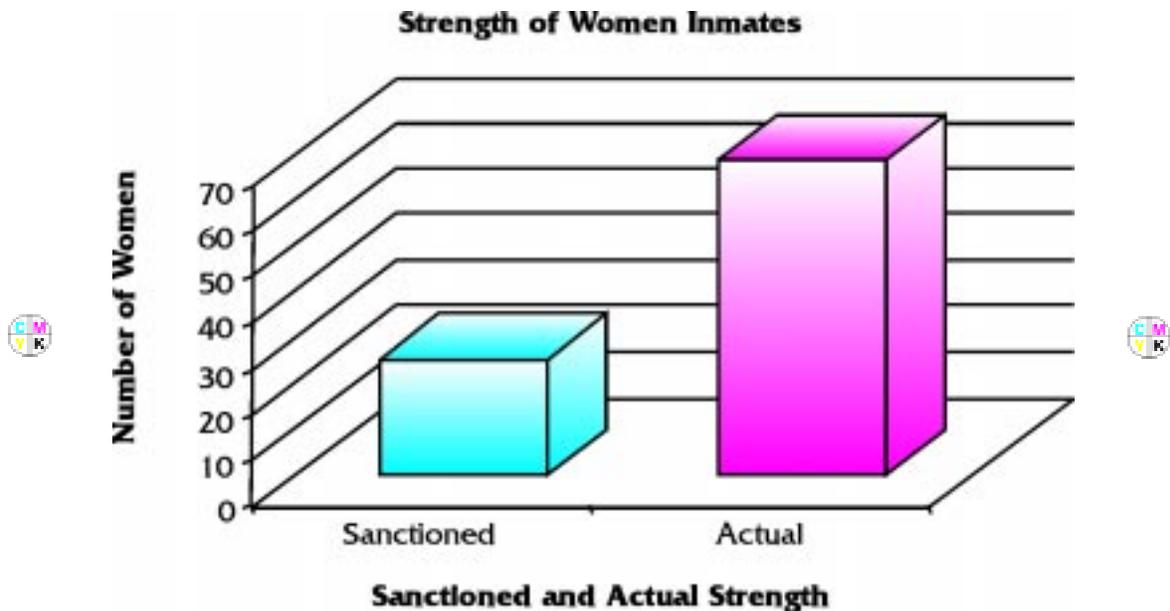
## JALANDHAR JAIL

**The Jalandhar jail is one of the oldest jails in Punjab and goes back a 150 years. The total capacity of the jail is of 525 inmates (for 500 men and 25 women). The present inmates in the jail include 1119 men and 69 women and 9 children. From among the 1119 men, there are 340 convicts and 779 under-trials. From among the 69 women prisoners, 64 are under-trials and 5 are convicts. There are 9 children (5 male and 4 female) accompanying their mothers. All the children are with the under-trials.**

Thus the present strength of 1188 prisoners is more than double of its total capacity. Infact **the number of women prisoners is almost three times the sanctioned strength.** This clearly indicates the overcrowded situation within the jail.

<b>Total Sanctioned capacity</b> (prisoners)	525
<b>Actual Strength</b> (on the day of visit)	1188

Male/Female	Sanctioned Strength	Actual Strength
Male	500	1119
Female	25	69



**Actual strength of the Convicts and Under-trials** (as on the day of visit)

	<b>Convicts</b>	<b>Under trials</b>	<b>Total</b>
Male	340	779	1119
Female	05	64	69

**The number of children living with their mothers is as follows**

Children with Convicts	Nil
Children with under-trials	09

<b>Sex</b>	<b>Strength</b>	<b>Age Group</b>
Male	05	Between 0-4 years
Female	04	Between 0-7 years

**Living Conditions**

- The living area for the women prisoners forms only a small part of the jail premises and is situated away from the area where men prisoners are housed.
- The women prisoners – both convicts and under-trials live together, in this separate enclosure.
- There are three large rooms, where 69 women live. There is considerable overcrowding and the rooms are swarmed with women.
- The gates of this section of the jail are locked at all times and one female matron is always on duty inside this area.
- Within this walled area the grounds are very small and barren and there is no grass there. This open area around the built barracks is very small and not adequate even for the women to walk. Since there are 69 women in this jail, it becomes even more difficult for women to make use of the space. During the day, they sit around in the small open space in groups.
- There is one woman who has psychological problems and needs the help of a counselor or a psychiatrist.

**Building**

- **The building** is old and in needs to be renovated at the earliest. We were told by one of the functionaries that parts of the building are almost unsafe to live in.

- There is a proposal for a new building, but in the meantime, this building does need **urgent** attention.
- There is privacy for the inmates, including when going to the toilet during the day and at night.
- **This area is very secure in terms of the structural arrangements, which make the area where women are kept very safe.**
- **The Walls** inside the barracks are old and in a shabby condition.
  - (i) The plasters of the walls is peeling off.
  - (ii) White washing has probably not been done for a long time.
- **The Floors**, which are cemented are old and worn-out, and make the place look dull and shabby.

### **Cleanliness, Sanitation and Hygiene**

- There is one toilet within each barrack, which the women can use at night. The rest of the toilets and bathing areas are located outside the barracks, which have doors.
- **There are 4 toilets and 2 bathrooms in this section. Thus, the ratio of toilets to the number of users is 1:18 and of bathrooms are 1:35 .**The number of toilets in proportion to the number of the users is very low and that is one main reason for the **low level of hygienic conditions.**
- The **WC's are broken** and most of **the flushes do not work** – all these need to be replaced at the earliest.
- The toilets and bathrooms are inadequate and directly related to the overcrowding in the jail.
- This is also related to the issue of cleanliness – since the number of individuals and the facilities is inversely related, the cleanliness levels go down.
- However, these toilets and bathrooms are very old and need to be renovated with modern materials.
- The water supply is adequate as reported by the jail authorities.
- **The drainage system** is functional and is cleaned periodically.
- But some of the drains are not covered at places. This needs to be taken care of, since it is unhygienic and can lead to mosquito breeding and the spread of disease. Some arrangements for an underground drainage system are essential.

## **Kitchen**

- **The Kitchen** is also an old one **and has never been renovated.**
- It has very little sunlight.
- The **floors** are broken in many places.
- Though **some innovations** have been made for kneading of flour and for making chapattis etc. they are far from adequate.
- For the large amounts of food cooked in this kitchen, the adequate facilities are missing. The procedure of cooking is arduous and we could see the men sweating over the food being cooked.
- The small exhaust fans are inadequate to keep down the temperature in the kitchen.
- Nor is there a method of using things like aprons and towels etc. that can make the cooking procedure cleaner.
- The method of storing of water for cooking is inadequate.
- The jail superintendent has tried to innovate and bring some changes in the kitchen but they are only temporary and not sufficient.
- **Fire Extinguishers required as a safety measure.**

## **Water Supply and Drinking water**

- There is adequate water supply as reported by the jail authorities but there are insufficient facilities for storing water for use.
- This jail also has a tube-well, which ensures an adequate supply of water.
- Pitchers or water campers can be provided inside the barracks for storing drinking water.

## **Food and Diet**

- There is **No separate kitchen for the female prisoners.** Food is cooked in one place and since the quantities are large, the men cook all the food.
- Food and the number of meals are being given, are in accordance with the prescribed scales, in the jail manual.
- Extra diets, on the recommendation of the doctor are also given in accordance with the jail manual.

- Raw, uncooked food and fruits are allowed from outside and the inmates often look forward to getting some extra vegetables and fruits from home.
- There is a canteen on the premises of the jail, which stores food items and a few other things like milk, biscuits, bidi and cigarette etc.
- The women are not allowed to go to the canteen but can ask the matron to get them anything they need from time to time. A few of the women buy milk everyday.

### **Clothing and other items of use**

- The Convicts are given two sets of white khaddar suits and a duppata, once in a year. However, they do wear their own clothes as well.
- The Under-trials are not given any clothing because the jail manual does not allow it. The under-trials wear their own clothes and are allowed to keep 2- 4 sets of clothes.
- The rest of the items of use are provided to both the convicts and under-trials in a similar manner.
- It was mentioned by the matron that the women do have the freedom to wear apparel of their own choice and like to dress up on the occasion of festivals ( Karva- Chauth / Diwali etc.)
- However, in most of the jails the women inmates told us in whispers, that **they are discouraged to wear nicer clothes and asked to wear old and slightly worn out clothes. They are also discouraged from applying lipsticks everyday. It is therefore recommended that the inmates be allowed to wear the clothes of their choice and allowed to put on make up, as and when they like.**
- They are also given a bathing soap, once in a month, and soap and hot water on the weekends to wash clothes and toothpaste / oil, if required.
- Though, the jail authorities did mention that the items of use are adequate for the inmates, **we recommend a reassessment and additions in the items of use, provided by the jail authorities. The quantity and quality of soap needs to be improved and increased.**

### **Bedding**

- The bedding supplied to the inmates includes one thick sheet ( khes) , one dari and blanket or a quilt in winter. Both the convicts and under-trials are given the same bedding.

- If an older woman or a sick woman requires something more (bedding), it is provided by the jail authorities a need basis.

### **Work Programme**

- **The women inmates are not involved in any work programme – whether it is productive work or skill training.**
- No menial duties are given to the inmates on an everyday basis.
- The under-trials cannot be given any work since the jail manual does not allow it. The convicts who can be given work are too few in number. The jail authorities therefore do not seem to be making the effort to involve these few women in any work programme, The Superintendent however, felt that if all the under-trials could also be involved in work, some work programmes could be run for them.

### **Education and Literacy**

- There are **No Facilities for imparting any kind of Education to the women – neither any Adult Education nor any other kind of basic educational programmes are available for the prisoners.**

However, literacy levels among the women prisoners are as follows:

<b>Literacy Level</b>	<b>Convicts</b>	<b>Under-Trials</b>
Literate	02	22
Illiterate	02	43

### **Library Facilities**

- There is a small library on the jail premises, where there are a few old books and daily newspapers to read.
- However, the women inmates are not allowed to go to the library since they cannot move out of their enclosure. If they express a desire to read something, they have to request the Matron to procure the book they want to read. Some of them are not aware of this facility and others seldom ask for a book.
- The books in the library look old and are very few in number.
- This is another area, which needs attention.

### **Recreational facilities**

- There is one small TV in the women's barrack, which does not have a cable connection.

- The women told us that they sing Bhajans / Shabads in the morning and evening and do “Path” and “ Kitran” everyday. This they say helps to keep their sanity.
- They also sing songs and perform “giddha” (a Punjabi folk dance). They even performed giddha for us. Some of the women mentioned that this is not only a way of entertainment but also enables them to keep themselves physically active, since they do not have any household work or any other activity in which they participate in the jail.
- **There is no system of any physical exercise – whether it is a daily drill or yoga.**
- **Sometimes some spiritual programmes like ‘the Art of Living’ are run for the inmates.** Since these programmes are not religious but spiritual, the jail authorities, as well as the inmates, think that they benefit from them.
- **Though the men prisoners do have the facilities to play basket ball/cricket and have access to a large open area, the women prisoners do not have any such facility.**
- **There are no in-door games for the women prisoners.**
  - (a) **There is a notion and a belief that women do not need to play or do not participate in outdoor or indoor games – this may be culturally true to some extent because sports does not form an integral part of the everyday lives of women in this part of the country.**
  - (b) **Since the women prisoners have no responsibilities nor do they have to run a home, they should be encouraged to play.**

#### **Interviews with relatives**

- The system of interaction with family members is through periodic interviews with family members, which are allowed according to the jail manual.
- There is a special area where the women prisoners are accompanied by the matron and taken for the interview.
- The Convicts are allowed interviews (mulakat) Twice a week for a period of 30 minutes.
- Under trials are allowed interviews (mulakat) Thrice a week for a period of 30 minutes.
- If both the husband and wife or more than one family members are in prison they are allowed to meet once a week in the presence of the matron.

- Interviews with the lawyers generally take place in the court but if there is a request the inmate is allowed to meet the lawyer.
- The prisoners are also allowed to write and receive letters to their relatives (these letters are censored).

### **Facilities for accompanying children**

- There are 9 children who live with their mothers in the jail.
- A child can live with his mother in the jail till the age of six, with the permission of the Jail Superintendent.
- After a period of six years, the children are sent with their relatives. They then get visiting rights according to the jail manual and they usually come to visit their mothers with their relatives on the mulakat days.
- Besides, the other older or younger children, who live with other relatives, also have the right to visit their mother in the jail.
- There are no separate accommodation or facilities for these mothers and children.
- They are given only one extra glass of milk – there are no other kinds of foods or nutrients, which are given to the children.
- There are no educational or recreational facilities for them in the jail.
- The children are Not given any clothing or separate bed or bedding.
- The jail doctor takes care of the children in case of any illness.
- Inoculation of the infants is however arranged if required.
- There is no pediatrician, who makes regular visits to the prison for medical care of the children.

**As mentioned earlier, Except for an extra glass of milk, the children are not given any extra nutrients or foods as their special diet which is needed for their growth.**

### **Health and Medical Facilitates**

- There is **No Female Doctor**, who is has been permanently appointed by the Jail authorities to take care of the women inmates. One lady doctor from the General hospital visits the women once in a week.
- There is only one male doctor, who is the medical officer of the jail, who is a permanent appointee, who takes care of all the inmates. He runs a small hospital

on the jail premises but the women cannot go there. The doctor is supposed to visit the female section everyday or when he is required.

- A Gynecologist visits the women ward in the jail once every week and various Specialists (Skin, Dental, ENT) visit the hospital if required or the patients are referred to the hospital if the doctor finds it necessary.
- There are No Female nurses to assist the doctors or administer medicines or take care of emergencies.
- There is One Pharmacist on the jail premises, who is responsible for supplying medicines to the prisoners, which have been prescribed by the doctor.
- The availability of regular medicines is adequate as reported by the jail authorities.
- There is No physical examination of the prisoners once they enter the jail. The Doctor does record their general condition. If the prisoner is in the jail for more than a year no yearly check-ups or follow-ups are carried out. Neither are they tested for HIV/ AIDS.
- There are no separate beds for sick women.
- Nor is there a provision for isolating women suffering from infectious diseases.
- However none of the women inmates is suffering from any chronic diseases. TB or HIV/ AIDS.
- The jail doctor within the small hospital of the jail carries out the de-addiction of men prisoners. However there is no special de-addiction programme nor is there the involvement of Alcoholic Anonymous for the purpose of de-addiction.
- The Jail does have an ambulance, which is used to take patients to the hospital, as and when required.
- The Jail authorities do make arrangements for the proper inoculation of the children, who are with their mothers.
- There is No involvement of any NGO in the health care aspect of the women prisoners. There are no Health awareness programmes or other programmes for assistance for the women in jail.
- There are No arrangements for special medical care for physically handicapped and mentally handicapped individuals.
- The Psychiatrist from the Civil Hospital visits the jail once a week. However, on asking the inmates, they were only aware of the psychiatrist taking care of the mentally ill individuals.

- We were told by a number of women that they are very depressed during the initial days but slowly get adjusted to this environment. However, they are often unable to sleep and frequently suffer from insomnia. One of them said: “ the day somehow goes by, but it is difficult at night – the night does not seem to end”.

### **Special Needs of Women**

- The needs and requirements of the Expectant and Lactating mothers are taken care of by the lady doctor on her weekly visit.
- Special diet is provided to them as prescribed by the doctor and in accordance with the jail manual.
- The same Lady doctor also provides anti-Natal and Post-Natal care.
- Awareness in child-rearing and mother-hood is given by the lady doctor or the other elderly inmates in the jail.
- The pregnant and lactating mothers are not assigned any duties during their period of confinement.
- There was One Pregnant woman and Four Lactating mothers on the day of our visit.
- There are also the **menopausal and post menopausal women** who have special needs and should be given special diet and medical attention.
- **Though the jail authorities have mentioned that the existing rules are adequate to deal with the special categories of women, but the fact is that the rules are absolutely inadequate and need to be revised at the earliest. Except for an extra glass of milk which is prescribed by the doctor for the pregnant and lactating mothers and the children, there is nothing in the diet or the medical facilities which is specially provided for them**

### **Classification and Segregation of Prisoners**

- The under-trials and convicts are kept together because of the lack of space.
- The prisoners are not treated according to any classification – either on the basis of the nature of crime committed or the kind of punishment. Whether they are habitual offenders or prostitutes or involved in multiple murder cases, or those who have been given life imprisonment – none of them are kept in separate custody.
- Young women, or adolescent prisoners of ages 16 to 20 are kept in the custody with adult women, which may not be healthy in some ways.
- There are no Special facilities provided for inmates with children.

**The under- trials and their period of stay in the prison read as:**

<b>Period of Detention</b>	<b>Number</b>
Upto 6 months	49
6-12 months	15
1-2 Years	08
2-3 Years	01
3-5 Years	Nil
Above 5 years	Nil

- The under-trials are produced in court with the female police guards as and when required to be present in the courts.
- There is no under-trial reported to have been granted bail but unable to seek release because of failure to arrange for securities.
- **No corporal punishment is given to the women.**
- **Neither are the women handcuffed, nor is the system of isolation used for women.**
- **The prison manual is supposed to be made available to the inmates. However, we did not find either the jail manual anywhere nor were the women aware of this**
- **There is only a very small section of the jail manual that specifically deals with women and their special needs.**
- **The rights and privileges of the prisoners are not displayed in the women section of the jail**
- **Neither are the women aware of their rights and privileges inside the jail - they do know a lot of legal points though.**
- There have been No custodial deaths among the female prisoners in the jail during the last five years.
- There has been only one unusual incident that occurred in this jail during the last year. The incident pertains to one woman prisoner, who ran away from the court while she had been taken there for her court hearing. She was later caught from the Vaishno Devi shrine and brought back to the jail.

## **Management**

The sanctioned strength of the jail functionaries is of 170 men and 1 woman. The actual strength is of 162 men and 2 women functionaries. The jail is understaffed and the jail functionaries are overworked in view of the overcrowding in the jail.

- **There is no separate cadre of women officers in the jail.**
- There are two Matrons, who take care of the women inmates. They live on the jail premises and work in shifts. The convicts help them in some ways.

**Training** is given to all the jail functionaries at the beginning of their job for a period of six months. This includes

- (a) Physical training and
- (b) Some educational training at the Jail Training School at Patiala.
- (c) There are periodic courses held at The Correctional Institute at Chandigarh, which are attended by some of the jail functionaries.
- (d) Every jail functionary is supposed to attend three training courses during the duration of his job.
- (e) However, a few of the jail functionaries have not attended a single course, while a majority of them have attended one initial course after they were recruited but have not attended any subsequent course. In most instances when the circular of an upcoming course reaches the jail, it is difficult for the jail Superintendent to spare even two of the good workers he has on his staff since most jails are understaffed.
- (f) Though there are courses on Human Rights, there are **No courses on Gender Sensitization.**

## **NGO involvement**

- The involvement of NGOs and social activists in the activities of the prison are minimum and restricted to religious groups who do Not come to the jail on a regular basis. The jail staff mentioned that during the last six months there have been 4 NGO's who have visited the jail. The names of the NGO's are : Brahm Kumaris, S.G.P.C, Devi Talaab Management committee, and Christian Missionaries. They make periodic visits to the jail but these are not on a regular basis and their main purpose is perhaps to spread the message of their religions in a subtle manner. Because of their religious affiliations these NGO's are not encouraged by the Jail authorities to visit the jail regularly.

- The prisons authorities did mention that these NGO's sometimes provide some assistance in literacy programmes, giving messages on health and hygiene and counseling of the inmates. However, how this is actually carried out was not clear.
- The inmates feel that they do benefit from these lectures/discourses etc. It also provides a change for them and an opportunity to meet some people from the outside.

### **The Judicial Process**

- The Jail authorities have reported that there is no official delay in forwarding appeals to the courts .
- In cases where there are older women or seriously ailing prisoners, attempts are made for the expeditious disposal of these cases for the purpose of premature release.
- However, there is **no Provision for Lok Adalats in any of the jail.**

### **Release on parole / furlough**

- **According to the jail manual and the rules of the prison, if the prisoner conducts herself in an appropriate manner and her conduct is good, she is allowed to go on Parole and Furlough.**
  - (a) Parole is allowed for a total of 28 days, every 6 months.
  - (b) Furlough is granted for 14 days after a period of 3 years.

### **Process of Release of the Prisoners**

After the stipulated period of imprisonment, when the sentence is completed, the relatives are informed to come and take the woman from the jail.

But if no one comes to take her, then the woman is sent with one woman matron and a police guard to her home.

However, there is **No system of arranging for rehabilitation** of these women. The reason given for this is that the women go back to their homes and do not need to start a new life.

### **Legal Aid**

- (a) The jail authorities do arrange for **Free Legal Aid** for those prisoners who are unable to engage lawyers on their own.
- (b) There are **six women in this jail who have benefited from the free legal aid system.**

## Observations and Recommendations

**The following recommendations are being made for appropriate consideration and Action:**

- **Overcrowding and less space**, with increasing number of inmates, this is the primary issue, which needs to be tackled.
- The jail has an official capacity of keeping 25 women prisoners and there are 69 at present in the jail. This is **more than three times the original sanctioned capacity**. Hence there is over crowding. This is the basic reason for numerous problems that relate to resources, appropriation and management.
- The **building** of the Jallundar jail is a very old. Infact, it is the oldest jail in Punjab. Certain parts of the jail are about 150 years old and almost unsafe to live in.
- **The building is in dire need of reconstruction and repair**. Parts of the jail need to be demolished completely and rebuilt. Other alternative measure of repair need to be undertaken at the earliest.
- Providing **additional barracks** can solve some of the problems related to overcrowding and inadequate space.
- The number of **Toilets and Bathrooms need to be increased**. At present the ratio of number of toilets to the number of inmates is 1:18 and bathrooms 1:35. These figures reflect the low ratio in which they exist. **Hence there is an urgent need for more number of toilets and bathrooms at least make it 1:5 ratio.**
- **This will automatically improve the hygienic conditions.**
- The 2 toilets within the barracks, which are supposed to be used at night, do not allow for any privacy to the individual, since the walls of these toilets are very low. **The walls need to be raised to give some privacy to the individual.**
- However, all the toilets and Bathrooms are very old and need to be restructured and modified on modern lines.
- The WC's are broken and most of the flushes do not work – these should be replaced and made functional.
- Some arrangements for an underground drainage system are essential.
- Besides, this particular building **requires immediate attention. Repairs, Renovation and Reconstruction in terms of flooring, whitewashing, electric wiring and drainage facilities** need to be upgraded and made more efficient in their functioning.

