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Multipronged Strategy Required to Tackle Corruption in Prisons

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A comprehensive reform agenda with adequate budgetary support is the only panacea for the ills in the prison set-up. File photo of Assistant Prison Officers taking a passing out parade at Poojappura ground in Thiruvanthapuram, Kerala, on February 26, 2017. Photo: S. Gopakumar.

[The Hindu](#)

*Prisons in Karnataka, or for that matter across the country, are struck by a serious malaise for several decades and the problem is turning grave with every passing year irrespective of all the reforms that have been brought forth. It is high time that the State Governments under whose control is the prisons department and the Union Government work together in bringing about changes in prison administration and the quality of life therein, writes **S. Rajendran**, Karnataka Representative of The Hindu Centre for Politics and Public Policy.*

The recent incident in Bengaluru wherein a senior official of the Prisons Department raised a complaint of corruption against the head of the department with reference to providing a comfortable stay to a high profile convict (V.K.Sasikala, General Secretary of a faction of the AIADMK) reflects the serious corruption that rages in the jails.

Given the need to enforce strict rules and regulations in the management of prisons, obviously to prevent any untoward incident, nothing much is known to the people outside of what happens inside the jails. Same is the case with the convicts and the undertrials who have little access to life outside. It is in this setting that a section of the prison officials indulge in nefarious practices.

Convicts and undertrials face several health issues including mental depression resulting in added problems within prisons. There are those who indulge in torturing other inmates and there are also those with highly contagious diseases. There are also those who are keen on committing suicide. Like many of the prisons in the country, the number of deaths reported from jails in Karnataka is on the increase—around 100 a year and a number of them are unnatural deaths or due to suicide.

Explaining the high incidence of death, a senior prison official admitted that life inside the prisons is "unhealthy". Given the acute shortage of staff, it is difficult to monitor each and every inmate and it is not easy to handle some prisoners who are into substance abuse and behave violently. "Such prisoners attack fellow inmates many, sometimes fatally," he said.

The malaise of corruption in prisons in India is chronic and deep rooted. The measures that have been resorted to so far to address allegations of corruption have only been administrative and this includes inspections, surprise visits, scrutiny of annual property returns of jail personnel and a thorough enquiry into written complaints of corruption. In addition to this internal mechanism, anti-corruption bodies of the State Governments have also taken action against corrupt personnel in the prisons.

Former Director General and Inspector General of Police, Karnataka, **S.T. Ramesh**, who had served as DG (Prisons) for a two-year term (between 2006 and 2008) said, "Prisons are a closed institution. Rarely does the outside world come to know about corrupt activities within the prison walls. The prison inmates are more vulnerable than any other section of the society as their liberty has been curtailed. They are at



the mercy of the prison officials even for their basic human rights inside the prison not to speak of favours.

This makes tackling corruption in prisons more challenging and difficult. The top management in the prisons department should not only be honest themselves but must also be proactive in fighting corruption. Another step would be transparency in prison administration within the constraints of security. Prison reforms in all its dimensions would be a definite critical step in fighting corruption”.

He said, “the recent charge leveled by a Deputy Inspector General of police on the high level of corruption in the Bangalore Central Prison with particular reference to the comforts provided to the AIADMK leader, V.K.Sasikala, is a reflection on the state of affairs in the administration of prisons across the country. However, the charges made by the DIG are a case of ‘hit and run’. Being part of the senior management her duty was not merely to expose irregularities in the prison but to set them right by exercising the powers vested in her under the Karnataka Prison Manual (KPM), Prison Act and Rules. It is not clear what prevented her from doing this. Why did the officer resort to premature press publicity?”.

“It was her duty to exercise all administrative powers vested in her to correct the wrongs. She should have issued written instructions to the Superintendent of Prison directing him to withdraw illegal facilities, if any, provided to any prison inmate, big or small, fix up responsibility and take disciplinary action. This does not appear to have been the case. There was justification for sending a report if there was non-compliance of instructions and if the matter was beyond her disciplinary powers”.

If, V.K Sasikala, Abdul Karim Telgi (convicted in the famous stamp paper scandal case) or any other prison inmate is shown undue favours in violation of the provisions in the prison manual or orders of the court, then it is a serious breach and the concerned prison personnel should be dealt with severely. The Government has ordered an enquiry by a senior retired IAS officer and one hopes that he goes to the root of the allegations. The Government should have no hesitation in taking disciplinary action against the delinquent prison personnel if a prima facie case is made out.

