

Prison Modernisation: Does it bring change?

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Can schemes of governments bring positive change in any public institution without integrity of purpose? Can isolation of any institution from public support and scrutiny make it transparent and attentive to its objectives? One cannot but ask these questions observing implementation of prison modernisation scheme of central government. The government of India is preparing to sponsor the second phase of prison modernisation scheme. It supported the state governments under the first phase of the scheme during 2003-08 with an outlay of Rs. 1700 crores. That was meant for construction of more prisons, staff quarters and renovations of old buildings. Under the new phase usage of technology in prison management is added. The program is all set to kick start in September this year in states with an outlay of Rs. 3500 crores. All this is proposed and done in the name of reformation of prisons and correction of prisoners. But is it going to solve the problems beset with prisons at present? Is it not time to look at what is happening at the ground level?

The prisons are a state subject under constitution. Though there are exceptions, in most of the states prisons are mostly run by disinclined bureaucrats and disgruntled ministers. Nothing explains this state of affairs except the fact that it is not lucrative. Fortunately Karnataka prisons department is headed by an honest, innovative and hard working officer to bring small but sure changes into the system of prison management. The union government has no role to play unless the prisons are brought into the concurrent list of the constitution. The states resisting the union's intervention and turning deaf to the reformative suggestions by a number of Commissions are all willing to take funds.

Built during colonial regimes, most of the prisons in India are a century years old. The situation in Karnataka is no different. They are overcrowded; structures hardly suitable for reformatories, expansion difficult and function in complete isolation from other agencies of government and society. Their maintenance is so pathetic that many are no longer suitable for human living. The government claims that public works department maintains prison buildings. One should only see to believe the meaning of maintenance: dark walls, filthy barracks, dungeon like dormitories, broken toilets, open drainages, cracks and crevices in the cells and falling roofs. One cannot but wonder, whether the public works department exists at all and if it does, has it ever been made accountable for its deplorable performance? Ironically, under the first phase of prison modernisation scheme the responsibility of up gradation of Mangalore prison, renovation of 25 old jails, sanitation at 12 jails were handed over to the public works department.

There is no doubt that these old prisons need to be dismantled and reconstructed. But all new prisons are constructed far away from towns and cities. The new prisons at Medikeri, Tumkur, and Haveri pose difficulties for both public and prison administration. They hardly have proper passage into towns. The Bangalore central prison is located in city outskirts. The lack of quarters and facilities for personnel at these places makes prison service much less attractive than it is at present. The same pattern in the location of prisons can be seen in Andhra Pradesh. In Hyderabad and Visakapatnam massive prisons were built outside the cities, creating serious hardships to private and public visitors. Reports suggest that this practice will be continued under new scheme. But the point is that this practice apart from the fact that it has nothing to do with the objective of reintegration of offenders into society, it also further worsens the living conditions for both prisoners and personnel. In this context, it may be noted that the families of Bijapur central prison live in horse stables.

The model prison manual of 2003 lays down two criteria for selection of location of prisons: the nature of functions they have to perform, and availability of communicational and other institutional supports required. All states including Karnataka did not care to comply with these suggestions. It appears that raising commercial value of land in cities determines the governments' decisions to construct new prisons in places inaccessible to public. Besides the lands of old prisons are normally sold to commercial ventures or allotted for 'more' important public institutions. The consequences of such practice are there for all to see. Ironically a

scheme intended to reform prisons and ease life for prison management and prisoners produces exactly opposite results. The practice of completely isolating the deviant as unwanted reappears. This is the result of lack of unity of purpose between policy makers and implementers.

Prisons, though for a short or longer period are places of living for both accused as well convicts. The reformatory objective expects that it should also be a place of learning and earning. To provide physical, material and mental conditions of decent living to prisoners, it requires recreating almost a miniature world inside the prisons. This is difficult if not impossible. European countries are increasingly in search of alternatives to confinement, as they realised more resources for assimilation of deviant are available in open society rather than inside the closed walls. This has not happened so far in India as governments across the ideological spectrum are illiberal and society is unsympathetic to rights of the incarcerated. The result is lowest priority to the prison management. Consequently prisons function in complete isolation, without adequate qualitative, quantitative human and physical resources and support of other institutions. The universal problem of overcrowding in prisons is also a result of lack of coordination among agencies of criminal justice system and conservative attitude of lower judiciary. How is this problem addressed by just constructing four walls far away from public eyes and access? A public institution that functions far away from public gaze cannot but be authoritarian and corrupt. The horror stories of prison life are otherwise normal consequences of this large apathy and isolation. This is where crux of the problem lies. This situation will not change unless there is unity of purpose among all the agencies responsible for confinement and reformation of the incarcerated.

Any government that claims attempting to integrate the felon into society first of all should declare prison is as much a public institution as that of a university or hospital; remove its isolation and integrate it functionally and physically into society; make police, judiciary, medical and educational departments, conscious of their accountability for pathetic prison conditions. Otherwise things are not going to change just with allocation of crores of rupees and launching of schemes.