- Different functionaries from the P.W.D department may be permanently attached to the jail, in order to make coordination between the jail authorities and the maintenance officials easier.

### **For Children**

- At present there are only 3 children on the premises, who are less than 3 years of age. But there is no provision for any elementary education for them. It is strongly felt that these children be provided with elementary books, educational toys, games etc.
- Also, some nutrients may be added to their diet keeping in view the special needs of children.

### **MEDICAL FACILITIES**

- Every inmate should be **medically examined** within the first two weeks of her arrival in the jail. The doctor can then maintain a medical case history.
- Subsequently, **yearly medical examinations** can be carried on for the health care of the inmates.
- The jail hospital needs to have a **separate medical female ward** in which female nurses can be appointed to look after the seriously ill or any inmate having any kind of ailment.
- A **counselor** is imperative for the mental health needs of the inmates. The counselor can play a very important role by becoming an enabler to the inmates, so that they are able to realize their offensive behavior and be motivated to change their attitudes.
- **Physical Exercise:** Most of the inmates are in the age group where they need to be extra cautious of their health and hence need to exercise daily. Some provision like morning P.T./ drill / yoga , can be made a part of their jail routine. Some outdoor activities and games to keep them physically fit and mentally sound can also be introduced.

**Health awareness camps can be organized in the jail from time to time because the women have Special Health needs.**

**A Woman Counselor is essential for the Jail inmates.** This is imperative for the mental health of the prisoners.

## **ISOLATION OF CONVICTS**

**The convicts serving the imprisonment for heinous crimes and offences like drug trafficking and flesh trade, or multiple murders, must be separated from the under-trials, as they can lure the other inmates towards these serious crimes.**

### **Restricted Movement may be permitted**

- The female inmates of the jail at present are not allowed to visit the gurudwara/ temple, library, canteen or the hospital, which are located within the jail premises. They can be allowed to visit the above places in the company of female guards, at certain times during the day or at least twice a week, when the male prisoners are under lock-up. Certain days and hours can be fixed to facilitate this kind of restricted movement.
- This will enable them to use some of the facilities available on the jail premises. For some of them it may become an activity to look forward to.

### **Library Facilities**

- The library can be improved and books and reading material made available to the women. Newspapers in the local language should also be sent to the women section.

### **Awareness regarding Rights and Duties**

- The inmates of the jail should be made aware of their rights and duties, by the jail authorities. Some NGO's and other voluntary organizations can be involved in this process as well.
- A list of the rights and duties of the prisoners can be displayed at various places within the jail campus to generate awareness.

### **NGO INVOLVEMENT**

It is disappointing to observe most NGO's in Punjab do not work with the jail authorities or the prisoners. Attempts towards involving NGO's and civil society should be made.

### **Training of the Jail Staff**

- Compulsory training for the staff at the time of joining of their job should be a necessary precondition.
- Increment and Promotions may be based on the training courses attended. Two training courses within 3 -5 years can be made an essential requirement.

- These courses should include latest Human rights initiatives, Best practices in prisons around the world, Human Handling skills, Criminology and Gender sensitization programmes.

#### **SPEEDY REDRERSAL OF UNDER TRIALS**

- Petty cases should be disposed off at the earliest.
- The justice system should attempt time-bound decisions for the women offenders since the women are the nucleus of the family and the children and families also become victims.
- At times, when the cases go on for years, the woman tends to serve more punishment than her sentence. This loss of years and the loss of self-esteem and the brunt borne by their families cannot be assuaged in any way.

## **FEROZEPUR JAIL**

Another Central Jail in Punjab is the Ferozepur Jail. This is also an old jail and has provisions for keeping women prisoners. All the women involved in any criminal activities around Ferozepur are brought to this jail. The jail Superintendent has been working in this jail since the last six months.

This jail has been built with thin bricks and it is more than 100 years old. It was built during the time of the British, when there were only three jails in the northern region, which included the jails at Ferozepur, Ambala and Lahore.

This jail is considered important, because a number of freedom fighters like Lal Jagat Narayan were kept here. The former Chief Minister of Punjab, Parkash Singh Badal, Gurcharan Singh Tohra, Mr. Simranjit Singh Mann and Binderanwala were also kept in this jail.

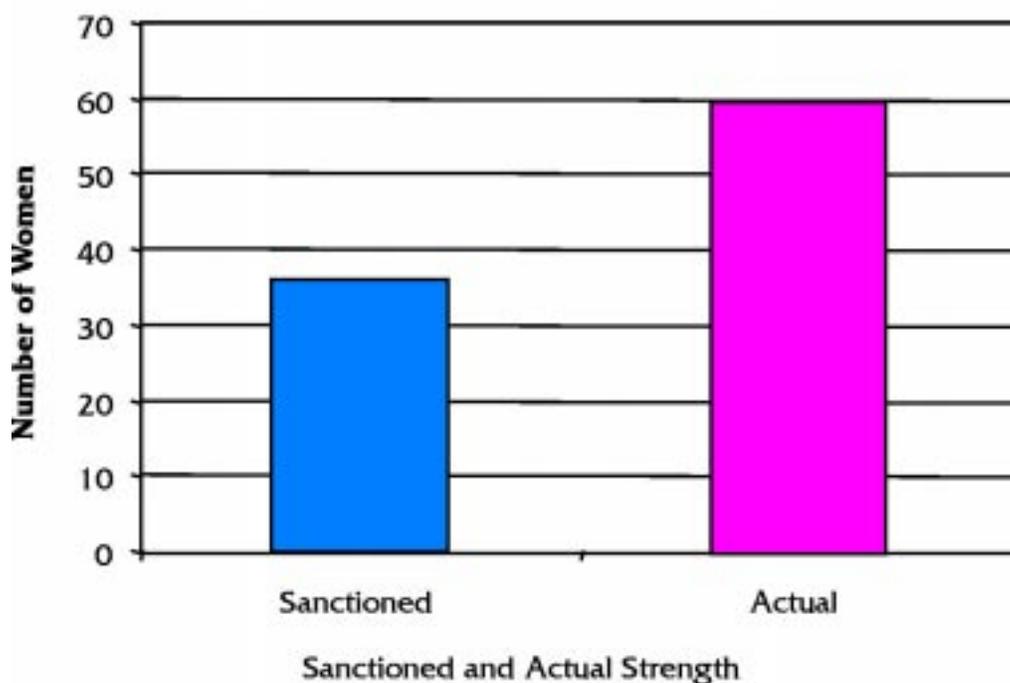
At present, the number of inmates, both men and women exceeds the basic capacity and provisions with which the jail was initially established. The sanctioned capacity and the present strength of the prisoners is as follows:

**Total Sanctioned capacity** (prisoners)      **1036**

**Actual Strength** (on the day of visit)      **1477**

<b>Male / Female</b>	<b>Sanctioned Strength</b>	<b>Actual Strength</b>
Male	1000	1417
Female	36	60

### Strength of Women Inmates



### Actual strength of the Prisoners (as on the day of visit)

	Convicts	Under trials	Total
Male	691	726	1417
Female	06	54	60

There are 6 children below the age of six, who live with their mothers. Three of the convicts and three of the under-trials have their children living with them.

Children with Convicts                      03  
 Children with under-trials                03

Sex	Strength	Age Group
Male	04	Between 0-5 years
Female	02	Between 2-3 years

**The number of under-trials and their duration of stay is as follows:**

<b>Detention period</b>	<b>Number</b>
Upto 6 months	30
6-12 months	11
1-2 Years	09
2-3 Years	02
3-5 Years	02
Above 5 years	Nil

The parallel sanctioned strength and the actual existing strength of the staff of the Jail is as follows:

**The jail has the following working staff :**

	<b>Male</b>	<b>Female</b>
Sanctioned strength	205	08
Actual strength	193	03

- There are Three Matrons working in the female section, but there are No Female Wardens and No Lady Doctor and No Counselors among the jail staff.

**Living Conditions**

- Since the number of women prisoners lodged in this jail exceed the provisions available, it has become **overcrowded**. The reason for overcrowding in this jail have been attributed to:
  - (a) Women Prisoners from all the neighbouring areas, that is, Moga, Muktsar, Barnala, Faridkot and Fazalika are sent to this jail, since there are no provisions for keeping women in the smaller jails.
  - (b) Increase in the incidence of criminal offences committed by women.
- However, if the number of women prisoners increases beyond 80, then, some of them are transferred to the Ludhiana jail. Since the space and resource are limited, it is not possible to keep more than 80 women prisoners at one given time.
- This jail has **five cells and one barrack**, in which women prisoners are lodged. This arrangement is better and different from some of the other jails where there are only barracks.

- Due to overcrowding, prisoners are neither segregated on the basis of age nor on the basis of the kind of crime, nor the length of the sentence. They all live together in the same area and are free to interact with each other.
- There are Three Female Matrons who are appointed for the women section where female prisoners are lodged.
- The women inmates can **directly interact** with the higher jail officials or the Jail Superintendent, and complain or ask for assistance.

### **Building**

- The building of this jail was constructed in 1853 and therefore an old building, which needs repair and renovations.
- There is a **walled enclosure**, which separates this area from the rest of the jail, and women prisoners are lodged there.
- In this female ward, there are five cells and one barrack.
- The whole area is secure and always locked, with a matron inside this enclosure.
- The convicts and the under-trials, like in other jails, are kept together here.
- There is a small open ground, within the enclosure, where the inmates can walk and sit during the day.
- The **walls** of the cells and barracks are old and shabby and need to be refurbished.
- The **floors** too need repair and renovation.

### **Cleanliness, Sanitation and Hygiene**

- There are 9 toilets and 3 bathrooms for the 60 women living in this part of the jail. The number of bathrooms then, is much lesser in ratio to the inmates.
- Since there is adequate water supply and the ratio of inmates to the number of toilets, is proportionately fair, the cleanliness and hygiene of this jail is better than some of the other jails.
- The toilets and bathrooms are separate and those outside the barracks have doors.
- The toilets, which are located inside the cells, have no walls and do not allow for individual privacy.
- The flush system is old and inefficient and needs to be modernized.
- Since this is an old construction, the bathrooms and toilets need to be renovated and modernized.

## **Drainage**

- The drainage system is old and often gets choked.
- At some places the drains are open.
- Though they are cleaned periodically, the drainage system needs to be modernized and made more efficient.

## **Kitchen**

- Like the rest of the building, the kitchen is an old construction.
- The walls are discolored and need to be repaired.
- The floors are also old and shabby and need to be renovated.
- The cleanliness level of the kitchen is poor.
- The men prisoners cook all the food here, and there is no kitchen in the enclosure where women prisoners are lodged.
- The kitchen, the methods of cooking and the equipment used in cooking needs to be modernized.
- The provisions for storing Water are not adequate.
- The chapattis, which are made for the all the prisoners twice a day, are in large quantities. They are kept in old wooden boxes or sheets before being served to the inmates. This method could be improved by using steel boxes or insulated boxes.

## **Food and Diet**

- There is **No separate kitchen for the female prisoners** and they are not involved in the process of cooking food. Cooking is carried out in one main Kitchen since the quantities are large; the men cook all the food.
- The number of meals, the time at which the meals are given, and the quality and quantity of food, are being given in accordance with the jail manual.
- Extra diets, on the recommendation of the doctor are also given to patients, pregnant women, lactating mothers and children according to the jail manual.
- No cooked food is allowed from outside. However, only raw, uncooked food and fruits are allowed from outside. The inmates eagerly wait for their relatives to get them some extra food at the time of mulakat.

- There is a canteen within the jail premises, which also stores some food items, which include - cold drinks, fruitcake, cigarettes, bidis, biscuits, pastry, and cream-rolls etc. The women often ask the matron to get them a few things.
- There were some old women who complained about their teeth. They find it difficult to chew and digest the Channas, which are given in the afternoon. These women can be provided with some substitute to channas.
- There is **No water filter or water cooler** in this jail.
- Pitchers are provided inside the barracks for storing drinking water.
- There is a **Tube-well** on the jail premises. Therefore there is adequate water supply in all the barracks.

### **Clothing and other articles of use**

- The Convicts are given two sets of white khaddar suits and one dupatta, once in a year.
- They are also allowed to wear clothes of their own choice, but on the day fixed for the Superintendent's visit, they wear the jail uniform.
- The Under-trials are not given any clothing because the jail manual does not allow it.
- The rest of the items of use and the food etc. are provided to both the convicts and under-trials in a similar manner.
- No Sanitary napkins are provided, but some cloth is given to the women periodically, which is inadequate.
- The women told us that they like to dress up on the occasion of festivals.

### **Bedding**

- Every prisoner is given one Dari, one Blanket, one bed sheet, or quilt in winters.
- Sick women are provided extra bedding according to their needs.
- If any of the women need extra blankets during winter - they are provided with them.

### **Health and Medical facilities**

- There is **one doctor** who takes care of the health needs of all the male and female prisoners in the jail.
- There is **No Female Doctor** appointed for the women in the jail.

- There is a gynecologist (Lady Doctor from Civil Hospital) who visits the jail on a weekly basis to look into any gynecological problems, which the women face.
- Other medical specialists are called to look at patients when they are required.
- There are **two pharmacists**, who take care of the medicines and other requirements of the prisoners.
- There are **No female nurses** to assist the doctor or monitor medical care of the inmates.
- The jail authorities have reported that there is a medical examination of women on admission to the jail.
- The jail authorities arrange for inoculation of the infants.
- There **are provisions for Segregating or Isolating those women, who are suffering from infectious diseases. This is the only jail on Punjab, which has such provisions for the women.**
- A part of the old building of the women section is utilized for this purpose. Here, 4 TB patients are being kept separately from the rest of the inmates. They are being given special treatment.
- There are five women who have chronic diseases like Asthma, CAD, Diabetes, and they are being given regular medication.
- There is one-woman inmate who has been affected by Polio. However, there are **No Special Provisions for Handicapped women.**
- There has been one custodial death in the last five years. The cause of the death was a heart attack.
- The jail does have **an ambulance**, which is used to take the patients to the hospital whenever the need arises.
- **No NGO's** are involved in the health care aspect of the women prisoners.
- The authorities reported that there is an adequate supply of medicines in the jail for the inmates.
- The day-to-day health needs are taken care of by the doctor who is on the permanent staff of the jail.
- Most of the women looked unaware of their personal health and hygiene. They are also unaware about the diseases like HIV/AIDS and STD's.

### **Special needs of Pregnant and Lactating Mothers**

- The pregnant women are given an extra diet, which is in accordance with the jail manual (it only includes an extra glass of milk).
- The Gynecologist who visits them periodically gives pre-natal and Post- natal care.
- The same doctor or the older women give some education on child rearing and motherhood, to the young mothers.
- There were two lactating mothers in the prison at the time of our visit.

### **Education and Literacy**

The literacy level of the women inmates in this jail is as follows:

#### **Literacy Levels**

<b>Literacy Level</b>	<b>Convicts</b>	<b>Under-Trials</b>
Literate	03	23
Illiterate	03	31

- There are no literacy programmes for the illiterate inmates.
- Most of them are also not interested in learning to read or write.
- There is a small, old prison library but the women prisoners do not utilize it. Most of the women are not aware about the library.
- We were told that women inmates are aware about the jail manual. We found that none of them was aware of their rights and responsibilities, which are listed in the jail manual. However, they knew a lot about the legal process and the law. They told us, that they had learnt much about the law and it's procedures after they were imprisoned.

### **Recreational Facilities**

- There is only one small TV in the barracks for the women to watch.
- There are **no other facilitates for sports** (basket-ball / badminton), **nor any physical fitness programmes** or **yoga**, for the women, but some facilities for games are available for the male inmates, on the other side of the jail.
- However, the women often sing songs and perform giddha.

### **Work Programme**

- The **female convicts are Not involved in any work programme**. Infact, there is no work Programmes for the female inmates in any jail.

- The work programme is underway only for the male convicts.

### **Interviews with relatives**

- The system of meeting relatives at Mulakat times is permitted according to the jail manual.
- The convicts are allowed meetings once a week and under-trials twice a week.
- Meetings with the lawyers are permitted as and when required (any number of times) but with the permission of the jail Superintendent.
- The inmates can accept dry rations, raw vegetables and fruits, or a change of clothes or some articles for personal use from their relatives at the time of mulakat.
- The system of Parole and Furlough is followed according to the provisions in the jail manual.

### **Facilities for accompanying children**

- There are **six** children living with their mothers, who are below six years of age.
- They are given an additional diet of one kg of milk, in accordance with the jail manual.
- The jail doctor takes care of them.
- The jail authorities make arrangements for inoculating the children.
- There are no provisions for providing formal education to the children. However, some of the literate women do try to teach the children at their own level but this is neither structured nor a regular kind of teaching or learning process.
- There are No recreational facilities for the children in the jail. Their families have brought them the few games, which they play with.

### **Legal Aid**

- Free legal aid is an option, which the inmates can avail of.
- It was found that the Free Legal aid provided to the women inmates at the district and session court is fairly adequate. However, at the High Court level, it becomes increasingly difficult to pursue their cases. Since their families belong to the low economic category, their relatives are unable to afford the fare to go to meet the lawyers periodically at Chandigarh.
- Though there is **No** system of Lok Adalats, the under-trials are produced in court in accordance with the hearing of the case and under the surveillance of the women police guards.

## **Recommendations**

**These recommendations are based on our discussions with the Jail Superintendent, other jail functionaries, the women prisoners and our own observations. The following recommendations are being made for appropriate consideration and action:**

- More Barracks need to be constructed to accommodate women in a more appropriate manner so that each individual has some space of her own.
- The floors and walls of the barracks need to be repaired and refurbished.
- Whitewashing of walls or plastic emulsion paint which can be cleaned with soap and water can be a temporary arrangement.
- The fans are old and inefficient and need to be replaced. Air coolers may also be provided if possible.
- Increase in the number of toilets and bathrooms and their reconstruction with improved materials is essential.
- Sewerage system needs to be improved and made efficient.
- There is a need of a generator for the proper supply of water and for security purposes especially at night time.
- A small cupboard should be provided to each woman so that she can put her belongings in a clean manner.
- There should be two water coolers in the women's ward. These can serve the purpose of storing drinking water as well.
- Plantation of trees like Amla, Arjun, Neem in the small grounds could be undertaken.
- The convicts serving the imprisonment for heinous crimes and offences like drug trafficking and flesh trade should be separated from the under-trials as they can lure them towards these serious crimes.
- A Lady Doctor, should be permanently appointed as a member of the jail staff and be accessible to the women prisoners at all times.
- Provisions for starting a small female hospital with one Lady Doctor and two female nurses is recommended.
- This hospital could also have a laboratory with a lab attendant and provide facilities for conducting tests -various blood tests like sugar, pregnancy etc.

- There should be posts of at least two female nurses, who can assist the doctors and administer the right dosage of medicine to the patients.
- It is suggested that a Radio be allowed in the jail. The women can then spend some time in listening to it. Radio programmes are not only a source of entertainment but are informative as well.
- The illiterate inmates should be motivated to join literacy programmes.
- There should be a separate room for the teacher where all inmates can sit and study.
- There should be vocational teachers posted in all jails periodically, so that all inmates can acquire some training and learn a few skills.
- It is strongly recommended that the convicts as well as the under-trials be initiated to participate in some kind of productive work, in every jail as a huge human resource with immense potential, is being wasted.
- Some methods for the rehabilitation of prisoners after their release in short-stay homes and some community-based projects to provide them with a livelihood could be initiated.
- **It is also suggested that the women under-trials in some cases, be given bail on the basis of providing surety bonds. Stringent controls can be applied to them, for example their passports be deposited at the police station, they be asked to report to the police station every week and not be allowed to move out of the region.**
- **This will ensure that their children do not become the real victims of their crime and can be looked after properly. It may also make the individual's less bitter about the system and even reform them.**
- Local NGO's should be motivated to work with the prisoners and become enablers towards corrective behaviour. They can play a very positive and constructive role.



	<b>Convicts</b>	<b>Under-trials</b>	<b>Total</b>
Male	255	369	624
Female	4	31	35

### **Under-trials and their period of Detention**

<b>Period of Detention</b>	<b>Number</b>
Upto 6 months	09
6-12 months	08
1-2 Years	10
2-3 Years	03
3-5 Years	01
Above 5 years	Nil

### **Children**

Children with Convicts	Nil
Children with Under-trials	02

<b>Sex</b>	<b>Strength</b>	<b>Age Group</b>
Male	01	0-3 years
Female	01	0-3 years

### **Living Conditions**

- The area where women prisoners are lodged is a walled enclosure, situated away from the area where men prisoners are kept.
- The women prisoners – both convicts and under-trials live together, in this separate enclosure.
- There is one barrack and two attached small rooms, which are used to keep 35 women inmates. There is overcrowding and the area is swarmed with women.
- In this jail, there is no separate room for the matron and she has to share the same space with the inmates.
- The gates of this section of the jail are locked at all times and one female matron is always on duty inside this area.
- The inmates sit in the small open area in front of the barrack, during the day. This is a bare ground with no grass or trees.

## **Building**

- The building is old and needs to be renovated at the earliest.
- **The area where women prisoners are lodged is safe and secure.**
- There is privacy for the inmates, including when going to the toilet during the day, and at night.
- The fans are very old and need to be replaced at the earliest.
- Since the electrical connections and layout is old, there are exposed wires, and non-functional switches which can prove to be dangerous. The electrical fittings need to be checked and most of them need to be replaced.
- **The Walls** inside the barrack and rooms should be re-plastered and painted.