A multipronged strategy is required to tackle corruption anywhere and more particularly in a bounded institution like prison. Installation of CCTV cameras is just one aspect of it. But again, there is a huge challenge to install cameras in, say, Parappana Agrahara Central Prison,

Bengaluru, which is enclosed in a vast area of 130 acres and 28 guntas with a prison population of 3,241 undertrial prisoners (UTP) and 1,035 convicts ,both male and female.

How do you make the cameras inside the prison and in the dormitories vandal proof? A combination of humane prison management under officers of highest integrity and credibility with commitment to human rights coupled with strict adherence to the provisions of the Act, Rules, manual and court orders could help minimize corruption in the prison setup.

Reformatory only in name

Ramesh said the approach of India's criminal justice system to the treatment of convicts is reformatory. However, there is hardly any institutional framework for carrying out reforms in every prison in an organized and continuous manner. Reforms have been left to the initiatives of individual prison officers who are visionary, dynamic and creative.

Related Links:

Raghavan V. 2008. “ [Prison reforms and some fundamentals](#)”, *The Hindu*, October 9.

Venkatesan V., and Dutta S. 2016. “ [Neglected reforms](#)”, *Frontline*, January 8.

Chakraborty S. 2016. “ [Horror behind bars](#)”, *Frontline*, January 8.

Rajalakshmi T.K. 2016. “ [Communal bias](#)”, *Frontline*, January 8.

The Act, Rules, and the prison manual should have exclusive chapters making reformatory approach to prison inmates compulsory and clearly lay down the areas and nature of reforms. If this is not accompanied by adequate budgetary support by the State Governments such provisions will be of no avail. In the present circumstances, to call the prison department as ‘correctional services’ would be a misnomer. Opportunities for higher education, literacy programs, encouragement to showcase their talents, skill development, to name a few, are some of the programmes which are in progress sporadically in several prisons in the country but that is hardly enough.

In the year 2007, the Karnataka Government took a decision to release 309 convicts prematurely for their good conduct on the occasion of the Independence Day. Officers of the Department of Backward Classes, Minorities and Scheduled Castes and Scheduled Tribes were involved in a big way to identify to-be-released convicts enabling them to avail benefits including loans under various Government Schemes so that they could eke out a dignified life after release. This proactive initiative is a good example of the spirit of reformation.

There are clear rules under the Government of Karnataka for disciplinary proceedings against Government servants -- 'Classification, Control and Appeal Rules' (CCA Rules). Personnel under the Prison Department are also governed by CCA Rules. The punishments are categorised as minor and major and range from censure, postponement of increments to major punishments like reduction to a lower rank, compulsory retirement and even dismissal. Prison personnel can also be prosecuted under the criminal law should any criminal act be committed.

As public servants, the delinquents are liable to be prosecuted under the Prevention of Corruption Act if charges of corruption are established. The problem, however, is in their poor implementation, lax and lenient senior officers who do not identify and deal with delinquents under the Rules and inordinate delays in conducting and concluding departmental enquiries. In Karnataka, there are 90 prisons with eight central prisons, 22 district prisons, 68 Taluka sub-jails, one special sub-jail and one open air jail at Devanahalli on the outskirts of Bengaluru. There are presently 3,845 male and 243 female convicts, 10,267 male and 298 female under trial prisoners(UTP), aggregating to 14,613 are accommodated in these prisons. The sanctioned strength of personnel in all ranks and cadres is 2,939 out of which a whopping 1,647 vacancies exist. Recently, Government has sanctioned another 856 posts, for the newly created Shimoga Central Prison, which are yet to be filled up.

In terms of human resource to manage the prisons, it is woefully inadequate to manage these sensitive institutions. The vacancies of more than 50 per cent of the posts have only made matters worse. The prison departments in the States of Tamil Nadu, Andhra Pradesh and Kerala have staff strength of 4,090, 2,141 and 1,678 respectively with far fewer vacancies.