## **Cleanliness, Sanitation and Hygiene**

- There is one toilet located within the barrack, which the women can use at night. There is only one toilet and two bathrooms located outside the barrack, which the women can use during the day.
- There are 2 toilets and 2 bathrooms in this section. Thus, the ratio of toilets to the number of users is 1:18 and that of bathrooms are 1:18 .The number of toilets in proportion to the number of the users is very low and that is one main reason for the low level of hygienic conditions.
- The WC's need replacement and the flush systems made operational.
- Additional toilets and bathrooms need to be provided.
- All these toilets and bathing areas are very old and need to be restructured and renovated with modern materials, which will also insure hygienic and cleaner conditions.
- The drainage system is functional and is cleaned regularly.

## **Kitchen**

- Food is cooked in one main kitchen by some of the men convicts.
- The number of meals and the quantity of food being given is according to the prescribed scales in the jail manual.
- The doctor recommends extra diets for those inmates whom he thinks require it.

- Like the rest of the jail, the kitchen is also old and it is necessary that modernization of the structure, as well as the equipment used for cooking be undertaken.
- Adequate facilities for the storage of water for cooking are lacking in the kitchen.
- The chapattis, which are made in large quantities, are kept on sheets. Some alternatives like insulated big boxes or big steel boxes can be used for this purpose.
- Fire Extinguishers should be installed in the kitchen as a safety measure.

### **Water Supply and Drinking water**

- Since the jail has a tube-well, it ensures an adequate supply of water.
- Women inmates store the drinking water in their own water bottles.
- There is No water cooler or water filter installed in the women ward.

### **Food and Diet**

- Food and the number of meals being given are in accordance with the prescribed scales, in the jail manual.
- Extra diets, on the recommendation of the doctor are also given in accordance with the jail manual.
- Raw, uncooked food, and fruits are allowed from outside. The relatives of the prisoners bring them dry rations or uncooked food at the time of the interview. This then, enables them to supplement the food they get in the jail and they look forward to making a few things for themselves.
- There is a canteen on the premises of the jail, which stores food items and a few other things like milk, biscuits, bidi and cigarette etc.
- The women are not allowed to go to the canteen, but can procure things from the canteen through the matron.

### **Clothing and other items of use**

- Both the convicts and the under-trials are provided with the same articles of use, except for two sets of white khadi suits and dupata, which is given to the convicts and not to the under-rails.
- The under-trials wear clothes they get with them and are allowed to keep 2-4 sets of clothes to wear. The convicts also wear some of their own clothes. The authorities are not very strict that the convicts should only wear white suits.

- They get a bathing soap, once in a month, and soap and hot water on the weekends to wash clothes and toothpaste / oil, if required.
- No sanitary napkins are given to the women, only some cotton is provided periodically.
- **A detailed reassessment of the items of use should be made. The quantity and quality of things provided to the prisoners needs to be improved and increased.**

### **Bedding**

- The bedding supplied to the inmates includes one thick sheet ( khes), one dari and blanket or a quilt in winter. Both the convicts and under-trials are given the same bedding.
- If any one of the inmates has additional requirements ( bedding), they are met with by the jail authorities.

### **Work Programme**

- There are no skill training or work programmes being run for the women inmates in the jail, since the number of convicts is less and the under-trials cannot be involved in a work programme.
- No menial duties are given to the inmates on an everyday basis.

### **Education and Literacy**

- There are **No Facilities for any Educational programmes for women.**
- Moreover, the attitude of the women towards education is indifferent and a number of them are disinterested in learning to read and write.
- **There are 14 literate and 21 non-literate women inmates.**

The literacy level of the inmates is as follows:

<b>Literacy Level</b>	<b>Convicts</b>	<b>Under-Trials</b>
Literate	01	13
Illiterate	03	18

### **Library Facilities**

- The library is being run from a small space within the Gurudwara, inside the jail, where a few old books and daily newspapers are kept.

- The use of the library is almost negligible as far as the women prisoners are concerned. A large number are illiterate, while others are not interested in reading books.

### **Recreational facilities**

- There is one small TV in the women's barrack, which is the main source of entertainment for the women prisoners everyday.
- The women told us that they sing Bhajans / Shabads in the morning and evening and do "Path" and "Kitran" everyday. This they say helps to keep their sanity.
- They also sing songs and dance ("giddha" - a Punjabi folk dance).
- **There is no system of any physical exercise - whether it is a daily drill or yoga.**
- Though the men prisoners do have the facilities to play basketball / cricket / and have access to a large open area, the women prisoners do not have any such facility. Neither are there any in-door games for the women prisoners.

### **Interviews with relatives**

- Family members visit the jail to meet the inmates regularly. There is a special area where the women prisoners are accompanied by the matron and taken for interview.
- The convicts are allowed two interviews a week for a period of 30 minutes. The under-trials are allowed three interviews every week.
- If there is more than one family member in prison, they are allowed to meet once a week in the presence of the matron.
- Interviews with the lawyers generally take place in the court but if there is a request, the inmate is allowed to meet her lawyer.

### **Facilities for accompanying children**

- There are two children who live with their mothers in the jail.
- There are no special facilities for these mothers and children.
- There are no educational or recreational facilities for them in the jail.
- The jail doctor takes care of the children in case of any illness.
- Inoculation of the infants is however arranged if required.

### **Health and Medical Facilities**

- There is **No Female Doctor**, who has been appointed to look after the health needs of the female prisoners.
- There is only one male doctor, who is the medical officer of the jail and is supposed to visit the female section everyday or when he is required.
- One Auxiliary Nursing Midwife (A.N.M) is attached with the jail and visits the jail every day and assists the jail doctor in dealing with the female patients.
- A Gynecologist visits the women ward in the jail once every week.
- The Pharmacist supplies medicines to the prisoners, which have been prescribed by the doctor.
- There is No physical examination of the prisoners at the time of admission into the jail, nor any yearly check-ups or follow-ups.
- There are no separate beds for sick women.
- Nor is there a provision for isolating women suffering from infectious diseases.
- However, none of the women inmates is suffering from any chronic diseases, TB or HIV/ AIDS.
- The Jail does have an ambulance, which is used to take patients to the hospital, as and when required.
- There is No involvement of any NGO in the health care aspect of the women prisoners.
- There are No arrangements for special medical care for physically handicapped and mentally handicapped individuals.
- There is one convict in this jail who complained of problems with her teeth and finds it difficult while eating anything.

### **Special Needs of Women**

- The pregnant and lactating mothers are not assigned any duties during their period of confinement.
- Awareness in child rearing and mother-hood is given by the lady doctor or the other elderly inmates in the jail. The A.M.N also guides the mothers about childcare and child rearing.
- Except for an extra glass of milk, which is prescribed by the doctor for the pregnant and lactating mothers and the children, there are no special diet provisions.

## **Classification and Segregation of Prisoners**

- **The under-trials and convicts are kept together because of the lack of space.**
- There is space for 12 inmates, but there are 35 women (thrice the sanctioned capacity), living in the same area.
- The prisoners are not segregated on the basis of the nature of crime committed or the kind of punishment accorded to them. Because of the lack of space, older and younger women are also kept in the same enclosure.

## **Management**

The jail is understaffed and the jail functionaries are overworked because:

- Since the jail is overcrowded and proportionate staff required to manage them is lacking. The staff has been sanctioned for 500 inmates, where as there are 659 inmates at present. A proportionate increase in the staff has not been made. Therefore the jail functionaries are overworked and stressed.
- There are two Matrons, who take care of the women inmates. They live on the jail premises and work in shifts. The convicts help them in the everyday activities of managing the inmates.
- **Training** is given to all the jail functionaries at the beginning of their job for a period of six months, which includes some physical training and educational training at the Jail Training School at Patiala.
- Since the jail is understaffed, it is often difficult for the Superintendent to send even a few of them to attend periodic courses, which are held at Patiala and at other places in India.

## **NGO involvement**

- The involvement of NGO's and social activists in the activities of the prison is almost negligible.

## **The Judicial Process**

- In cases where there are older women or seriously ailing prisoners, attempts are made for the expeditious disposal of these cases for the purpose of premature release.
- However, there is no Provision for Lok Adalats in the jail.

### **Release on Parole/Furlough**

- **According to the jail manual and the rules of the prison, if the prisoner conducts herself in an appropriate manner and her conduct is good, she is allowed to go on Parole and Furlough.**
  - (a) Parole is allowed for a total of 28 days, every 6 months.
  - (b) Furlough. Is given for 14 days once after a period of 3 years.

### **Process of Release of the Prisoners**

- When an inmate completes the required sentence in jail, her relatives are informed. They then come to fetch her. However, if someone does not come to fetch her, then the woman is sent with one female matron and a police guard to the address given to the jail authorities.
- However, there are **No rehabilitation** methods for those women who have nowhere to go.

### **Legal Aid**

There are provisions for arranging **Free Legal Aid** for those prisoners who are unable to engage lawyers on their own. A number of women prisoners avail of this provision and have benefited from it.

### **Observations and Recommendations**

**These recommendations are based on our discussions with the Jail Superintendent, other Jail Functionaries and our own observations. The Following recommendations are being made for appropriate consideration and Action:**

- The jail has an official capacity of keeping 12 women prisoners and there are 35 inmates at present. This is almost three times more than the sanctioned strength. Hence, there is considerable overcrowding in the jail and steps to deal with this situation need to be taken.
- The **building** of the jail is a very old. Certain parts of the jail are about 100 years old and some parts need to be rebuilt.
- **Infact the whole building needs to be reconstructed and restructured.** Parts of the jail need to be demolished completely and rebuilt. Other alternative measures of repair can be undertaken at the earliest.
- Providing **additional barracks** can solve some of the issues related to overcrowding and inadequate space for the inmates.

- The number of **Toilets and Bathrooms need to be increased**, since the two bathrooms and two toilets are inadequate and insufficient. This will then improve the hygienic conditions as well.
- However, all the toilets and bathrooms are very old and need to be rebuilt with modern materials.
- Besides this particular building **requires immediate attention. Repairs, Renovation and Reconstruction in terms of flooring, whitewashing, electric wiring and drainage facilities** need to be upgraded and made more efficient in their functioning.
- A small room works as the office of the Superintendent. This room is not only small but also old and gives a shabby look. This also needs to be renovated and refurnished.
- An appropriate up-gradation of the kitchen equipment is essential. Also, the kitchen should be renovated with tiles on the walls and floors, so that it can be kept clean and hygienic.

#### **Children**

- At present there are only 2 children living with their mothers on the premises. Some elementary books, educational toys, games can be provided for them.
- Also, some extra nutrients may be added to their diet since they are growing children.

#### **MEDICAL FACILITIES**

- Every inmate should have a **medical examination** within the first two weeks of her arrival in the jail. The doctor can then maintain a medical case history.
- Subsequently, **yearly medical examinations** can be carried on for health care of the inmates.
- The jail hospital needs to have a **separate medical female ward** in which female nurses may be appointed to look after the ailing inmates.

**A female counselor is essential for the mental health needs of the inmates. Frequent interactions with her can be very beneficial to the prisoners - in terms of enabling them to reassess their own attitudes, resolve their dilemmas and perhaps make efforts to improve their own lives.**

### **Physical Exercise**

- The need for some physical exercise becomes even more essential in the jail since the women remain inactive and lack of activity makes their muscles lax and they often complain of aches and pains. Hence some form of exercise - yoga/PT/drill) as a part of the daily routine can be introduced for the women.
- Health awareness camps can be organized in the jail from time to time because the women have special Health needs. These can be beneficial for women of all age groups.

### **Isolation of convicts**

- Segregation of some of the convicts is also essential since they may prove to be a negative influence on others. Those who have been involved in heinous crimes or offences like drug trafficking and flesh trade, or multiple murders, must be separated from the under-trials and the younger women.

### **Restricted Movement can be Allowed**

- The female inmates are not allowed to move out of their enclosure. They are not allowed to go to the gurudwara, library, canteen or the hospital, which are located within the jail premises. Some arrangements can be made to provide some access to these places - at certain times during the day or at least twice a week, when the male prisoners are under lock-up. The very fact of being able to go out of the enclosure would be an activity to look forward to and they will also be able to use some of the facilities of the jail.
- The library can be improved and books and reading material made available to the women. Newspapers in the local language should be sent to the women section.
- Some method can be evolved to place some of the books in the women section in a cupboard. By a method of rotation, these books can be replaced periodically. This may motivate the literate women to read and learn. Moreover, reading is therapeutic too and will prove to be beneficial in more ways for the prisoners.

### **Awareness Regarding Rights and Duties**

- A list of the rights and duties of the prisoners must be displayed at various places within the jail campus to generate awareness among the prisoners.
- Awareness of the rights and duties of the prisoners should be initiated as a periodic programme by the jail authorities. Alternatively, NGO's and other voluntary organizations can be involved in this process.

## **NGO Involvement**

**In this region too, the involvement of the NGO's in the activities of the jail are very limited. If encouraged, they can play a very constructive role by working with the jail authorities and the prisoners.**

## **Training of the Jail Staff**

- Compulsory training for the staff at the time of joining must be made imperative.
- Increments and Promotions can be based on the training courses attended. Two training courses within 3-5 years can be made an essential requirement.
- These courses should include the latest Human rights initiatives, best practices in Prisons around the world, courses in human handling skills, criminology, gender sensitization and the like.

## **Speedy Redressal of Under-trials**

- First time offenders and those caught in petty cases, should be given less severe punishment and their cases be dealt with, on a priority basis.
- Keeping in view the specific role of women and their responsibilities to their families, there should be a time-bound justice system for women offenders.
- Often, the cases prolong for years and an inmate may be accorded a punishment, which is lesser than the time she has already spent in the jail. Thus she may serve more punishment than her sentence – she not only faces the loss of respect and dignity but has had to stay away from her children and family and the anguish of the uncertainty if her sentence, are issues which cannot be compensated in any way. These issues can be resolved with a time-bound justice system.

**The positions of Non- governmental Visitors should be assigned to Social Activists and individuals who are sensitive to the conditions and concerns of the prisoners.**

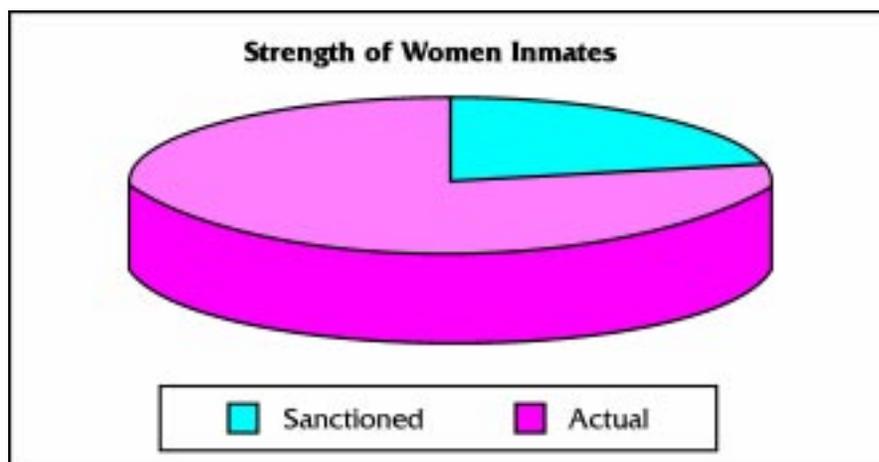
## PATIALA JAIL

The District jail at Patiala is located within a large area - the building is more than a hundred years old and was constructed at the time of the Maharaja of Patiala. The area where the women prisoners are housed is only a small part of the larger jail premises. There is a small hospital, a gurdwara, a mandir, on the premises as well. Some part of the large grounds is used for the cultivation of vegetables and there are a few cattle too. Trees surround the grounds and the men prisoners have also cultivated some flowers at places. The women prisoners are confined to a separate enclosure.

The sanctioned capacity and the number of prisoners lodged in the jail at present, is as follows:

<b>Total Sanctioned capacity</b> (prisoners)	<b>1118</b>
<b>Actual Strength</b> (on the day of visit)	<b>1326</b>

Male / Female	Sanctioned Strength	Actual Strength
Male	1100	1262
Female	18	64



**There are 19 women convicts 45 under-trials and 3 children in the prison.**

The number of children living with their mothers is as follows:

<b>Children with Convicts</b>	<b>02</b>
<b>Children with under-trials</b>	<b>01</b>

<b>Sex</b>	<b>Strength</b>	<b>Age Group</b>
Male	02	Between 1-3 years
Female	01	Between 0-8 months

- There are NO class 'B' prisoners in the jail because the Supreme Court has recently eliminated all categories of classes.
- **There are No women prisoners of any other Nationality in the jail.**

### **Living Conditions**

- This jail is an over-crowded one and except for accommodating as many women as possible, there are no alternative arrangements, which can be adopted. Some of the inmates sleep on the floor.
- There is a separate block in the main building, which is cornered-off and houses only female prisoners.
- This area is situated further away from the area where the men prisoners are kept.
- There is total confinement of the women in this separate section of the jail. To start with, this jail had provisions for keeping very few women prisoners. Later, some arrangements were made to accommodate them. With the increase in women prisoners in each jail, some additions have been made in the area of confinement but it still remains inadequate in many ways.
- This jail initially had a capacity to accommodate about 16 women inmates. But, at present, there are 64 women inmates and 3 children, lodged in the jail.
- The main reason behind overcrowding is more criminals and less space.
- Women are not allowed to move around anywhere in the jail premises. If they need to go out of this area for a specific purpose, a Matron accompanies them.
- There is privacy for the inmates, including when going to the toilet during the day and at night.
- There is a small ground around the barracks for the women to sit or walk. This is a barren, uncultivated area and restricts the movement of the inmates.
- Women prisoners in this jail are generally from the lower economic sections of society. Before coming to the jail some of them were working in the fields or family farms. Others were housewives. Three of them were working as primary school teachers, one as a cashier at a Gurdwara, and one was an Anganwadi worker.

- There are 47 literate and 17 illiterate prisoners.
- There are some old women in the jail and three young mothers as well. There are some menopausal women too, who have special health needs. There is no special arrangement made for the older women or women with special needs.

### **Building**

- The building of the jail is more than 100 yrs old. Though the outer structure seems good, better maintenance of the building is required.
- The general condition of the barracks gives an old and shabby look.
- Though the floors are clean, they are worn-out and old.
- The ceilings are high but the inside walls and floors are wearing-out and need to be repaired and replaced in a number places.

### **Sanitation, Cleanliness and Hygiene**

- From general observation, the personal hygiene of the women seemed fairly good.
- There is one toilet within each barrack, which the women can use at night. The rest of the toilets and bathing areas are located outside the barracks, which have doors.
- There are only **3 toilets and 2 bathrooms** for 64 inmates. The proportionate users are considerably large.
- The number of toilets and bathrooms needs to be increased so that better hygienic conditions can be maintained.
- Some of the flushes do not work – all this requires immediate attention
- Also, the existing ones are very old and need to be redone with modern materials
- Though on the day of the visit, the toilets and bathrooms looked fairly clean – it is difficult to maintain cleanliness when the number of people using them is so large.

### **Drainage**

- The drainage system in this jail is old and does not function well.
- The jail authorities have reported that it is often choked or parts of it overflow. They have to constantly contact the maintenance department to clear it. This is extremely unhygienic and things become worse during the rainy season.
- Though the drains reportedly are cleaned periodically, the whole system needs improvement.

- The drainage system needs to be repaired and made functional at the earliest.

### **Kitchen**

- Food is cooked in one main kitchen, which is situated in the area where men prisoners are housed. A few men convicts work in the kitchen and are responsible for all the food cooked in the jail.
- The **floors** are old and need to be replaced.
- Though some innovations have been made for kneading of flour and for making chapattis etc. they are far from adequate.
- Adequate facilities for cooking huge quantities of food are lacking. The procedure of cooking is spread over long hours and the kitchen seemed stuffy.
- The exhaust fans are inadequate to keep down the temperature in the kitchen.
- Cleanliness levels of the kitchen should be improved through better equipment and some training for those who cook the food.
- The method of storing of water for cooking is inadequate.
- Fire extinguishers are essential as a safety measure.

### **Water Supply and Drinking water**

- The water supply as reported by the jail authorities is adequate.
- This jail also has a tube-well, which ensures an uninterrupted supply of water.
- Pitchers or water campers can be provided inside the barracks for storing drinking water.

### **Food and Diet**

- There is **No separate kitchen** for the female prisoners.
- Raw, uncooked food is permitted from outside and the inmates often wait for their relatives to get them some extra food.
- The women are allowed to cook their own food within the enclosure. Angithis are provided. They procure raw vegetables, either from the canteen or get them from their relatives. They sometimes make a few things they like to eat, especially those that are not available in the prison.
- The quality and quantity of food, and the number of meals, are being provided according to the prescribed scale in the jail manual.

- Extra diets, on the recommendation of the doctor are also given in accordance with the jail manual.
- The food grains are stored in a proper manner, within the store in the jail.
- There is a canteen on the premises of the jail, which stores food items, as well as a few other things for the consumption of the prisoners. The women cannot go to the canteen, but can ask the matron to get them anything they need from time to time. Some of them buy milk or potatoes, onions, sugar, tealeaves etc.
- There is a water cooler for storage and drinking water.
- The jail authorities also reported that water is available in sufficient quantities and meets the requirements.

### **Clothing and Other Articles of Use**

- Separate clothing is not given to under-trials.
- The convicts are given one set of clothes every six months. They are given one white cotton suit with a duppatta. However, they wear their own clothes most of the time.
- Both convicts and under-trials are allowed to wear their own clothes and can keep up to four sets of clothes.
- All other items of use - which include soap, oil, toothpaste, etc. are given to the convicts and under-trials in the same proportion and quantities.

### **Bedding**

- One bed sheet, one duri, a blanket or a quilt is given to each one of the inmates.
- If an older woman or an ailing one requires extra bedding in winter, their requirements are met with easily.

### **Work Programme**

- There is no work in terms of labour or **any work programme**, in which the convicts or under-trials are involved in the jail.
- Neither are there any training programmes or vocational skills taught in the jail.
- No menial duties are given to the inmates on an everyday basis.
- The under-trials cannot be given any work since the jail manual does not allow it. The convicts who can be given work are too few in number. The jail authorities therefore do not seem to be making the effort to involve these few women in any

work programme. The Superintendent however, felt that if all the under-trials could also be involved in work, some work programmes could be run for them.

### **Education and Literacy**

There are 22 literate women inmates and 42 of them are non-literate. Only one among them has some higher education.

<b>Literacy Level</b>	<b>Convicts</b>	<b>Under-Trials</b>
Literate	09	13
Illiterate	10	32

- At present, there are No Educational programmes being run in the jail. No Basic Education or Adult Literacy programmes are being run by the jail authorities or by any NGO.
- There are no provisions for compulsory education to be provided to the illiterate prisoners.
- However, IGNOU has just begun special courses for the jail inmates for a period of six months. All the jail authorities should be persuaded to encourage inmates to take up these courses.
- The fact is, that the jail functionaries are so involved in the day-to-day work of the jail, that they hardly find time to motivate the prisoners to join any such courses.
- None of the women access the jail library. Some of them told us that they were not even aware that there is a library on the premises of the jail.
- There are no facilities for any awareness programmes regarding the rights and duties of the prisoners

### **Recreational facilities**

- There is one small TV, in one of the barracks though there is No cable connection. Only Doordarshan programmes are shown. The women watch these programmes with interest everyday. This is perhaps the only entertainment available to them.
- Though there are four newspapers available for the men prisoners, the women section does not get a single newspaper. On our behest, the authorities promised to send one newspaper to the women section everyday.
- No radio is allowed to the prisoners.

- The women sing bhajans/shabads in the morning, and participate in kirtan/bhajans in the evening. Irrespective of religious affiliations, all the women participate in this group activity.
- They also sing and dance (gidda) when they feel like.

### **Interviews with relatives**

- The system of interaction is through periodic interviews with family members, which are allowed according to the jail manual.
- There is a special area where the women prisoners are taken to meet their relatives. A Matron always accompanies them.
- The convicts are allowed two interviews a week, for a period of 30 minutes.
- The under-trials are allowed three interviews (mulakat) a week, for a period of 30 minutes.
- If one or more family members (husband or other) are in prison they are allowed to meet within the jail, once a week, in the presence of a matron.
- Interviews with the lawyers generally take place in the court but if there is a request, the inmate she is allowed to meet her lawyer.
- The prisoners are also allowed to write and receive letters to their relatives (letters are always censored).

### **Medical Facilities**

- There is **No Female Doctor** whom, the Jail authorities have permanently appointed to take care of the health needs of the female prisoners.
- There is **one male doctor**, who is attached to the jail who takes care of all the inmates. He is supposed to go for a round, to the female section everyday or when they require his advice.
- A Gynecologist from the government hospital visits the jail, once every week.
- Other specialists visit the jail if required. The women who need specific medical care are referred to the hospital if the doctor finds it necessary.
- There are **Two Pharmacist** on the jail premises, who are responsible for supplying medicines to the prisoners, which have been prescribed by the doctor.
- The **availability of regular medicines is inadequate** as reported by the jail authorities.

- There is No physical examination of the prisoners once they enter the jail. The doctor does record their general condition, but no follow-up records seem to be maintained. If the prisoner is in the jail for more than a year, no yearly check-ups or follow-ups are carried out. Neither are they tested for HIV / AIDS during the first few weeks.
- There are no separate beds for sick women.
- Nor is there a provision for isolating women suffering from infectious diseases.
- There is **No Psychiatrist** who visits the jail
- Neither is there a Counselor, with whom the women can talk and find a way to speak their minds.
- The Jail ambulance is used to take the patients to the hospital whenever required.
- The Jail authorities do make arrangements for the inoculation of the children, who are with their mothers.
- There is No involvement of any NGO in the health care aspect of the women prisoners. There are no Health awareness programmes or other programmes for assistance of the women in jail.

### **Special Needs of Women**

- Any attention required by Expectant and Lactating mothers is taken care of, by the lady doctor on her weekly visit.
- Special diet is provided to them as prescribed by the doctor, in accordance with the jail manual. This usually includes an extra glass of milk.
- Pre- natal, post-natal care can be got from specialists, if required. Generally the lady doctor or the other elderly inmates in the jail become the source of advice regarding motherhood.
- The pregnant lactating mothers are not assigned any duties during their period of confinement.
- Also amongst the older responsible convicts, lambardars are appointed who keep an eye on the inmates.

### **Children**

- The number of children in this jail is only three. But as in other jails, there are no special provisions made for children

<b>Male children</b>	<b>2</b>	<b>Age group 1 to 3 yrs</b>
<b>Female children</b>	<b>1</b>	<b>Age group 8 months</b>
<b>Children with convicts</b>	<b>2</b>	
<b>Children with under-trials</b>	<b>1</b>	

- Some of the inmates have infant children below the age of six.
- The inmates prefer to keep the children with themselves and have never thought of an alternative since they believe that they will be able to take care of the child. They cannot part with the children. They are neither aware of, nor wish to talk about the fact that the jail environment is not a healthy or conducive environment for the growth of the child.
- No diet supplements are given to the children in keeping with their special needs. They are only given an extra glass of milk.
- Nor are there any provisions for any games for the children.
- Like in the other jails, there are no methods of providing formal education to the children.

**Comment:**

**All the women are unaware of the fact that the environment of the jail is not fit for the healthy growth of the children.**

- **Most of the women cling to the children, they cannot even consider parting with them.**
- **Even when the children are undernourished and reach the school going age the jail authorities can make provisions for sending them to a Bal Niketan or similar institutions, the women DO NOT want to send them anywhere.**
- **Another reason for not considering sending the children is the fact that a large number of the women are under-trials who think they will be going out of the jail soon.**

**Management**

- There is no separate cadre of women officers in the jail.
- There are two Women Matrons, who take care of the women inmates. They live on the jail premises and work in shifts. Some of the convicts are assigned some duties to help the matrons in some ways.

## Staff

	Male	Female
Sanctioned strength	200	2
Actual strength	208	2

- The **Training** of the staff has been reported as unsystematic and not on a regular basis.
- **This is an issue which needs to be looked into considering that the Patiala Training School, is situated right adjacent to the jail and the superintendent is in-charge of the school. The superintendent admitted that he is unable to send his own staff for periodic trainings because of the shortage of staff.**
- **There is No Involvement of NGO's or social activists in the activities of this jail. The Superintendent mentioned that there are NO NGO's in Punjab who offer to work in prisons.**
- **We also noticed that the attitude of the jail authorities was not very open towards the involvement of 'outsiders' because they felt that there is a risk involved in allowing 'outsiders' into the jail.**

## Unusual Incidents

In spite of the high security of the jail, two men prisoners escaped last year- 2003. These two under-trials escaped from the jail, scaling its walls on 30<sup>th</sup>, Dec 2003. They are still at large.

## Under-Trials and their period of detention

Detention period	Number
Upto 6 months	18
6-12 months	10
1-2 Years	8
2-3 Years	10
3-5 Years	2
Above 5 years	Nil

- These figures indicate that there are 20 under-trials who have been detained in the prison for more that one year (1-5 years).

- (a) Considering that women are the nucleus of the family their children become the victims and are put to undue hardships.
  - (b) This is a long period of detention and the uncertainty of the situation can be very harrowing for the inmates
  - (c) While talking to the inmates they seemed to be very bitter about this process and mentioned that they are always under undue stress because of the uncertainty of their situation.
- The under-trials are produced in court with the police guard as and when required by the courts.
  - The jail authorities did not report any under-trial who has been granted bail but is unable to seek release because of her inability to arrange for securities
  - However, there are NO methods of holding of Lok Adalats in the Jail.

#### **Classification and Segregation of Prisoners**

- **The convicts and under-trials are kept together and no distinction is made towards their treatment.**
- Nor is there any segregation of women who are caught in serious offences or heinous crimes.
- Nor does Age play a role in the manner of treatment given. Whether they are younger or older women, everyone is treated alike

#### **Observations and Recommendations**

- As in most other jails, the issue of overcrowding is the foremost. Numerous problems faced by the jail authorities as well as the inmates are directly or indirectly related to this.
- Additional space for the women section is required, since it is becoming increasingly difficult for more and more women to live in this limited area. Providing additional barracks can solve some of the issues related to overcrowding and inadequate space.
- Since the building is more than a hundred years old, repairs and renovations in terms of flooring, whitewashing, electric wiring and improved drainage facilities are required.
- The Superintendent suggested that different functionaries from the P.W.D department could be attached to the jail on a permanent basis, in order to coordinate and work more efficiently with the jail authorities.

- The jail has only 3 toilets, 3 bathrooms and there are 64 users. The inmates have to wait for their turn and sometimes some of them even fight among themselves.
- Increase in the number of toilets is an immediate need. Improved, modernized equipment can be used so that the level of cleanliness is easier to maintain.
- Since there is no separate provision of kitchen for women, some of the women like to cook their own kind of food sometimes. They have been provided with angithis for cooking, but these are in an open area and there are no sheds. It is recommended that some sheds be constructed where these angaithis can be placed.
- Better nutrients in terms of foods can be made available for women and children who have special health needs.
- Though there are only three children at present in the jail, some facilities for their elementary education, food and play should be made. Some provisions for sending them to a nearby play school at the age of 3 and to a primary school at the age of 4 can be worked out in order to give them a normal childhood.
- The need for a Lady doctor residing on the jail premises is an immediate one. She can also maintain health records of the inmates. The inmates also expressed their opinion, saying, that they feel more comfortable in discussing their health problems with a lady doctor. Nurses can also be appointed to assist the doctor in looking after the inmates.
- Health awareness camps conducted periodically would also benefit all the inmates.
- It is also recommended that a female counselor be appointed, so that she can interact with the inmates on a regular basis. Some of the women face problems of depression, most of them undergo emotional turmoil and require counseling.
- Most of the inmates are in the age group where they- need to be extra cautious of their health, hence the need for exercise daily. Some provision like morning P.T/ drill / yoga can be made a part of their jail routine. There can be also some outdoor activities / games to keep them physically fit and mentally sound.
- A larger TV set can be provided. If possible, a coloured TV can also be provided. Along with this, some channels from the cable can be also provided
- A radio could also be given to the inmates since the radio is not only a source of entertainment but it is also becoming an information source.
- Sometimes they can be allowed to see a movie (once a week).

- It is also suggested that some indoor games like carom, chess, ludo etc. be made available to inmates.
- In order to enable them to use their time constructively and realise their potential, periodic courses in Mehndi, soft toy making, machine knitting, hand knitting , beauty treatment and the like can be initiated.
- From our conversation with the jail officials, we realized that they discourage interactions with NGO's, whom they consider 'outsiders', because they feel that interaction with outsiders can be a security risk. However, engaging with sensitized NGO's, who can work both with the jail authorities as well as the prisoners in a positive manner, can dispel such fears.
- The women inmates can also be encouraged to participate in cultural programmes from time to time. Some form of amateur theatre, singing of songs or dancing or puppet shows etc. could be made participatory. It would also be therapeutic for the inmates.
- **Adjoining the Patiala jail is the Training School for the jail functionaries. The Superintendent of the Patiala jail is in charge of running this training school. The school imparts training to the jail staff and conducts courses through out the year. The curriculum of this training school needs to be reviewed revised and reformulated in order to make it more comprehensive and based on international and national standards, Human Rights perspectives and include programmes on Gender Sensitization, Human Handling skills, Criminology, Best practices in Prisons in India around the world.**

## **SANGRUR JAIL**

The Sangrur Jail is another district jail in Punjab, which began functioning with an initial capacity for only 400 prisoners, with 384 males and 16 females. This is the documented authorization, but the improvised capacity at jail level, is of 600 inmates, with 560 males and 40 females. However, the **actual strength** of the jail is **890, with 804 males and 86 females**. At present, then, the total strength of the inmates is double the improvised figure and **five times more than the original sanctioned strength**.

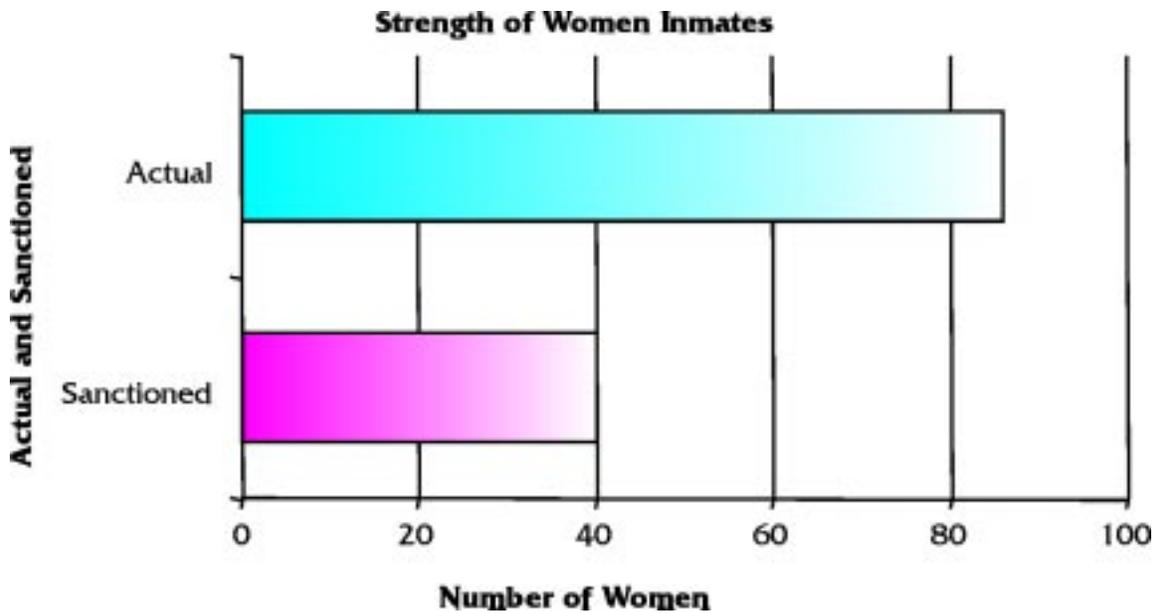
From a total **86 female prisoners, 27 are convicts and 59 are under-trials**. There has been a gradual increase in the number of female prisoners in the recent years because of the increase in the number of criminal offences committed by women. Women are under detention in the **dowry act, NDPS act (drug trafficking), excise act, theft, murders due to family disputes** and illicit relationships.

Though there is a separate jail for women at Ludhiana, the convicts do not want to be sent there because most of the inmates in this jail belong to the areas around Sangrur. If they are shifted to Ludhiana, they feel they will be far away from their home and their relatives, and the visitors visiting them, will not be able to meet them often. As a result, they request the jail authorities to allow them to remain in the jails nearer their home.

The jail Superintendent has been working in this jail for the past one year. The other jail functionaries who are assigned to the female section include only Two Matrons. There are No Women Officers in the administration of the jail. **Two posts of Matrons were sanctioned in 1970 and there have been no changes ever since.**

<b>Total Sanctioned capacity</b> (prisoners)	<b>525</b>
<b>Improvised Capacity</b>	<b>600</b>
<b>Actual Strength</b> (on the day of visit)	<b>890</b>

<b>Male / Female</b>	<b>Sanctioned Strength</b>	<b>Actual Strength</b>
Male	560	804
Female	40	86



Actual strength of the prisoners (as on the day of visit)

	<b>Convicts</b>	<b>Under trials</b>	<b>Detenues</b>	<b>Other</b>	<b>Total</b>
Male	328	458	17	01	804
Female	27	59	Nil	Nil	86

The authorization shown above is the documented authorization. Where as the improvised capacity at the Jail level is 600, which includes provisions for 40 women.

The female prisoners in this jail belong to different villages and towns around Sangrur. Most of them belong to the lower class and a very few are from the lower middle class sections of society. There are two inmates who were school teachers, a number of them worked as labourers on the farmlands on daily wage basis, while others were housewives running their households, before their detention.

Of the 86 female inmates, 76 are illiterate and have never been to any school. Only 10 of them are literate and have received some formal education.

### **Living Conditions**

- This is another jail, which is **overcrowded**, but the women prisoners are safely lodged in a separate enclosure. Overcrowding in this jail can be attributed to the following reasons:
  - (a) In this region there is a growing incidence of women being involved in the transaction of Narcotics. Therefore there is a substantial increase in the number of women being caught under the N.D.P.S act.

- (b) **The women belonging to the Sansi tribe are particularly involved in drug trafficking and they are in jail periodically. Infact, we were told that the sansi women are so habituated to living in jail that they periodically commit small crimes to be lodged in the jail to accrue some benefits. For example, if a woman has to deliver a baby, she will somehow reach the jail and once there, it becomes the responsibility of the jail to take care of them. Thus the jail authorities are made to spend on their medical care and make other arrangements for them.**

### **Building**

- **The building** of this jail was constructed in 1954. It needs **Renovations** and **Repairs** and **Additions** to accommodate the increasing number of inmates.
- A proposal for the construction of one additional barrack (for 50 inmates) was sanctioned, but the finances have not been released by the state government, therefore it is still pending.
- The women prisoners do have an exclusive enclosure, which is separated from the area where the men prisoners are detained and there is sufficient security.
- There are two large barracks for the women - one new and one old.
- Some of the prisoners sleep on the floor because the barracks are overcrowded, since the number of female prisoners in the jail is much more than the barracks can accommodate.
- The female prisoners also have privacy when going to the toilet, which are located near their barracks, within the enclosed premises.
- The female section is managed by two female Matrons.
- The enclosure is locked at all times and is opened in the presence of the matrons only.
- The women prisoners are escorted by female guards at all times, if they need to move out of these premises. Even when they have to go to court, there are special female police guards who accompany them.
- The female inmates have a separate time for going to the gurdwara, which is on the premises of the jail.
- They are taken to watch cultural functions, which are organized in the jail occasionally. Here too, the matrons accompany them.

- In order to provide protection to female inmates, they are not made to work in the kitchen or in other areas in the jail. The male inmates do all these jobs.
- Security and safety of the women is the reason for not allowing the female inmates to go to the dispensary, which is managed by the doctor within the jail premises.
- There is an open area in front of the barracks where the women can sit, walk or cook for themselves. This area is double the area of the living area.
- There are no provisions for physically handicapped women inmates of any kind in the building.

### **Cleanliness, Sanitation and Hygiene**

- The female prisoners also have privacy while going to the toilet, which are near to their barracks, within the enclosure in which they live.
- **There is one toilet for 12 inmates and 20 inmates share one bathroom.** The number of users being more, it is difficult to maintain adequate hygienic conditions of the toilets.
- There are a total of 6 toilets and 4 bathrooms. Since there are 86 women, **one toilet is shared by 12 /15 inmates and 20 inmates share one bathroom.**
- The drainage system of this area is looked after and cleaned every day.
- There were no visible methods of disposing off garbage in an appropriate manner.

### **Kitchen**

- **The Kitchen** is also an old one and **has never been renovated.**
- It has very little sunlight.
- The **floors** are broken in many places.
- Though some innovations have been made for kneading of flour and for making chapattis etc. they are far from adequate.
- Large amounts of food is cooked in this kitchen, but the adequate facilities are missing. The procedure of cooking is spread over long hours and the kitchen seemed stuffy.
- The small exhaust fans are inadequate to keep down the temperature in the kitchen.
- Nor is there a method of using things like aprons and towels etc. that can make the cooking procedure cleaner.

- The method of storing of water for cooking is inadequate.
- Fire extinguishers are essential as a safety measure.

### **Water Supply and Drinking water**

- There is adequate water supply as reported by the jail authorities but there are insufficient facilities for storing water for use.
- This jail also has a tube-well, which ensures an adequate supply of water.
- Pitchers or water campers can be provided inside the barracks for storing drinking water.

### **Food and Diet**

- The men convicts cook food for all the inmates in one main kitchen. There is no separate kitchen for women.
- There are no provisions for a dietician to visit the jail to plan the food pattern according to nutrition and basic health needs.
- All the inmates are given two meals a day.

Morning tea is given at 5 am

Morning meal is given at 8 A.M. which includes Roti + Dal (6 chappaties + dal as required).

Tea and channas are given at 3 p.m.; and

Evening dinner is at 6 p.m. Dinner includes Roti + Dal (6 chapattis + dal).

Often they are given vegetables, which are seasonal and those that are grown by the men inmates on the jail grounds.

- Special meals like kheer or halwa are served to the inmates on special days like 26th Jan, 15th August, Gurpurabs, Diwali and other festivals.
- The female inmates can receive dry rations and raw foods from home, which are brought by their relatives who come to visit them in the jail. They cook extra food for themselves and sometimes even share it.
- The canteen in the jail also provides them some foods and few other items for personal use. Some can afford to buy, while others join together and buy salad/ rice/fruits/onions/milk etc.
- Special food is given on the recommendation of the doctor to all those who require it.

- Pregnant and lactating mothers and children are given special diet in accordance with the jail manual.
- There are facilities of clean drinking water and water coolers are also functional in the jail.
- But there are no provisions for filtered water. Other facilities for storing water also need to be made.

### **Clothing and Other Articles of Use**

- Clothing is provided to convicts and they are supposed to wear only white khaddar suits provided by the jail authorities while the under-trials wear their own clothes.
- Clothing provided to convicts (only one suit in six months) is not sufficient for them. They then wear their own clothes.
- A soap for bathing is provided every month and toothpaste is given when required. Liquid soap is provided for washing clothes (water + soda) once a week. These are all insufficient for the needs of the inmates.
- No sanitary napkins are provided to the women.