Ramesh is of the view that prisons in the country are most neglected. The report on prison reforms by Justice Mulla Commission submitted decades ago is yet to be dusted and implemented. "It is the duty of the Government to provide decent living conditions in the prisons commensurate with human rights. This would include prevention of over-crowding, segregation of Under trials and convicts, male and female inmates, provision of clean drinking water, toilets, adequate healthcare, regular production of undertrials in courts by providing sufficient escort and clean, simple and tasty meals for which professional cooks should be appointed to man prison kitchens. These are very rudimentary facilities that have to be provided". Modernisation of prisons with newer and spacious buildings, adequate X-Ray machines, cameras and jammers, interview and introduction of information technology are the need of the hour. Transparency should be ensured by permitting committed NGO's who can work with prison inmates with a reformatory zeal.

Spiritual leaders across the religious spectrum should be allowed to interact with prison inmates in order to provide solace to the prisoners. This should be done with strict regard to secular ideals. In addition to the above, other reforms should be undertaken. The inmates can be best utilised for skill development, which is an ambitious programme of the central government. All these should be suitably balanced with security requirements. A substantial budget allocation by the Governments alone can ensure the above.

Installing cell phone jammers in a fool-proof manner across the length and breadth of the precincts of prisons can prove to be challenging, technically. The difficulty of making jammers vandal proof is real. The prison inmates could take advantage of even a minor chink in technology. To keep a hawk's eye on smuggling of cell phones into the prisons remains an uphill task given the inadequate manpower and poor technological support and added to this is the connivance of prison personnel in the use of mobile phones by inmates. The solution lies in getting the best technology in the world for installing jammers so that they function effectively.

In 2007, Ramesh said, an experiment was carried out in most of the central prisons of Karnataka to allow restricted access to payphone facility for bona fide and legitimate communication of inmates with kith and kin and advocates under strict surveillance and monitoring. This step did to some extent reduce the temptation to use mobile phones illegally. The less said about the training of prison personnel, the better. There is an urgent need for creating modern training infrastructure and providing competent trainers for imparting basic training and periodic orientation courses to all ranks of the prison department. The Regional Institute of Correctional Services (RICA) at Vellore serves as a shared infrastructure for all the Southern States and provides basic and re-orientation courses for middle level personnel.

The prison personnel are a demotivated and demoralised lot with low self-esteem. The job of working round-the-clock in close proximity with prison inmates is extremely stressful. A lot requires to be done in the sphere of training to upgrade their knowledge, attitude, skills, values and ethics and inculcate the importance of adherence to human rights.

Deaths in a prison, like in any other place, can be suicidal or accidental. Most prisoners suffer from serious health issues including HIV and invariably have mental health issues which may lead to suicidal tendencies. A study—'Mental Health and Substance Use, Assessment and Approach in Prisons' was conducted by NIMHANS in collaboration with the Karnataka Prisons department under the auspices of Karnataka legal Service Authority which established mental health issues of inmates. This accentuates their problem.

Clashes among inmates occur quite often and it is stated to be largely due to the poor infrastructure and the inability of prison staff to segregate rival gangs inimical to each other. Poor manpower is a contributing factor. Sexual harassment among prison inmates is another matter and cannot be condoned either. Being a closed door institution exaggerated accounts of such irregularities do also emanate from prisons. A comprehensive reform agenda with adequate budgetary support is the only panacea for all the ills in the prison set-up.

The issue of corruption cannot be discussed in isolation since it is entwined with several issues afflicting prison administration. The various Commissions and Committees have elaborately dealt with the issues of a) Prison Reform b) Reform of Prisoner. If these recommendations are implemented in letter and spirit, corruption is likely to reduce to a large extent.

External Links:

[Summary of Recommendations
All India Committee on Jail Reforms \(also known as Justice Mulla Committee\) \[PDF
121.81 KB\]](#)

[Implementation of the Recommendations of All-India Committee on Jail Reform \(1980-83\)
Volume 1 \[PDF 967 KB\]](#)

[Source: Bureau of Police Research & Development Ministry of Home Affairs, Government of India](#)

[National Policy on Prison Reforms and Correctional Administration
Source: Bureau of Police Research and Development, Ministry of Home Affairs,
Government of India.](#)

[Model Prison Manual 2016 \[PDF 320 MB\]
Source: Bureau of Police Research and Development, Ministry of Home Affairs,
Government of India.](#)

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In a journalistic career of over 35 years with The Hindu in Karnataka, he has extensively reported on and analysed various facets of life in the State. He holds a Master's degree from the Bangalore University. The Government of Karnataka, in recognition of his services, presented him the Rajyotsava Award — the highest honour in the State — in 2010.)

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