### **Bedding**

- Bedding is provided equally to both convicts and under-trials ( sheet/ duri / quilt or blanket).
- The children are not provided with special bedding though they are given whatever required.

**There is no Work Programme** for the women inmates of the jail since a majority of them are under-trials. Two of the convicts help the matron in managing the activities of the women ward.

**There are No Facilities to provide any kind of skill training to the inmates** nor are there any awareness programmes conducted for the inmates.

### **Education and Literacy**

- There are 86 women prisoners in this jail. From among these **76 are illiterate and have never been to any school.** Only 10 of them are literate and have received some formal education.
- There is No Adult Education or any educational programme for the prisoners.
- Most of them have no inclination to learn to read or write.

## **Custodial deaths**

There have been no custodial deaths in this jail in the last 5 years.

## **Health and Medical care**

- The jail has **one male doctor and no female doctor**, or nurse or nursing assistant for the female inmates.
- There is one Pharmacist on the jail premises.
- Though there were no major ailments of the female inmates, some of them did have problems of vision, for which they need regular eye checkup. Some women also have problems like hypertension, palpitation and depression.
- There is a small room converted into a small dispensary or dressing room on the jail premises but female inmates are not allowed to go there. The doctor visits the premises of female inmates and also takes care of emergencies.
- Though the medicines are available, there are no specialists who visit the female inmates. If required, they are referred to the civil hospital in Sangrur. In case there is a major ailment then they are taken to the civil hospital at Patiala.
- None of the women are suffering from any kind of infectious diseases. However, there are no provisions to segregate them.
- **The jail does own an Ambulance**, which is used to take the patients to the hospital on a need basis and on the advice of the doctor.
- The jail did not have any female who would require drug de-addiction.
- Some of the ailments among the women inmates are - hypertension, heart ailments, and orthopedic problems.
- The expectant and lactating mothers are given special diet of milk and food as laid down in the jail manual and on the advice of the doctor.
- The jail does not have any provisions or arrangements for medical care of the physically handicapped or mentally handicapped inmates.
- There are no NGO's and social activists involved in any kind of prison activities.

The female prisoners do suffer from depression from time to time and need counseling for which a female counselor should be appointed immediately.
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- **There are no NGO's and social activists involved in any kind of prison activists.**

- The jail Superintendent mentioned, “ if we contact an NGO, they come once in a while, but there is no continuity of visits. However, no NGO’s participate on their own. One has to make persistent efforts to get them involved even in a limited manner”.

**Recreational facilities**

- There is one small black and white TV in the barracks. This is perhaps the major source of entertainment for the inmates.
- The women do involve themselves in kirtan and paath and singing bhajans in the morning and evening.
- There are no provisions for teaching Yoga or any physical fitness programmes.
- As in the other jails these women do sometimes perform Giddha and sing songs among themselves.

**Children**

Children below the age of six are allowed to live with their mothers inside the prison. None of the convicts has a child who lives with her, though there are 10 children with the under-trials.

Children with Convicts                      Nil  
 Children with under-trials                10

<b>Sex</b>	<b>Strength</b>	<b>Age Group</b>
Male	07	Between 0-5 years
Female	03	Between 0-5 years

- **All the children in this jail are with under-trials and none of the convicted women have children living with them.**
- They do have provisions for inoculation (DPT, polio doses, measles), of the infants, which are carried out by the multipurpose health workers of civil hospital.
- The mothers are not willing to part with their children or send them away. There is a nursery for the children on the jail premises, but the mothers do not even want to send them there.
- A special diet according to the jail manual is provided to the children. This basically includes an extra of milk.
- Those inmates who are literate impart some kind of informal education to the children, but this is inadequate.

- There are no books, stationary, toys or games or provision to keep the children occupied.

### **Management**

- There are No Women Officers like in most other jails.
- There are only Two matrons who take care of the women prisoners and are on duty by rotation.

	<b>Female</b>
(a) Sanctioned strength	2
(b) Actual strength	2

**Training** is given to all the jail functionaries before they join actual work at the jail. This is for a period of six months .

- This training includes some physical training and some educational training at the institute at Patiala.
- There are periodic courses held at The Correctional Institute at Chandigarh, which are attended by senior jail functionaries.
- Every jail functionary is supposed to attend three training courses during the duration of his job.
- Often, the jail Superintendent finds it difficult to send his staff for these courses because of the fact that the staff is much lesser than the sanctioned strength.

### **Conditions of women under-trials**

**The Convicts and under-trials are kept together and are not segregated either on the basis of the nature or the sentence in crime. This is primarily because of the paucity of space.**

<b>Detention period</b>	<b>Number</b>
Upto 6 months	30
6-12 months	15
1-2 Years	10
2-3 Years	4
3-5 Years	Nil
Above 5 years	Nil

## **Judicial Process**

- Though there are no Lok Adalats, the female under-trials are produced in court with the help of **special female guards appointed by the police.**
- The district and session's judge holds monthly inspections, during which, cases are expedited and grievances redressed.
- A judge from the Punjab and Haryana High Court also visits the jail for inspection once a year.

## **Interviews with relatives**

- There is a system of meeting with family members through periodic interviews, which are allowed according to the jail manual.
- Towards the front of the prison, there is a special area where the women prisoners are accompanied by the matron and taken to meet their relatives.
- The Convicts are allowed interviews (mulakat) Twice a week for a period of 30 minutes.
- The Under trials are allowed interviews (mulakat) Thrice a week for a period of 30 minutes.
- In some cases where both the husband and wife or more than one family member is in prison, they are allowed to meet once a week in the presence of the matron.
- Interviews with lawyers generally take place in the court but if there is a request, the inmate is allowed to meet the lawyer.
- The prisoners are also allowed to write and receive letters to their relatives (the letters are censored).
- The system of release on Furlough and Parole is the same as in the other jails and in accordance with the jail manual.
- **On the day of the visit, 6 women were on parole and one-woman prisoner was on Furlough.**
- Free Legal aid is provided to female inmates, if they cannot afford to hire a lawyer on their own and some women have benefited from this facility.
- Most of the women go back to their homes after serving the stipulated sentence. It is difficult to discern the level of their acceptability in the family. However, there are no methods of providing assistance or rehabilitation to a few of those women whose families do not accept them.

## **Recommendations**

- The women enclosure in this jail was initially made to accommodate 16 prisoners. Subsequently, temporary arrangements in the form of additional plinths and a barrack were made to accommodate another 40 prisoners. The 86 women and 10 children (96) are the present occupants. Thus, the enclosure is congested and there is overcrowding.
- The construction of additional barracks will resolve some of the problems regarding space allocation to the individuals.
- No alteration or addition has been made to the existing building since 1954. The building requires many Additions.
- A proposal for construction of one barrack for 50 women inmates was sanctioned but budget has not been released by the state government, therefore it is still pending.
- The outer and the inner walls of the jail need to be repaired.
- Additional toilets and bathrooms to accommodate the needs of the large number of inmates are essential. These can be constructed on modern lines with better flush systems so that hygienic conditions can be maintained.
- The electric wiring is old and needs to be redone.
- In certain areas of the jail the drains get choked and water gets blocked since the ground level is low. The problem becomes severe during the rainy season. This needs immediate attention.
- A hygienic method of collecting and disposing off the garbage should be worked out.
- Reconstruction and modernization of the kitchen should include new floors, water storage facilities, painting of walls, better gas stoves, electric chimneys and improved equipment for cooking and storing food.
- Since there is less sunlight in the kitchen it looks dingy. While restructuring, these aspects should be given specific consideration.
- As in the other jails, one lady doctor and two female nurses are an essential requirement for the women prisoners.
- Special health and diet provisions for the older women can be attempted.
- The distress and the emotional traumas of the women prisoners can be effectively handled through counseling. It is recommended that a female counselor be appointed as a member of the jail staff.

- Physical fitness programmes and Meditation should be encouraged for the inmates – these are therapeutic.
- Some alternative arrangements can be made for the children living with their mothers in the jail, since the jail environment is not conducive for an all round growth and development of the children.
- Work programme and Skill training programmes can be initiated, which can also be income generating. Embroidery -Pulhkari, Crochet, Dari making ,Sewing, Hand knitting, Bakery, Agro based industries like Honey bees, Vermin compost, Dairy farming can be initiated to involve women inmates. This would be beneficial as (a) Women would be engaged in productive work, and (b) they will be occupied in some activities and hence their stress levels will come down. (c) Besides, income can be generated even while staying within the jail.
- Adult literacy programme can to be started for the inmates. They should also be provided with reading material in the form of newspapers (Punjabi, Hindi) and books, to keep them occupied.
- NGO's can be encouraged to participate in the health awareness, literacy and skill training programmes and work with the inmates.
- Increase in the number of Matrons is another requirement of this jail. At least three more posts of Matrons should be sanctioned, since the proportion of the inmates and the staff is inversely related and they are constantly overworked.
- It was suggested by the jail authorities that a separate building maintenance fund be instituted. Also, some officials from the PWD department can be attached to the jail, so that the necessary repair work can be carried out efficiently.
- Another issue, which was brought to our notice, is the lapse of grants given by the central government. The Central government gives grants to the jails, but these grants have to be matched with some initial contributions made by the state governments. Often, the state governments do not initiate any grants and the major grant from the Central Government lapses. The jails are not a priority of the state governments and this is the primary reason for the lapse of these grants. There should be some provision made regarding such lapses. For example, the Sangrur Jail had a sanction of Rs. 90 lacks from the Center, but since the Punjab government did not provide its share, the grant has lapsed.
- Another suggestion of the Superintendent is to convert the incomplete jail at Nabha into a modern Women's jail.

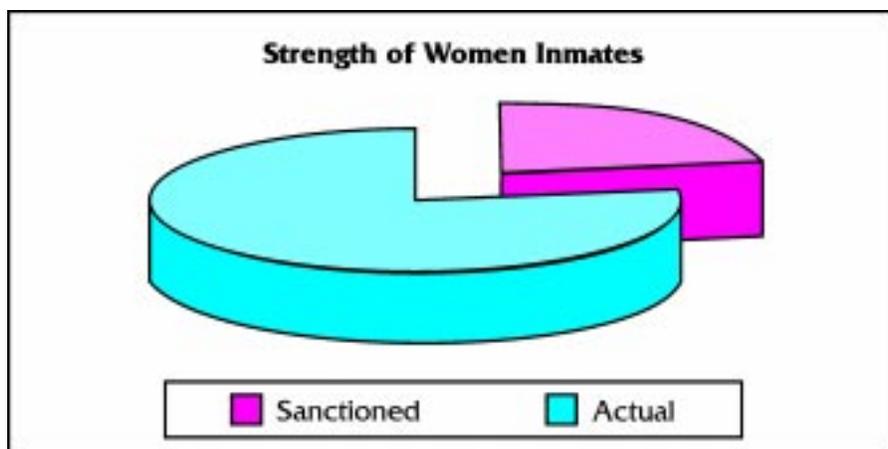
## HOSHIARPUR JAIL

The district jail at Hoshiarpur houses women prisoners who are sent here from the adjoining towns and villages. The jail Superintendent has been working here for the last two and a half years. There is one Jail Warden and two Matrons assigned to the female section of the jail.

The total capacity of the jail, as well as the present strength of the prisoners is as follows:

<b>Total Sanctioned capacity</b> (prisoners)	<b>312</b>
<b>Actual Strength</b> (on the Day of visit)	<b>476</b>

Male / Female	Sanctioned Strength	Actual Strength
Male	300	434
Female	12	42



From among these, there are 8 convicts and 34 under-trials in this jail.

	Convicts	Under trials	Total
Male	—	—	—
Female	08	34	42

The above table clearly shows the level of overcrowding in the jail, since attempts are made to accommodate all the women prisoners within the available accommodation.

**The number of children living with their mothers is as follows:**

Children with Convicts	Nil
Children with under-trials	07

<b>Sex</b>	<b>Strength</b>	<b>Age Group</b>
Male	02	1-4 years
Female	05	1-3 years

**Living Conditions**

- All the women who are under detention – both convicts and under-trials live in a separate enclosure, constructed within the jail premises.
- This area is cornered-off by high walls and is situated away from the area where men prisoners are housed. This section of the jail forms only a small part of the larger jail premises.
- The gates of this enclosure are locked and one female matron is on duty at all times.
- Within this enclosure there is a small ground, around the barracks, where there is no grass. Though the women sit here during the day, it is not adequate even for them to walk or for the purpose of any physical exercise. Since the number of women is large, it is even more difficult for women to make much use of the space.
- Only, female Matrons are assigned duty in this area. No men are allowed to visit the female barracks except for the official staff, who have to be accompanied by the matron.
- Female constables accompany the women prisoners when they have to be taken to the courts.
- **The under-trials and convicts are kept together because of the lack of space.**
- **This area is very secure in terms of its structural placement, which makes it safe.**
- There is privacy for the inmates, including when going to the toilet during the day and at night. There is one toilet within each barrack, which the women can use at

night. The rest of the toilets and bathing areas are located outside the barracks, which have doors.

### **Building**

- The building of this jail is about 100 years old.
- The building requires additions and renovations, and is in an urgent state of repair. Some parts of the building need to be reconstructed with modern construction material.
- **The walls** are old and shabby and need to be repaired and white-washed.
- **The floors** are old and worn out.
- **The area surrounding the jail building is absolutely un-kept. There is wild grass growing and weeds all around. It is marshy and water collects in the pits when it rains. The whole place is unsafe – snakes and other such animals are a constant hazard. There is no maintenance what so ever.**
- **This area includes the area where the jail staff lives and is uncultivated making it extremely difficult for the staff to live there.**

### **Cleanliness, Sanitation and Hygiene**

- There is one toilet within each barrack, which the women can use at night. The rest of the toilets and bathing areas are located outside the barracks, which have doors.
- **There are 3 toilets and 1 bathroom in this section. Thus, the ratio of toilets to the number of users is 1:14 and of bathrooms is 1:42.** The number of toilets in proportion to the number of the users is highly disproportionate and that is one main reason for the low level of cleanliness.
- These toilets and bathrooms are very old and need to be restructured.
- The WC's are broken and need to be changed.
- Most of the flushes do not work – making it difficult for hygienic conditions to prevail.
- The toilets and bathrooms are inadequate, because of the overcrowded situation in the jail.
- This then, relates to the issue of cleanliness. Since the number of individuals is far larger than the availability of facilities, the cleanliness levels decline.
- The water supply is adequate as reported by the jail authorities.
- However, this aspect of the jail requires immediate attention.

## **Kitchen**

- The **Kitchen** is also an old one **and has never been renovated**.
- The **floors** are broken in many places.
- For the large amounts of food cooked in this kitchen, the adequate facilities are missing. The procedure of cooking is arduous and we could see the men sweating over the food being cooked.
- Nor is there a method of using things like aprons and towels etc. that can make the cooking procedure cleaner.
- The chapattis once made are kept in sheets of cloth. Other methods of keeping chapattis in metal boxes could be a cleaner option.
- The method of storing of water for cooking is inadequate.
- Fire Extinguishers are required as a safety measure.

## **Food and Diet**

- There is **No separate kitchen for the female prisoners**. Food is cooked in one place and since the quantities are large, the men cook all the food. There is no kitchen in the women section, though there are some angithis, which the women use when they wish to cook something for themselves.
- Food and the number of meals are being given, are in accordance with the prescribed scales, in the jail manual.
- Extra diets, on the recommendation of the doctor are also given in accordance with the jail manual.
- Raw, uncooked food and fruits are allowed from outside and the inmates often look forward to getting some extra vegetables and fruits from home.
- There is a canteen on the premises of the jail, which stores food items and a few other things like milk, biscuits, bidi and cigarette etc.
- The women are not allowed to go to the canteen but can ask the matron to get them anything they need from time to time. A few of the women buy milk everyday.

## **Clothing and other items of use**

- The Convicts are given two sets of white khaddar suits and a duppata, once in a year. However, they do wear their own clothes as well.

- The Under-trials are not given any clothing because the jail manual does not allow it. The under-trials wear their own clothes and are allowed to keep 2- 4 sets of clothes.
- The rest of the items of use are provided to both the convicts and under-trials in a similar manner.
- They are also given a bathing soap, once in a month, and soap and hot water on the weekends to wash clothes and toothpaste / oil, if required.

### **Bedding**

- The bedding supplied to the inmates includes one thick sheet (khes), one dari and blanket or a quilt in winter. Both the convicts and under-trials are given the same bedding.
- If an older woman or a sick woman requires something more (bedding), it is provided by the jail authorities on a need basis.

### **Work Programme**

- Since a majority of the inmates are under-trials, there are no work programmes or skill training programmes being carried on for the inmates.
- The under-trials cannot be given any work since the jail manual does not allow it. The convicts who can be given work are too few in number. The jail authorities therefore do not seem to be making the effort to involve these few women in any work programme. The Superintendent however, felt that if all the under-trials could also be involved in work, some work programmes could be run for them.
- None of the inmates are given any menial duties, on a daily basis.

### **Education and Literacy**

- There are **No Facilities** for imparting any kind of **Education to the women - neither any Adult Education nor any other kind of basic educational** programmes are available for the prisoners.
- However, literacy levels among the women prisoners are very low.

<b>Literacy Level</b>	<b>Convicts</b>	<b>Under-Trials</b>
Literate	03	14
Illiterate	05	20

### **Library Facilities**

- The women inmates never use the one room library on the jail premises. Since the literacy levels among the women inmates is rather low, they do not make use of the library.

### **Recreational facilities**

- There is one small TV in the women's barrack and the women spend a part of their day watching TV.
- They sing Bhajans / Shabads in the morning and evening and do "Path" and "Kitran", everyday. Irrespective of religious affiliations, all the women participate in this and seem to find some solace in this activity.
- They also sing songs and perform "giddha" (a Punjabi folk dance). They performed giddha for us. Some of the women mentioned that this is a way of diverting their minds for sometime. The matron encourages them to sing songs and dance.
- **There is no physical fitness programme for the women inmates.**
- Occasionally, some **spiritual programmes like 'the Art of Living'** are run for the inmates. These programmes are spiritual and the inmates feel they benefit from them. **Meditation is therapeutic and should be encouraged.**
- The men prisoners who live on the other side and have access to the larger part of the jail premises and can play basket ball / cricket / and have access to a large open grounds. The women prisoners do not have any such facilities.
- The women prisoners do not have access to any in-door games either.

### **Interviews with relatives**

- Periodic interviews with family members are allowed according to the jail manual. This is their contact with the outside world.
- Towards the front of the jail, is a barred area, where the women prisoners are accompanied by the matron and can talk to their relatives from there.
- The Convicts are allowed to meet their relatives once a week for 30 minutes.
- Under-trials are allowed meet their relatives twice a week for 30 minutes.
- If both the husband and wife, or more than one family member is in prison, they are allowed to meet once a week in the presence of the matron.
- Interviews with the lawyers generally take place in the court, but if there is a request from the inmate, she is allowed to meet her lawyer.

- The prisoners are also allowed to write and receive letters to their relatives (these letters are censored).

### **Facilities for accompanying children**

There are 7 under-trials, each with one child, living with them in the jail. The number of children living with their mothers is as follows:

Children with Convicts	Nil
Children with under-trials	07

<b>Sex</b>	<b>Strength</b>	<b>Age Group</b>
Male	02	1-4 years
Female	05	1-3 years

- There are 7 children accompanying their mothers. All of them are children of under-trials. None of the convict's children are living with them in the jail.
- A child can live with his mother in the jail till the age of six, with the permission of the Jail Superintendent.
- When the child is six years of age, visiting rights are accorded to him. The children usually come to visit their mothers with their relatives on the mulakat days.
- Besides, the other older or younger children, who live with other relatives, also have the right to visit their mother in the jail.
- There is no separate accommodation or facilities for these mothers and children.
- They are given only one extra glass of milk – there are no other kinds of foods or nutrients, which are given to the children.
- There are no educational or recreational facilities for them in the jail. However, two of the educated women spend some time teaching the children to read and write but this is informal and often not very systematic.
- There are two inmates in this jail, who are interested in sending their children to some institution where they can acquire good education and grow with their peers, in a normal healthy environment.

### **Health and Medical Care**

- As in the other jails, there is **no Lady doctor** who is permanently appointed to look into the medical problems of the women inmates. One lady doctor from the General hospital visits the women prisoners, once in a week.

- There is **only one doctor, who is the medical officer of the jail**, who is a permanent appointee and who takes care of all the inmates. He manages the small hospital on the jail premises but the women are not allowed to go there. The doctor visits the female section everyday or when an inmate requires medical attention.
- The jail does not have any female nurses to assist the doctors or to monitor medication of the patients or to tackle emergencies.
- There is one Pharmacist on the jail premises, who supplies medicines to all the prisoners, as and when prescribed by the doctor.
- The jail authorities reported that there is no problem regarding the availability of medicines but there is a problem of the payments to the pharmacist, which are overdue. The government procedures are tedious and it takes rather long to clear the bills. The pharmacist is the one who has to bear up with the delays.
- No physical examination is undertaken, within a few weeks of the entry of a prisoner in the jail.
- There are no separate beds for sick or ailing women.
- Nor is there a provision for isolating women suffering from infectious diseases.
- However, there are two women suffering from chronic diseases – one from heart disease and the other one, is diabetic. Both of them are on medication and the doctor monitors their medicine regularly. Also, when the women go out on parole, they get their medical examination and treatment from their own doctor.
- None of the women are drug-addicts, so de-addiction is not required for them.
- There is an ambulance, which is used to take patients to the hospital whenever required.
- Appropriate inoculation of the children, is insured by the jail authorities.
- None of the NGO's in this region partake any interest in the jail inmates or work with them in areas of health care or education.
- There are No arrangements for special medical care for physically handicapped and mentally handicapped individuals.
- We were told by a number of women that they are very depressed during the initial days, but slowly get adjusted to this environment. However, often they are unable to sleep at night and suffer from insomnia. One of them said: “ the day

somehow goes by, but it is difficult to sleep at night – the night does not seem to end”.

## **Management**

The number of jail functionaries is as follows:

	<b>Male</b>	<b>Female</b>
Sanctioned strength	94	02
Actual strength	85	02

- **It is apparent that the strength of the jail staff is far lesser than the sanctioned strength. With the growing numbers of prisoners to take care of, the staff is constantly overburdened.**
- There is **no separate cadre of women officers in the jail.**
- There are two Matrons who take care of the women inmates and work in shifts. One of them is on duty at all times. The convicts contribute by helping them in some ways.

**Training** is given to all the jail functionaries at the beginning of their job for a period of six months. This includes some Physical training, combined with some educational training at the institute at Patiala.

- Every jail functionary is supposed to attend three training courses during the duration of his job.
- The senior administrative staff – generally the Superintendent, attends most of the specialized, short courses at various places in the country.
- Since the jail is constantly under-staffed they are often unable to send any of the staff members to attend courses periodically.
- These courses do not however include any course on Gender Sensitization.
- The involvement of the NGO's and social activists in the activities of the jail are very limited. There is the Rotary Club and the Red Cross who periodically visit the jail for some welfare activities for the prisoners.

### **The detention period of the under-trials in this jail is as follows**

<b>Detention period</b>	<b>Number</b>
Upto 6 months	20
6-12 months	02
1-2 Years	12
2-3 Years	Nil
3-5 Years	Nil
Above 5 years	Nil

The cases of the under-trials who are kept in the jail for more than six months need to be expedited so that they and their children and families are not put to undue hardships.

#### **Legal Aid**

- Free legal aid is provided to those who cannot afford personal lawyers and a number of women benefit from this.
- It was also found that the Free Legal aid provided to the women inmates at the district and session court is adequate, However, at the High Court level, it becomes increasingly difficult to pursue their cases. Since their families belong to the low economic category, their relatives are unable to afford the fare to go to meet the lawyers periodically at Chandigarh.
- Though there is No system of Lok Adalats, the under-trials are produced in court in accordance with the hearing of the case and under the surveillance of the women police guards.

#### **Recommendations**

The following recommendations are being made for relevant changes in this jail:

- The enclosure where women prisoners are kept is very small and overcrowded; therefore additional barracks or cells need to be added.
- **The building is in a dilapidated state and requires additions and renovations, and is in an urgent state of repair. Some parts of the building need to be reconstructed with modern construction material.**
- **The walls** are old and shabby and need to be repaired and painted so that they can be washed and cleaned.

- **The floors** are old and worn out and **require refurbishing with modern material.**
- The **area surrounding the jail building is absolutely un-kept.** There is wild grass growing and weeds all around. It is marshy and water collects in the pits when it rains. The whole place is unsafe – snakes and other such animals are a constant hazard. There is no maintenance what so ever.
- This area includes the area where the jail staff lives and is uncultivated making it extremely difficult for the staff to live there.
- Immediate steps to make the surroundings habitable should be undertaken so that the environment becomes conducive to live in and work.
- The number of toilets in proportion to the number of the users is highly disproportionate and that is one main reason for the low level of hygienic conditions.
- These toilets and bathrooms are very old and need to be restructured with modern materials.
- The WC's are broken and need to be changed.
- The flush systems also needs to be replaced and made functional.
- A generator is another important requirement for the jail.
- The **Kitchen** is also very old and has never been renovated. It needs to be reconstructed with modern materials (tiles on the floor and walls). Modern equipment for keeping the kitchen clean and improved equipment for cooking are also needed.
- **Some of the older women complained that they are unable to digest whole grams** (Maha Sabut Dal), which is served at night. Others complained about not being able to chew channas because of their teeth. Some alternative foods can be made available for older women or those who face such problems.
- **Inorder to enable the inmates and the children to read and write, a teacher should be appointed on a permanent basis in the jail.**
- An instructor for teaching some skills to the inmates can also be beneficial.
- Most of the women in the jail do not wish to be moved to Ludhiana, because their families live in the surrounding areas and they are able to meet them regularly.
- The **jail staff here is rather disgruntled because of the lack of adequate living and working facilitates. The houses need to be raised to the ground and rebuilt.**

- Bigger and cleaner rooms for rest should be provided to the staff so that they can spend some time comfortably during the off duty hours.
- The jail staff listed out a few of their urgent demands. These include new houses/ better rooms for rest with TV and a table tennis table and a club for them and their families on the jail premises.
- Their other demand is to have **parity with the Police cadre**, since their duty hours are long and demanding. They sometimes work from 5.30 in the morning till 8.30 at night. At times they have to be up all night, if a problem arises within the prison. Thus their job is an arduous one and they do need to be provided with better working and living conditions.

## **AMRITSAR JAIL**

The Amritsar Jail is a High Security Jail. This region constitutes the north-western border of India and Pakistan. It is a smugglers and infiltrators paradise and a large number of miscreants are confined in this jail. Among the articles smuggled, drugs are highly profitable. Criminals from both sides of the border allegedly participate in these activities. In the recent years, women have also become part of these smuggler's gangs. Consequently, there are a substantial number of women who have been imprisoned for smuggling and sale of drugs.

- The last few years have seen a marked increase in the number of women in the drug trade.
- The NDPS act having become more stringent, a number of women are periodically caught under this act and are therefore in jail.
- Also, the incidence of the Sansi tribe women being involved in drug trafficking is rampant.
- There are some instances of individuals (both men and women) being involved in trying to supply drugs inside the jails. Often, the methods used are novel and amazing. Women play a crucial role in the smuggling of drugs by pasting thin layers of these drugs on their thighs, under their clothes when they come back to the prison, from Parole.

In addition to these, there are women involved in dowry death cases, murders, trafficking of girls and there are six women who belong to Bangladesh.

Initially, the jail began with provisions for accommodating 50 women. However, there are **127** women prisoners in this jail at present. The strength of the inmates in the jail is as follows:

<b>Total Sanctioned capacity</b> (prisoners)	<b>1550</b>
<b>Actual Strength</b> (on the day of visit)	<b>2130</b>

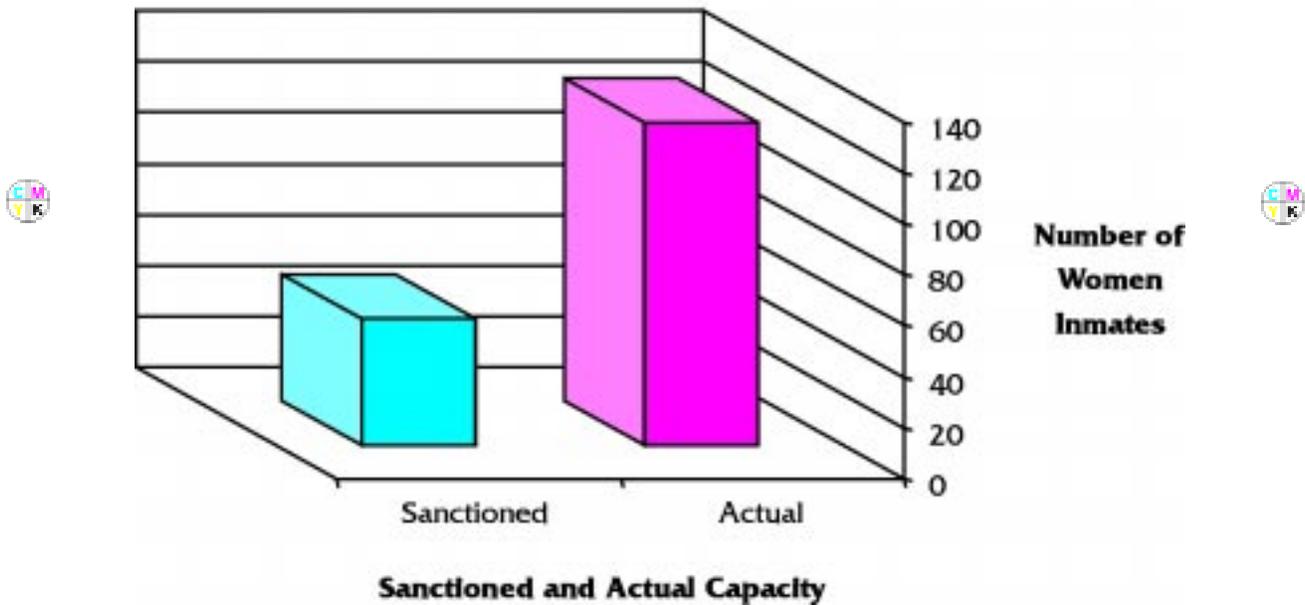
<b>Male / Female</b>	<b>Sanctioned Strength</b>	<b>Actual Strength</b>
Male	1500	2003
Female	50	127

**The numbers indicate the level of overcrowding in the jail. The present number of inmates is almost four times more than the sanctioned strength.**

**Actual strength of the Convicts and Under-trials** (as on the day of visit)

	<b>Convicts</b>	<b>Under trials</b>	<b>Others</b>	<b>Total</b>
Male	651	1208	144	2003
Female	22	84	21	127

**Strength of Women Inmates**



### **Living Conditions**

- A part of the jail premises has been converted into an enclosure especially for women prisoners.
- This area is separated from the main jail building. The women are allowed to move out of this area only with a specific purpose, and have to be accompanied by a female matron.
- There is an open ground in front of the barracks where women can sit and walk, during the day.
- There are two women who have psychological problems and were kept in the psychiatry ward of the hospital for some time, but have been sent back and live with the rest of the prisoners. They cause considerable inconvenience to the other inmates.

- There are three barracks - one of them is fairly large but the other two are rather small.

### **Building**

- There is a separate (small) building, within the larger premises of the jail where women prisoners are lodged.
- Three barracks have been constructed for them. These barracks were made to accommodate fewer women but because of the crowded situation, more women are lodged within this area, giving very little space to each one of them.
- There is an open area in front of the barracks, which seems neglected. There is no grass or trees, nor has it been cultivated. This is the only space for women to walk around. Since the number of women has increased, this too seems rather congested.
- There is privacy for the inmates, including while going to the toilet during the day and at night.
- There is no water cooler in this section.
- The plaster on the **walls** needs repair and whitewashing periodically.
- The **floors** are old and need to be replaced by some modern materials, which will also ensure cleanliness.
- There are No Electrical switches, which are functional in this jail. This is a safety hazard and electrical fittings need replacement since they can be dangerous.

### **Cleanliness, Sanitation and Hygiene**

- Most of the toilets and bathing areas are located outside the barracks, which have doors. There is one toilet within each barrack, which the women can use at night.
- There are 12 toilets and 8 bathrooms in this section. There is only one toilet and bathroom inside the barrack and the rest are outside. Thus the ratio of toilets and of bathrooms to the number of users is 1:10 and 1: 16 respectively.
- This is also related to the level of cleanliness. Since the number of individuals and the facilities are inversely related, the cleanliness levels go down.
- The toilets need restructuring with modern materials, which are easier to clean and which last longer.
- A number of WC's are old and broken.
- Most of the flushes do not seem to work and should be replaced and made functional.

### **Drainage**

- The drainage system is old but has been reported as functional. It needs to be modernized and made more efficient.
- At some places the drains are open. Though they are cleaned periodically, an underground drainage system would be more effective.

### **Kitchen**

- The kitchen is old and shabby, with little sunlight and needs a lot of improvement.
- There is no provision for a separate kitchen for the female prisoners.
- There is one main kitchen, where men cook all the food, since the quantities of food cooked are very large.
- The quantity and quality of food, along with the number of meals provided, is in accordance the jail manual.
- Arrangements for storing water for use in the kitchen needs to be undertaken.
- The floors in the kitchen are old and worn-out and need to be replaced.
- The exhaust fans are inadequate to keep down the temperature in the kitchen. Since cooking large quantities of food involves spending long hours around the fire, heat is generated and exhaust fans and fume absorbers are required o keep the temperatures down.
- The men who cook the food do not use aprons and towels / napkins etc. that can make the cooking procedure cleaner.
- The Superintendent has made some innovations in the existing infrastructure of the kitchen, but the whole kitchen needs to be modernized, with improved facilities for cooking procedures as well.

### **Water Supply and Drinking water**

- The jail authorities have reported that the water supply is adequate though the facilities for storing water are insufficient.
- This jail also has a tube-well, which ensures an adequate supply of water.

### **Food and Diet**

- The quantity and quality of food, along with the number of meals provided is in accordance the jail manual.

- We were told that till two years ago, the inmates were given lemonade in the summers, since this region is hot and temperatures rise high during the summer months. However, this practice has been discontinued and lemonade is no longer given to the inmates.
- Whenever the doctor recommends special diets for the inmates, the jail authorities, in accordance with the jail manual, provide it.
- The females are allowed to receive dry rations and raw foods, from home and they often cook for themselves and supplement the food they get from the jail. The inmates look forward to getting food from home.
- There is a canteen on the premises of the jail, which stores things for the consumption of the prisoners. These include food items as well. The women cannot go to the canteen, but can ask the matron to get them anything they need from time to time. A few of the women, who can afford to buy milk, purchase a packet of milk everyday.
- The expecting and lactating mothers are given one extra glass of milk. The rest of the diet is the same as for the other inmates.
- The women from Bangladesh are unhappy with the food they are given in the jail since they are primarily rice eaters. Rice does not form a part of the diet of they jails but keeping in view the specific needs of these women some alternatives can be worked out.

#### **Clothing and other articles of Use**

- Similar articles of use are provided to both under-trials and convicts. However, the convicts get two pairs of khaddar suits and 2 dupattas, every year.
- The under-trials wear their own clothes. But there is no compulsion even for the convicts to wear the clothes given by the jail authorities and they often wear their own apparel.
- It was mentioned by the Matron that the women like to wear apparel of their own choice. On festivals and especially on Karva- Chauth, they like to dress-up and wear good clothes and put on mehndi etc.
- The rest of the items of use and the food etc. are provided to both the convicts and under-trials in a similar manner. Washing soap (once a week), bathing soap (once a month), while toothpaste is provided as desired by the convicts who cannot afford it.

- No Sanitary napkins are given but some cloth is provided to the women periodically. Often this is insufficient.
- These articles provided by the jail authorities are inadequate and need to be reviewed with improvement in quality.
- The women do not have any place to keep their merge belongings. They use plastic or cloth bags to keep their things and hang them on the wall. This gives a very shabby look. A small cupboard can be provided to each inmate, which will not only be a clean alternative, but also give some space to each individual to keep her belongings.

### **Bedding**

- Bedding is provided to both under trials and convicts, which includes 2 blankets, or a quilt and one Khes. Extra blankets are given to those who need them in winter.
- Sick women are provided extra bedding according to their requirements.
- There are plinths in one of the barracks, but they are not enough for all the inmates. The old and sick women sleep on them and the rest of the inmates sleep on the floor.

### **Work Programme**

- The women inmates are **not involved in any work programme** – whether it is productive work or skill training.
- No menial duties are given to the inmates on an everyday basis.
- The **under-trials cannot be given any work since the jail manual does not allow it**. The convicts who can be given work are too few in number.
- The Superintendent however felt that if all the under-trials could also be involved in work, some work programmes could be run for them. He is keen to **shift the chapatti making to the women section**. This will be beneficial in two ways
  - (a) Some of the women will remain occupied, and
  - (b) They will probably do a good job of making chapattis.
- The jail Superintendent has suggested that a women welfare fund could be provided to the jail. It would then become easier to begin a work programme for women, which will enable them to become self-dependent. He mentioned that projects like Bakery, and Knitting etc. could be initiated.

### **Education and Literacy**

- There are No Adult Education or any other kind of basic educational programmes, available for imparting any kind of education to the prisoners.
- A number of them do not wish to learn to read or write.
- A large number of inmates are illiterate. We found only one woman with two books, which she had kept for reading.
- The jail Superintendent is also trying to send the children to the school, which is located close to the prison.

### **Library**

- The library is located on the jail premises, in a small room where there are some old books and daily newspapers to read.
- However, the women inmates are not allowed to go to the library since they cannot move out of their enclosure. If they do wish to read something, they have to request the Matron, to get it for them. Very few inmates use this facility.
- There was only one woman in this jail who had two of her personal books to read. We did not find women reading or writing, in any of the other jails. The only kind of books they read are some religious books but those too are very limited.
- Attempts can be made to motivate the public to donate books and magazines for the jail library.

### **Health and Medical Facilities**

- There is an MBBS doctor (male) posted in the jail who takes care of all the men and women prisoners. The doctor is supposed to visit the female section everyday or when he is required.
- There is **No Lady doctor** who has been permanently appointed for the women inmates.
- A Gynecologist from the general hospital at Amritsar, is attached to the jail and visits the women prisoners once every week.
- Other Specialists periodically visit the hospital on the basis of requirement. Some patients are referred to the hospital whenever the doctor finds it necessary.
- There are No Female Nurses to assist the doctors or administer medicines or take care of emergencies.

- There is one Pharmacist on the jail premises, who is responsible for supplying medicines to the prisoners, which have been prescribed by the doctor.
- The authorities reported that the availability of regular medicines was adequate.
- There is No physical examination of the prisoners once they enter the jail. The doctor merely records their general condition. If the prisoner is in the jail for more than a year, no yearly check-ups or follow-ups are carried out. Neither are they tested for HIV/ AIDS during the first few weeks.
- The jail has its own Ambulance and the patients are taken to the hospital whenever required.
- There are No Physically Handicapped women in this jail.
- There are two mentally ill women in this jail. They have been sent back by the psychiatry department of the hospital, but are a constant disturbance for all the other inmates. Both of them keep talking through out the day. One of them throws water on the inmates at night and it becomes impossible for most of the women in that barrack to sleep. Even the most patient inmates find it difficult to deal with them. It is not fair to the mentally ill women too, since they are not aware of their surroundings or what they say or do. Immediate steps towards keeping these affected women in a rehabilitation home or some alternative arrangements need to be made.
- There are no separate beds for sick women. Nor is there a provision for isolating women suffering from infectious diseases.
- The Jail authorities do make arrangements for necessary inoculation of the children, who are living with their mothers.
- There is No involvement of any NGO in the health care aspect of the women prisoners.
- Besides, there are No Health awareness programmes organized by NGO's or health agencies in the jails.
- There is No Counselor, with whom the inmates can interact and be counseled.

### **Recreational Facilities**

- In the women's barrack, there is one small black and white TV but there is no cable connection. The women like to watch TV everyday, which is the main source of entertainment for them.

- The women mentioned that they sing Bhajans / Shabads in the morning and evening and are involved in “Path” and “ Kitran” everyday. All of them irrespective of religious affiliations participate and they admit that it gives them some solace.
- At times, they sing songs and perform “giddha”. This then, becomes a method of entertainment, as well as a way of physical exercise. They also sang some songs for us.
- No Physical Fitness programmes, which may include a daily drill or yoga, are carried out in the jail.
- Occasionally, spiritual programmes like ‘the Art of Living” are conducted for the inmates. The Superintendent mentioned that he tries to introduce spiritual programmes that focus on meditation, but does not want to encourage religious groups to interact very frequently with the prisoners.
- Beyond the female section of the jail lies the main jail, which houses men prisoners—there are big grounds for them to play basketball / cricket / and walk around in a large open area. The women prisoners do not have any such facilities and live in very confined conditions. They do not have access to any indoor games either.

#### **Interviews with relatives**

- Periodic interviews with family members, is the method of interaction with them. Interviews are allowed according to the rules in the jail manual.
- There is a separate area, towards the front of the jail, where the women prisoners are accompanied by the matron and taken for interviews with relatives.
- The Convicts are allowed interviews (mulakat), twice a week for a period of 30 minutes.
- The Under-trials are allowed interviews (mulakat) thrice a week for a period of 30 minutes.
- If both the husband and wife or more than one family member is in prison, then they are allowed to meet once a week in the presence of the matron.
- Interviews with lawyers generally take place in the court but if there is a request by the inmate, she is allowed to meet her lawyer with the permission of the jail superintendent.
- The prisoners are also allowed to write and receive letters to their relatives.

## **Release on Parole/Furlough**

If the prisoner conducts herself in an appropriate manner and her conduct is good, then, the Superintendent has the authority to grant her Parole and Furlough in accordance with the provisions given in the jail manual.

## **Management**

- There is a separate ward for women prisons, which is managed by the women jail staff.
- There are **No women jail wardens.**
- There are two Matrons, who take care of the women inmates. They live on the jail premises and work in shifts.
- Often, some help is taken from the older convicts whose behavior has been found good, to manage and help in the administrative activities of the women jail ward.
- There is no separate cadre of women officers in the Jail cadre. Thus there are very few women officers. As a result, there are no women officers in any of the Jails, except in Ludhiana, which is all women's jail.

## **Training**

Training is given to all the jail functionaries at the beginning of their job for a period of six months at the institute at Patiala.

- The senior jail functionaries attend periodic courses at the Correctional Institute at Chandigarh.
- Every jail functionary is supposed to attend three training courses during the duration of his job.
- Though there are courses on Human Rights, there is No course on Gender Sensitization.

## **NGO involvement**

- The involvement of NGO's and Social Activists in the activities of the prison is minimum and restricted to religious groups, who do not come to the jail on a regular basis.
- Because of their religious affiliations the Superintendent mentioned that they do not encourage these groups to visit the jail regularly. However, spiritual programmes are encouraged.

- The inmates feel that they do benefit from these programmes. It also provides a change for them and an opportunity to meet some people from outside. We noticed that the women wish to talk and narrate their stories to anyone who can hear them.

### **Facilities for accompanying Children**

- Children below the age of 6 years are allowed to stay with their mothers in the female ward.
- There are 12 children accompanying their mothers (8 girls and 4 boys).
- Children above the age of six generally live with their father or other relatives and have the right to visit their mother in the jail on the Mulakat day.
- There are no special accommodation facilities for these mothers and children.
- The children get an extra glass of milk every day. However, there are no other kinds of foods or nutrients, which are given to the children.
- There are no educational facilities for the children. The Superintendent mentioned that he was trying to arrange for sending the 4 year old children to the nearby school.
- For the recreation of these children there are some toys.
- The children are not given any clothing or separate bed or bedding.
- The jail doctor takes care of the children in case of any illness. Inoculation of the infants is however arranged if required.
- There is no Pediatrician, who makes regular visits to the prison for medical care of the children.

### **Classification and Segregation of Prisoners**

- The women prisoners are not segregated on the basis of the crime or offence. For example, habitual offenders or prostitutes are not kept in separate custody from other inmates.
- All adolescent prisoners of ages 18 to 22 are kept in custody with adult women. They stay in the same enclosure.
- A large number of women in this jail have been held under the NDPS act, some under the dowry death act, while a few are under-tails in cases of murder of a relative or their own husband.

## **The Legal Aspect**

- If a female inmate has a problem against a jail official, she can also talk to the Superintendent directly or use an external channel and her family, friends, or an NGO can file a complaint about a prisoner's situation with the authorities.
- **No corporal punishment** is given to the women inmates, neither are they kept in isolation or handcuffed by the jail authorities.
- The Jail authorities reported that there is no official delay in forwarding appeals to the courts.
- In cases where there are older women or seriously ailing prisoners, attempts are made for the expeditious disposal of these cases for the purpose of premature release.
- The prison manual is supposed to be made available to the inmates. However, we did not find either the jail manual nor are the women aware of this. However, we did find that they are well conversant with the law. They themselves told us that they have learnt a lot and are much more legally aware of the process of law after being imprisoned.
- There is only a very small section of the jail manual that specifically deals with women and their special needs.
- The rights and privileges of the prisoners are not displayed in the women section of the jail. Neither are the women aware of their rights and privileges inside the jail.
- Once a week, the Jail superintendent visits the Female section, and listens to their grievances / problems and tries to resolve them.

## **Legal Aid**

- Legal aid, which is free of cost, is provided to female inmates, if they cannot afford to hire a lawyer on their own or as and when desired by them.
- The female inmates are taken to the courts as and when required by the legal procedural system. A female jail warden accompanies them the gates and then the women police accompany them to the courts.
- However, there is no provision for Lok Adalats in any of the jails.

## **Process of Release of the Prisoners**

- After the stipulated period of imprisonment, when the sentence is completed, the relatives are informed to come and take the woman from the jail.

- But if no one comes to take her, then the woman is sent with one woman matron and a police guard to her home.
- There is however, no system of arranging for rehabilitation of these women primarily because most of the women go back to their homes and do not need to start a new life.
- However, there are a few women who are not accepted by their families and relatives. There are no community based rehabilitation arrangements, which can assist them in beginning a new life.

### **Recommendations**

These recommendations are based on our discussions with the Jail Superintendent / other jail functionaries and our own observations. The following recommendations are being made for appropriate consideration and action:

- The first issue pertains to **overcrowding**. This is directly related to the paucity of space, increase in the number of women in detention and the affects it has on the conditions of living.
- **More Barracks** need to be constructed to accommodate women in a more appropriate manner so that each individual has some space of her own.
- The Building needs attention on various fronts.
- Whitewashing of **walls** or plastic emulsion paint, which can be cleaned with soap and water, can be a temporary arrangement.
- The **floors** need to be replaced with better material so that the level of cleanliness can improve.
- Some of **WC's** need to be replaced.
- The **flushes** need to be replaced and made functional. Along with this the inmates need to be made to realize the necessity of using the flush system and to keep their surroundings clean as well.
- The **number of toilets must be increased** so that they are adequate for the number of users. This will ensure better hygienic conditions.
- The walls of the toilets inside the barracks need to be raised in order to give some privacy to the person using them.
- In this jail there is not a single electric switch, which is functional. The wires have some how been connected to provide a direct supply, which is almost dangerous and hazardous. This needs urgent, immediate attention.

- An attempt to provide a bed for each woman must be made, so that she does not have to sleep on the floor.
- A small cupboard should be provided to each woman so that she can put her belongings in a clean manner.
- The area outside the barracks can be cultivated by involving the women in the upkeep of the area. This can be a therapeutic activity.

### **Kitchen**

- The work of cooking chapattis can be shifted to the women ward. This came as a suggestion from the Superintendent of the jail. Some of the women will remain occupied, and they will probably do a good job of making chapattis
- The **kitchen requires complete renovation with modern equipments** (exhaust fans/ electric chimney/insulated boxes for keeping chapattis / better gas stoves etc.) and improved methods of cooking.
- It is a demand of the female inmates that they may be provided with some kind of sheds for cooking to protect them from extreme weather conditions.

### **Water**

- There should be two water coolers in the women's barracks, which can act as storage for drinking water as well.
- Some arrangements for storing water in clean containers like campers and pitchers can also be made.

### **Food and Diet**

- The concept of nutritious foods as described to us or as prescribed in the jail manual or as guided by the jail medical officer needs to be revised.
- A Food Planner or a Dietician should be attached to the jail, in order to plan more appropriate, balanced meals for the inmates.

### **Medical facilities**

- There are two mentally ill women in this jail. They have been sent back by the Psychiatry department of the hospital but are a constant disturbance for all the other inmates. Even the most patient inmates find it difficult to deal with them. One of them throws water on the inmates at night and it becomes impossible to sleep. It is not fair to the mentally ill women too since they are not aware of their surroundings. Immediate steps towards keeping these affected women in a

rehabilitation home or some alternative arrangements need to be made at the earliest.

- The vital need is, for a Lady Doctor, who should be permanently appointed as a member of the jail staff and be accessible to the women prisoners at all times.
- Provisions for starting a small female hospital, with one Lady Doctor and two female nurses is recommended.
- This hospital can also have a laboratory with a lab attendant and provide facilities for conducting tests - like blood tests, sugar, pregnancy tests etc.
- There should be posts for female nurses/nursing assistants, so that they can assist the doctors and administer the right dosage of medicines to the patients.
- An imperative need is the appointment of a **Counselor**. The function of the Counselor in present times has undergone a tremendous change and each one of the women prisoners will benefit from such an arrangement.
- Health awareness programmes can be organized from time to time, which can be very beneficial to women of all ages.
- A system of some physical exercise – whether it is a daily drill or yoga be introduced compulsorily in every jail. This will Not only be a method of physical fitness for each individual, but also put the inmates into a daily routine.

### **Education**

- Improvement of the library and the quality of books available needs to be looked into.
- Inmates should be motivated to join literacy programmes.

### **NGO's Involvement**

- Local NGO's should be encouraged to work with the prisoners and become enablers towards corrective behaviour. They can play a very positive and constructive role.
- It is disappointing to observe, that most NGO's in Punjab are not showing any kind of interest in working within the jail environment.

### **Training of the Jail Staff**

- Compulsory training for the jail staff at the time of joining of the job must be made imperative.
- Increments and Promotions must be based on the training courses attended. Two training courses, within 3 –5 years can be made an essential requirement. These

courses should include latest Human rights initiatives, Best practices in Prisons around the world, Human Handling skills, Criminology, Gender sensitization programmes and the like.

### **Segregation of Prisoners**

The convicts serving imprisonment for heinous crimes and offences like drug trafficking and flesh trade etc. must be separated from the under-trials and younger women, since they can prove to be a negative influence.

### **Work Programme and Skill Training**

- Work and Skill training programmes can involve inmates in productive work. This will then keep them occupied constructively and reduce the mental stress they constantly deal with. It will also put them in a routine and they will not remain idle.
- A branch of a local bank can be located within the jail premises. The inmates would then be able to learn to operate their own accounts.
- **A Women Welfare Fund** could be initiated to enable some work and training programmes can be implemented.
- It is strongly recommended that the convicts as well as the under-trials be motivated to participate in some kind of productive work, in every jail since a huge human resource with immense potential, is being wasted.

The Amritsar jail is a high security jail and a large one. The specific requirements of this jail therefore need to be looked at from a different perspective.



**Actual strength of the Convicts and Under-trials (as on the day of visit) 1132**

	<b>Convicts</b>	<b>Under-trials</b>	<b>Total</b>
Male	510	579	1091
Female	04	37	41

**Children Accompanying their Mothers**

Children with Convicts	Nil
Children with under-trials	02

<b>Sex</b>	<b>Number</b>	<b>Age Group</b>
Male children	02	0- 3 years
Female children	Nil	N.A

**Living Conditions**

- The women prisoners are confined to a separate area and kept apart from the rest of the men prisoners.
- Both convicts and under-trials live together, in this separate enclosure.
- There is only one barrack in this jail, where 41 women live. This is a crowded and congested barrack.
- No one can enter this part of the jail without the permission of the jail Superintendent. One female matron is always on duty inside this enclosure.
- Within this walled area, there is ground around the barrack, where there are a few small trees. This open area around the barrack (though small) is useful for the inmates who like to walk a little or sit in the sunlight in the winters.
- Since there are no cupboards or shelves, for the inmates to keep their belongings, they use tins or plastic bags for this purpose.

**Building**

- The building is only 50 years old, but because of the lack of maintenance and upkeep, it needs to be repaired.
- Additional barracks for women are required to supplement the existing one.
- There is privacy for the inmates, including while going to the toilet during the day and at night.
- The area where the women are housed is very safe and secure.

- The room constructed for mulakats with the visitors is well ventilated and clean. There are posters of the martyrs like Shaheed Bhagat Singh and slogans like Satya Ahimsa written on the walls.
- The Walls inside the barrack need to be whitewashed. Painting the walls would be a better option since they can be washed and cleaned periodically.

### **Cleanliness, Sanitation and Hygiene**

- There is one toilet within the barrack, which the women can use at night. The rest of the toilets and bathing areas are located outside the barrack and are used during the day.
- There are 5 toilets and 5 bathrooms in this section. Thus, the ratio of toilets to the number of users is 1:8 and of bathrooms are 1:8.
- The flush system seems inefficient and that too contributes to the low level of hygiene.
- Also, these toilets and bathrooms need to be renovated with modern materials.
- The jail authorities reported that the water supply is adequate for the requirements of the jail.
- The drainage system is functional and is cleaned periodically.

### **Kitchen**

- **The Kitchen needs to be renovated and restructured. Exhaust fans, electronic chimneys and better equipment for cooking large quantities of food should also be installed.**
- Adequate facilities for cooking large amounts of food cooked in this kitchen are lacking.
- Nor is there a method of using things like aprons and towels etc. that can make the cooking procedure cleaner.
- The men convicts cook all the food and the women prisoners are not involved in the cooking process.
- The method of storing of water for cooking is inadequate.
- Fire Extinguishers are required as a safety measure.

### **Water Supply and Drinking water**

- This jail also has a tube-well, which ensures an adequate supply of water for the jail.

- There is only one water cooler in the jail and there is requirement of at least one more.

### **Food and Diet**

- There is **No separate kitchen for the female prisoners**. The men convicts cook food in one main kitchen.
- The number of meals being given are in accordance with the prescribed scales, in the jail manual.
- Extra diets, on the recommendation of the doctor are also given in accordance with the jail manual.
- Dry rations, raw, uncooked food and fruits are allowed from outside and the inmates often look forward to getting some extra vegetables and fruits from home. The women like to cook for themselves occasionally.
- There is a canteen on the premises of the jail, which stores food items like milk, onions, sugar, biscuits, rice etc.
- The women are not allowed to go to the canteen but can ask the matron to get them anything they need from time to time. Sometimes, a few of them get together and buy things they would like to cook and eat.

### **Clothing and other items of use**

- The Convicts are given two sets of white cotton suits and a duppata, once in a year. However, they seldom wear these clothes and like to wear their own clothes.
- The Under-trials are not given any clothing because the jail manual does not allow it. The under-trials wear their own clothes and are allowed to keep a few sets of clothes.
- Besides this, the rest of the items of use are provided to both the convicts and under-trials in a similar manner.
- It was mentioned by the Matron, that the women do have the freedom to wear apparel of their own choice and like to dress up on Sundays and on the occasion of festivals ( Karva- Chauth / Diwali / Gurpurav).
- Once in a month they get a bathing soap. On the weekends they are given soap in hot water to wash clothes. Toothpaste and oil is given on the basis of requirement.
- However, **we recommend that the items of use given to the women prisoners need to be re-examined and revised to suit their special needs, along with improvement in the quality.**

## **Bedding**

- Both the convicts and under-trials are given the same bedding - it includes one thick sheet (khes), one dari and blanket or a quilt in winter. If someone requires extra bedding, it is provided to her by the jail authorities.

## **Work Programme**

- There are no provisions for implementing any work programme for the women inmates. Though work is therapeutic, it is not a part of the daily activities for the prisoners.
- The inmates are not involved in carrying out any menial duties.
- The under-trials cannot be given any work since the jail manual does not allow it. The convicts are too few in number. The jail authorities therefore do not seem to be making the effort to involve these few women in any work programme. The Superintendent however, felt that if all the under-trials could also be involved in work, some work programmes could be run for them.
- The Superintendent encourages and works closely with NGO's to motivate and generate awareness among the inmates.

## **Education and Literacy**

- There are **No Facilities for imparting any kind of Education to the women. Neither any Adult Education nor any other kind of Basic Educational programmes are available for the prisoners, but there is one male teacher appointed in the jail for the men prisoners.**

However, literacy levels among the women prisoners are as follows:

<b>Literacy Level</b>	<b>Convicts</b>	<b>Under-Trials</b>
Literate	Nil	10
Illiterate	04	27

## **Library Facilities**

- The small, one room library on the jail premises, contains a few old books and daily newspapers.
- Since the women inmates are not allowed to go to the library, they have to request the Matron to fetch it for them. However, we did not find any of the women attempting to use the library.

### **Recreational facilities**

- There is one small TV in the women's barrack, which does not have a cable connection. The inmates can watch only Doordarshan programmes. They like to watch TV everyday, since it is perhaps the only source of entertainment for them.
- The women consciously involve themselves in singing Bhajans / Shabads in the morning and perform "Path" and " Kitran" in the evening everyday. This is perhaps a method of atonement.
- Sometimes they also sing songs and dance. Some of the songs reflect their own lives in the jail. They sang songs for us as well.
- There is no routine of any physical exercise, which is supposed to be followed by the inmates.
- Sometimes some spiritual programmes, which include meditation, are organized for the inmates.
- Though the men prisoners do have the facilities to play cricket and have access to a large open area, the women prisoners do not have any such facility.
- There are no in-door games for the women prisoners.

### **Interviews with relatives**

- The jail manual allows periodic interviews with family members and the inmates look forward to meeting their family every week.
- There is a special area where the women prisoners are accompanied by the matron and taken for the interview.
- The Convicts are allowed interviews (mulakat) once a week for a period of 30 minutes.
- Under-trials are allowed interviews (mulakat) twice a week for a period of 30 minutes.
- If both the husband and wife or more than one family member is in prison, they are allowed to meet once a week in the presence of a matron.
- If an inmate wishes to meet her lawyer, she can do so with the permission of the Superintendent.
- The prisoners can receive and write letters to their relatives (these letters are censored).

### **Facilities for accompanying children**

- There are only two under-trials whose children are below the age of six and live with them in the jail.
- There is no separate accommodation or extra facilities for these mothers and children.
- The children are given only one extra glass of milk, besides the normal diet. There are no other food supplements, which are provided to the children.
- There are no educational or recreational facilities for them in the jail.
- The children are Not given any clothing or separate bed or bedding.
- The jail doctor takes care of the children in case of any illness.
- Inoculation of the infants is however arranged if required.
- There is no pediatrician, who makes regular visits to the prison for medical care of the children.

As mentioned earlier, except for an extra glass of milk, the children are not given any extra nutrients or foods as a special diet, which is needed for their growth.

### **Health and Medical Facilitates**

- There is **No Female Doctor**, who is a permanent member of the Jail staff. One lady doctor from the General hospital visits the women once in a week.
- There is only one male doctor who takes care of all the male and female inmates of the jail.
- **This is the only jail where we met a Doctor wearing his white coat.**
- He runs a small hospital on the jail premises for the men prisoners. He visits the female section everyday and also handles emergencies.
- **The Doctor has managed to arrange for a separate bed in the female ward, for appropriate medical check-ups of the ailing women. Again, this is the only jail where such an arrangement has been made at the behest of the doctor.**
- **This is the only jail where a physical examination of the women prisoners is carried out, once they enter the jail.** The Doctor keeps the records of every inmate. He even showed us the records of some of the inmates.
- Later, within a week of their entry into the jail, they are sent to the **Civil Hospital where a complete medical check-up is conducted and tests like pregnancy etc. are also done. These tests are carried out in the presence of a female matron.**

- **The doctor here seems to be very committed and working in a systematic manner. This is a practice, which should be emulated by all the other jails.**
- A Gynecologist visits the women ward in the jail, once every week and other specialists are called if required.
- There are No Female nurses to assist the doctor or administer medicines or take care of emergencies.
- The doctor is overworked. He mentioned that there is a **need to improve the doctor / patient ratio in the jails.**
- One Pharmacist who works on the jail premises, supplies medicines to the inmates according to the prescription of the doctor.
- The availability of regular medicines is adequate as reported by the jail authorities.
- There are no provisions for isolating women suffering from infectious diseases.
- The Jail does have an ambulance, which is used to take patients to the hospital, whenever required.
- The Jail authorities also make arrangements for the proper inoculation of the children, who are with their mothers.
- **There is a definite involvement of NGO's in the health care aspect of the women prisoners. Health awareness programmes are conducted periodically and the inmates benefit from them. Eye check-up and dental check-up camps are also organized by the NGO's from time to time.**
- Again, this is the **only jail where the NGO's are contributing by assisting the jail authorities in many ways and playing a constructive role.**

### **Special Needs of Women**

- The needs and requirements of the Expectant and Lactating mothers are taken care of, by the lady doctor on her weekly visit, as well as by the jail medical officer.
- Special diet is provided to them as prescribed by the doctor and in accordance with the jail manual.
- The Jail doctor also provides anti-natal and post-natal care.
- Awareness in child-rearing and motherhood is given by the lady doctor or the other elderly inmates in the jail.
- The pregnant and lactating mothers are not assigned any duties during their period of confinement.

- Though the jail authorities have mentioned that the existing rules are adequate to deal with the special categories of women. The fact is, **that the rules are absolutely inadequate and need to be revised at the earliest. Except for an extra glass of milk, which is prescribed by the doctor for the pregnant and lactating mothers and the children, there is nothing in the diet or the medical facilities, which is specially provided for them.**
- The special needs of menopausal women also need to be considered.

### **Classification and Segregation of Prisoners**

- The under-trials and convicts are kept together because of the lack of space.
- The prisoners are not treated according to any classification – either on the basis of the nature of crime committed or the kind of punishment. **Whether they are habitual offenders or prostitutes or involved in multiple murder cases, or those who have been given life imprisonment – none of them are kept in separate custody.**
- Young women or adolescent prisoners (ages 18-22) are kept in custody with adult women and stay in the same enclosure. This may sometimes result in furthering wrong practices and an unhealthy influence.
- There are no special facilities provided for women inmates with children.

### **Condition of women Under-trials**

The number of under-trials and the period of their detention in the jail, is as follows:

<b>Detention period</b>	<b>Number</b>
Up to 6 months	16
6-12 months	12
1-2 Years	06
2-3 Years	02
3-5 Years	01
Above 5 years	Nil

- The under-trials are produced in court with female police guards as and when they are required to be present in the courts.
- There is no under-trial reported to have been granted bail but unable to seek release because of failure to arrange for securities.

- No corporal punishment is given to the women prisoners.
- Neither are the women handcuffed, nor is the system of isolation used for women in any case.
- The prison manual is supposed to be made available to the inmates. However, we did not find either the jail manual anywhere nor were the women aware of this.
- There is only a very small section of the jail manual that specifically pertains to women.
- The women are not aware of their rights and responsibilities while living in the jail. However, they are very aware of the legal aspects and legal procedures, which they mention, they have learnt after being imprisoned.

### **Management**

- The jail staff comprises of 135 men and 4 women functionaries. The jail is understaffed and the jail functionaries are constantly overworked.
- In view of the overcrowding in the jail, the ratio of the staff and the inmates is inversely related and it leads to more stress on the jail functionaries.
- There is no separate cadre of women officers in the jail.
- There are four Matrons, who take care of the women inmates. They live on the jail premises and work in shifts. The few convicts help them in some ways.
- A six-month training is given to all the jail functionaries at the beginning of their careers.
- However, some of the jail functionaries have not attended any training programme, while a majority of them have attended one initial course after their recruitment.
- Since the jail is understaffed, most of the jail functionaries cannot be spared from their assigned duties and have not attended any subsequent courses.

### **NGO's Involvement**

- The Bathinda Jail is the **only jail** in Punjab, which **has a considerable involvement of NGO's**. There are 7-8 NGO's working with the prisoners on a regular basis. These include:
  - (a) Bathinda Brotherhood Club.
  - (b) Bathinda Vikas Manch
  - (c) Aaswa Welfare Club.

- (d) Malwa AIDS Society.
  - (e) Swami Vivekananda Study Circle.
  - (f) The Art of Living.
  - (g) Sukhmani Sabha Club.
- These NGO's conduct various awareness programmes for the inmates to involve them in issues that relate to their personal, physical and spiritual well being. These programmes are conducted regularly and include some of the following:
    - (a) Awareness for personal health / hygiene / cleanliness.
    - (b) Provide them skill training.
    - (c) Help to provide basic education to the adults and children of the inmates.
    - (d) They also conduct awareness programmes for AIDS, Drug De-addiction etc.
    - (e) Special medical camps, for example, eye check-up camps / Dental camps are organized for the inmates.
    - (f) They also arrange cultural functions in the jail. The women mentioned that they enjoy these programmes and look forward to them.
    - (g) Working in co-ordination with the jail authorities, one of the NGO's, called the "Jail Sudhar Committee" runs programmes with limited funds to teach some skills to the new and unskilled workers who come to the jail.
  - The NGO's also try to educate the prisoners on their rights, privileges and duties.
  - The Vivekananda study circle runs reforms activities, which play a very important role in reforming the jail inmates. They enable the inmates to deal with their distress levels and introspect and make attempts to reorient their thoughts and actions.
  - All these NGO's work with the inmates and make efforts to reorient their attitudes and behaviour, so that **attitudinal change may enable them to improve their life patterns, once they leave the jail.**

### **The Judicial Process**

- The Jail authorities mentioned that there is no official delay in forwarding appeals to the courts.
- In cases where there are older women or seriously ailing prisoners, attempts are made for the expeditious disposal of these cases for the purpose of premature release.

- The female prisoners are taken to the courts as and when desired. The women police accompany them whenever they have to go to the courts.
- **Lok Adalats are also held in the jail premises for speedy decisions.**

#### **Release on parole / furlough**

- According to the jail manual and the rules of the prison, if the prisoner conducts herself in an appropriate manner and her conduct is good, she is allowed to go on Parole and Furlough.
  - (a) Parole is allowed for a total of 28 days, every 6 months.
  - (b) Furlough is given for 14 days after three years. Subsequently, furlough is granted every year.

#### **Process of Release of the Prisoners**

- After the stipulated period of imprisonment, when the sentence is completed, the relatives are informed and they come to fetch her.
- But if no one comes to take her, then the woman is sent with one woman matron and a police guard to her home.
- However, there is No system of arranging for rehabilitation of these women. The reasons given for this is that the women go back to their homes and do not need to start a new life. The level of acceptance is however not known.
- **There are a few women whose circumstances and situations either do not allow them to go back home or they do not have a place to go back to. The jail is not attached with any such organizations, which can help these women.**

#### **Legal Aid**

- The jail authorities do arrange for Free Legal Aid for those prisoners who are unable to engage lawyers to represent them in court.
- There are ten women in this jail who have benefited from the free legal aid system.

#### **Observations and Recommendations**

**These recommendations are based on our discussions with the Jail Superintendent, other Jail Functionaries and our own observations.**

**The following recommendations are being made for appropriate consideration and action:**

- This is another jail where there is considerable overcrowding, mainly because of the lack of space and a constant increase in the number of inmates.

- The jail has an official capacity of keeping 8 women prisoners. However, 41 prisoners are lodged here at present. This is **more than five times the original capacity**. This is the basic reason for numerous issues that relate to resources and appropriation.
- Providing **additional cells and barracks** can solve some of the problems related to overcrowding and inadequate space.
- The number of **Toilets and Bathrooms need to be increased**. This will automatically improve the level of hygiene.
- There are two toilets within the barracks which are supposed to be used at night – the walls of these toilets are very low and do not allow for any privacy to the individual.
- Also, all the toilets and bathrooms need to be restructured and modified on modern lines, with better flush and drainage systems.
- Besides this particular building **requires immediate attention. Repairs, Renovation and Reconstruction in terms of flooring, whitewashing, electric wiring and drainage facilities** need to be upgraded and made more efficient in their functioning.

### **Children**

- At present there are only two children on the premises. The special needs of the children should be considered and adequate arrangements for their education and play be made.
- Also, the diet for the children needs to be improved.

### **Medical Facilities**

- A Lady doctor, appointed as a permanent member of the jail staff is recommended.
- The jail hospital can have a **separate medical female ward**, in which one female doctor and two female nurses could be appointed to look after the female inmates and their health concerns.
- A female counselor is imperative and can be associated with the inmates so that they can be motivated to introspect and change their attitudes and behaviour.

### **Physical Exercise**

- Most of the inmates are in the age group where they need to be cautious of their health and hence need some exercise. Some provision like morning P.T./drill/yoga

can be made a part of their jail routine. There can also be some outdoor games to keep them physically fit and this will also help them to deal with their mental stress as well.

- **A Psychiatrist** from the hospital can also be attached to the jail, who can then work as a consultant and help the women to deal with their mental traumas and anguish.

**A Woman Counselor is essential for the Jail inmates.** This is imperative for the mental health of the prisoners. It will also enable them to come to terms with their criminal behaviour and their situation in life and gradually bring attitudinal and behavioural change.

### **Isolation of Convicts**

**The convicts serving the imprisonment for heinous crimes and offences like drug trafficking and flesh trade, or multiple murders, must be separated from the under-trials and younger women, as they can lure the other inmates towards these serious crimes and may be a negative influence on others.**

### **Restricted Movement may be permitted**

The female inmates of the jail are not allowed to visit the Gurudwara, library, canteen or the hospital, which are located within the jail premises. Some methods may be evolved to enable them to access these facilities. Certain days and hours can be fixed to facilitate this kind of restricted movement.

- The library can be improved and books and reading material made available to the women. Newspapers in the local language should be sent to the women section.

### **Awareness regarding Rights and Duties**

- The inmates of the jail should be made aware of their rights and duties. Some NGO's and other voluntary organizations can be involved in this as well.
- A list of the rights and duties of the prisoners must be displayed at various places within the jail campus to generate awareness.

**NGO INVOLVEMENT: It was heartening to observe that this is the only jail in Punjab, where NGO's are playing a very constructive role and working closely with the jail authorities and the prisoners.**

### **Training of the Jail Staff**

- **Compulsory training** for the staff at the time of joining should be made imperative.
- **Increments and Promotions** should be based on the training courses attended. Two training courses within 3-5 years can be made an essential requirement.

- These courses should include latest Human rights initiatives, Best practices in Prisons around the world, Human Handling skills, Criminology, Gender Sensitization programmes and the like.

### **Speedy Redressal of Under-trials**

- Minor, petty cases must be disposed off at the earliest.
- The justice system should attempt time-bound decisions for the women offenders, so that their children and families do not undergo undue hardships.
- Sometimes, when the cases go on for years, the inmate tends to serve more punishment than her sentence.
- Since women play a very central role in nurturing and caring for the children, once she is in jail, the children become the suffers and victims of the situation. **A Time-bound justice system or Special Courts with a sensitized woman Judiciary should be evolved.**

**The case study of each one of the jails of Punjab provides a detailed account of the infrastructure, the conditions, the environment of the jails and the manner in which the incarcerated women live.**

**This study has been a journey into the lives of a group of women who are ignored by society at large. Yet, their behaviour, especially their criminal behaviour, needs to be understood in the context of the society in which we live. The social reality is, that their lives though marred by their own actions, necessitate a direction and purpose, in an environment that is humane and becomes the basis for motivating them to reorient themselves to live a life of dignity.**

## **POLICE LOCK- UPS**

We visited two Police lock-ups in Punjab – one at Mohali and one at Kharar. Both the SHO's were co-operative and volunteered information readily. There are three cells in both the police stations, which are used as lock-ups. One of the cells is exclusively for keeping women in lock-up. The cell is a large sized room, with iron bars in the front and a toilet located inside the cell. This cell has a capacity of keeping six women at one time.

However, the cell is rarely used. The SHO mentioned that the police tries to produce the accused women in front of the Magistrate as soon as possible so that judicial remand / bail can be granted at the earliest.

In the past six months, there has been no incidence where women have been kept in the police lock-ups. We did try to follow up with the SHO's for two months in order to be able to meet any woman who is kept in the lock-up, but there has been no such instance. Thus, it is difficult to access what their conditions would be if they are lodged in the lock-up. Though the provisions for keeping them in lock-up do exist.

There is a Women's cell on the police station at Mohali, which is functioning rather well. The SHO himself mentioned that he and his staff are so overburdened, that they have little time to listen to family disputes or cases of marital discords. The Woman head constable, who works in the women's cell, contributes by listening, counseling and advising and often becomes an enabler in resolving these family problems.

Most of the issues, which the SHO's discussed, relate to the administration and management of the staff. Both the Police stations are understaffed and need an addition of 5 Women Head Constables and 10 Women Constables and a counselor in the Women's cell, especially to deal with the women who come into the ambit of the police force.

A separate detailed study needs to be undertaken on the working conditions of the police personnel, the actual problems they face, the stress of their work regime, the lack of incentives in their work, the little or no facilities for rest during the long strenuous hours of work and the subsequent attitudes they develop.

## **Appendix-2**

**The Sansi tribe** is a tribe, which was declared as a criminal tribe by the British. They are involved in drug trafficking and thefts like stealing ornaments and money from people. They themselves admit that they are habituated to this kind of deviant behaviour and are also habituated to being in prisons periodically. The number of snasi women who are involved in these offences has visibly increased in the last few years.

We were told that the men initiate the women into these offences since women are less likely to come under suspect. These men then, use the women to either become compliances in crime or encourage them to participate in it as a gang — this is done primarily to augment their so-called profession and income.

### **Issue of Concern:**

The issue of concern is that, after independence, in the last fifty years, neither the government, nor the society, have been able to make any concrete programmes for their reformation or re-socialization or enabling them to join mainstream occupations or mainstream life patterns.

**An in-depth research study needs to be undertaken for the Sansi tribe which should include :**

- (a) An appropriate understanding of the genesis of this tribe;
- (b) Look into the compulsions that lead these men and women, into these kinds of criminal behaviour;
- (c) The reasons for their continuing involvement in these offences.

Based on this study and analysis, pragmatic policy formations can be worked out to develop:

- (a) Methods to re-socialize them in order to make them a part of the mainstream society should be consciously pursued.
- (b) The sansi women also need to be made aware of the risks and the consequences of their indulging in offences and criminal behaviour, which are not only harmful for society but also detrimental to their own interests.

- (c) Provide them with alternative skills, through skill training programmes so as to enable them to earn their livelihood in a respectable manner.

[One Sansi woman prisoner requested me to help her to find some form of employment so that she could feed her children and admitted that she did not want to be stealing and following an unacceptable profession but with tears in her eyes, she said that, that is what she had learnt and knew].

**Attempts by the government and non-governmental organizations can be made towards providing them with alternative employment, which not only upholds their dignity but also provides them with self- esteem and self- worth and ensures economic sustenance to their families.**

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**Appendix-4****DIRECTORY OF PRISON OFFICIALS IN PUNJAB**

<b>Sr.No</b>	<b>Name &amp; Designation</b>	<b>Address</b>	<b>Contact Numbers</b>
1.	Sh.S.K.Dutta I.G. Prisoners, Punjab	SCO No. 8-9, Sector-17-A Chandigarh 160017	(O) 0172-2703460, 2711497
2.	Capt. S.P.Singh Superintendent Jail	Central Jail, Amritsar	(O) 0183-2591110 (R) 2590339
3.	Sh. Sukhdev Singh Saggu Superintendent Jail	Central Jail, Bathinda	(O) 0164-2212610 (R) 2212580
4.	Sh.Sawan Singh Superintendent Jail	Central Jail, Ferozepur	(O) 0163-2244013 (R) 2244614
5.	Sh. Chetan Parkash Superintendent Jail	Central Jail, Gurdaspur	(O) -2230016 (R) 2231187
6.	Sh. Roop Kumar Arora Superintendent Jail	District Jail, Hoshiarpur	(O) 0188-2220527 (R) 2220627
7.	Sh. Nirmal Chand Superintendent Jail	Central Jail, Jalandhar	(O) 0181-2402709 (R) 2403344
8.	Smt. Jagjeet Kaur Superintendent Jail	Women Jail, Ludhiana	(O) 0161-2664216 (R) 2664706
9.	Capt. L.S.Jahkar Superintendent Jail	District Jail, Sangrur	(O) 0167-2234381 (R) 2234321

**REPORT ON  
CONDITIONS OF WOMEN  
IN DETENTION  
IN THE STATE OF PUNJAB**

**By  
DR. JYOTI SETH**



**NATIONAL COMMISSION FOR WOMEN  
NEW DELHI**

**The brilliance of the sunshine isn't for me to see,  
The air of freedom isn't for me to breathe,  
My lot is survival in darkness and despair,  
A life in prison is agony beyond compare.**

**I relive my crime day after day,  
I pine for loved ones left so far away,  
Living - a torture I must silently endure.**

**With misery behind and agony ahead,  
No laughter, no joy - only tears to shed,  
A life wasted - a life wilting away !**

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## FOREWORD

As a part of its mandate to protect the rights of women and provide support to helpless women, the National Commission for Women has to inspect jails, remand homes, women's institutions and other places of custody where women are kept as prisoners or otherwise, to take up with the concerned authorities for remedial action if found necessary. To assess and analyze the situation of women in custody, the Commission makes regular visits to the jails and other places of custody. It has been deeply concerned with the violations of human rights of women in detention. It was therefore decided to conduct studies on the condition of women prisoners in some of the states including the state of Punjab.



The Commission entrusted this important study to the Joint Women's Programme (JWP) whose work on issues affecting women has been recognized for its high academic value as well as practical orientation. The report based on case studies of a large number of district jails looks at the living conditions of hapless inmates - the physical hardships, the work programmes, educational and recreational facilities as well as the health and medical systems for prisoners. Problems of overcrowding, segregation based on classification of prisoners and legal aid mechanisms have also received attention. It also analyzes the management aspects including training of jail staff and the possible contribution of NGOs in providing a more humane touch to an otherwise disturbing scenario. In all these areas the report also makes recommendations for improvement to ensure that places of detention remain places of reformation because society has ultimately to rely on that spark of humanity which exists within every individual and every criminal, man or woman.

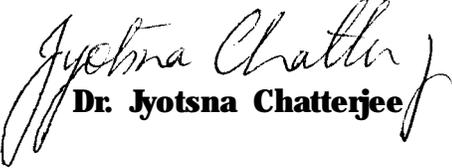
It is hoped that this down-to-earth study will be found useful by jail administrators and policy makers interested in a progressive criminal administration system.

  
**(DR. GIRIA VYAS)**  
Chairperson

## **PREFACE**

The Joint Women's Programme has been deeply concerned with the violations of Women's Human Rights in various areas. One of our major concerns has been regarding Women in Detention.

We are grateful to the NCW for being a facilitator and giving us this opportunity of assessing the conditions of the incarcerated women in the state of Punjab. We are obliged to Dr. Jyoti Seth for undertaking this assessment as part of the JWP network.

  
**Dr. Jyotsna Chatterjee**

## **ACKNOWLEDGEMENTS**

This study has been made possible with the help all of those who work closely with the prisoners and the prison systems. I acknowledge and appreciate the support and help extended by each one of them. **I wish to thank**

- The Inspector General of Prisons, Mr. S.K. Dutta, who made it possible for us to visit and meet all the Jail Superintendents. His experience and understanding of the jail system have been valuable.
- Each one of the Jail Superintendent's, for spending a considerable period of time with us, filling out the detailed questionnaire and answering our queries on the phone as well. They are the ones who deal with the ground reality and the crisis's that constantly occur among the deviants under their care - their pragmatic approach, the methods they evolve to deal with this unusual manifestation of human nature, have been insightful.
- All the other jail functionaries, who in their own way brought us closer to the reality of the life within the prison.
- The women prisoners, who shared their anguish and concerns and who even danced and sang for us.
- The Station House Officer of the Police stations, who volunteered information and time.
- Gaurav Gaur for being a good teammate and working hard. Manjeet Brar, for keeping up the teamwork.
- My father for his unconditional support.
- My sister who wrote the poem, and my friends for their thoughtfulness.

I am indebted to Dr. Jyotsna Chatterjee, for instilling her faith in me and for her advice, support and encouragement.

I am grateful to the National Commission for Women for making this study possible. This initiative and support provided by the National Commission for Women has opened the way for undertaking larger studies and other human right initiatives, which promote women welfare in particular.

**Dr. Jyoti Seth**

## **INTRODUCTION**

**A life in prison is a life condemned. The very struggle for survival in a harsh, cruel world, even more so, for the one who carries the burden of womanhood, is plagued with trials and tribulations. In a male dominated, largely patriarchal social system, combined with issues of poverty, deprivation and the frustrations of existence, the vulnerability to victimization at home and in the society - may sometimes push a woman to commit an offense or adopt criminal behaviour; which is punishable by law. The punishment entails confinement, where the conditions of living are barely basic, but much worse is the loss of the right to live a life of dignity. Shunned by society, often ignored by relatives, contemptuously treated by authorities, these women live behind bars - lives withered, wasted and wrecked by worthlessness. Their pitiable state, their morose demeanour, the constant worries about their children and family, the uncertainties of punishment or otherwise, sap their energies and almost make them bitter. There are moments of anguish, visible shades of remorse, but never a trace of excitement, enthusiasm, expectation or joie de vivre, that once was but never will be theirs again.**

**The disquieting effects and the consequences of imprisonment - from dealing with the deviant act itself at the mental and social levels, to the uncertainty or certainty of punishment, the incessant worries about the plight of her children and family left behind, and the stigma she will now carry - are some of the issues that confront a woman when she finds herself in detention. How did she reach the jail? What is the nature and type of crime committed? What are the reasons for this morally and socially unacceptable act, which violates the human rights of another individual, is a breach of the law and results in punishment and imprisonment - are some of the vital questions, which then need to be addressed and answered.**

**Also, being, contextual in view of the larger human rights initiatives, international and national standards - the rising incidence of crimes committed by women is a social reality of our times and necessitates serious consideration. This is a complex, multi-layered issue, which requires in-depth research and analysis - both at the academic and pragmatic levels.**

**In the Indian society, the woman and her needs have to be viewed in a perspective, which is directly commensurate with her status in society. Except for the poor women who contributed to the family by working outside the home, a large majority of women lived and worked within the home. Even though a homemaker and a mother and nurturer of the offspring's, she remained in the shadow of the dominant patriarchal value system, which provided her little or no identity of her own.**

**Numerous factors have given rise to radical widespread societal changes, along with which individual needs have also undergone tremendous modification. With the spread of education and the diversification of occupations, women gradually began to join the workforce at various levels and started contributing to family income, in addition to the invisible work they do at home. Society, as well as the place of work was perhaps not prepared for the inclusion of a gender differential participant. With little or no attention being given to the special needs of women at the work place, with no rules, laws or conventions concerning their welfare have become issues that need to be addressed, in the larger interests of the society. The saga of hurdles and difficulties faced by women are numerous and encompass their changing roles.**

**The complex multiple roles that she negotiates and balances with varying degrees of success, put pressures on her in many ways .The women themselves are often unaware of these demands on them and take on newer and multiple roles**

**Also, the laws, which specifically relate to women in the work force, came much later and some important ones are still on the anvil. Along with this, the place of work, the social and legal systems (which are dominated and controlled by men), have consistently ignored the special needs of women and are often indifferent towards their inclusion as partners.**

**The numerous transitions in the social structure have brought changes not only in the roles of women but also in their circumstances, which may sometimes be undesirable. One such area is the criminal activities in which women are now being involved. In order to understand this growing incidence of crime:**

- **Research and analysis needs to be carried out in order to identify and unravel the reasons and situations, which force women into criminal behaviour.**
- **What are the social compulsions and personal motives behind the crime or the act of crime?**
- **The changing nature and pattern of criminal behaviour and the genesis of the criminal acts need to be understood.**

**Just as the social systems in the society was not geared to include women in the work force, the Jails, too, did not have specific arrangements for women offenders and their special needs.**

**The present situation now needs to address certain important issues and adopt a different, more pragmatic attitude towards women in detention.**

**It needs to be mentioned that this study is meaningful in many ways and will provide an insight into the lives of women who live behind impenetrable walls – who are ordinary human beings but deviants, whose reformation is necessary - yet they need to be treated with compassion.**

## **METHODOLOGY**

The present study is based on both primary and secondary source data. A detailed Questionnaire was sent to us from the NCW, which we modified to suit the present situation in Punjab. The questionnaire includes both open ended and closed ended questions. This then is the main basis of the present study.

Our first attempt was to approach the Inspector General (IG) jails (Punjab) and ask for his permission and co-operation for our study. It also enabled us to get his views on the functioning of the jail system. He has been very helpful and we have met with him several times since. He arranged for us to meet with all the nine Jail Superintendents at Chandigarh, where they had come for a regional meeting. We were able to talk to them and explain the purpose and intent of our study.

The questionnaire is rather lengthy and needed time to be filled accurately. It was then decided that we give the questionnaire to the Superintendents and they would try to complete it in the next ten days. We would then visit each one of the jails and meet them there.

We followed up with each Superintendent on the phone and began with our first visit to Patiala. We spent the whole day at the Patiala jail and interviewed the Superintendent and went over the whole questionnaire with him. The rapport building process took a while with some of the Superintendents, while with others it was easier. We also talked to the other jail functionaries– the Deputy Superintendent, Assistant Superintendent, Matrons, Security staff, Jail Doctor and Pharmacist. Then, we spent some time with the women prisoners and talked to them. Later, we took a round of the barracks and the area in which women are kept, including the toilets and bathrooms they use. We also took a round of the whole jail with the Superintendent – including the kitchen (tasted the food there), the store, the library, the hospital, the temple and gurdwara, the canteen and the grounds.

We followed the same pattern while visiting each one of the jails.

We also visited two Police Lock-ups – one at Mohali and one at Kharar in Punjab. We interviewed the SHO in-charge; filled the questionnaire with his help (since this was

a shorter one). However, there were no women in the lock-ups, therefore we could not talk to any one of them, but, we did take a round of the women lock-ups.

Our own impressions and observations regarding the jails and the police lock-ups, have been recorded simultaneously.

The details of each jail were then compiled and analyzed. The present report is divided into two main parts, followed by case studies of each jail. The first part of the report pertains to a detailed account of the prevailing conditions in the jails of Punjab and the rules followed by them in the functioning and treatment of the inmates. These rules are in consonance with all that is prescribed in the Jail Manual.

The second part of the report focuses on the recommendations for improvement. This section is followed by case studies of each one of the nine jails.

The case study of the Ludhiana Women's jail must be read separately since it is the only exclusive Women's jail in Punjab and some of the infra-structural facilities here are different from the other jails. The rest of the eight case studies pertain to each of the jails where women prisoners are lodged.