

JAIL REFORMS IN INDIA: A REVIEW

Sudipto Roy

Indiana State University
Department of Criminology

ABSTRACT

Prisons in the shape of dungeons had existed from time immemorial in all of the old countries of the world. In this paper, the focus is on India. India has a longstanding parliamentary democracy (since its independence on August 15, 1947 from the British rule) with a free press, a civilian-controlled military, an independent judiciary, and active political and civil organizations. Despite the lingering problems of overcrowding and the situation of undertrials, the up side is several state governments have started jail reforms soon after the Act was amended. The jail authorities are now providing varied educational and vocational training, therapeutic counseling, drug de-addiction centers, upgraded health care, recreational facilities, and legal aid as well. As evident from the cases presented in this paper, the majority of the reform efforts are taking place at jails located in large urban areas over the last couple of years. The state governments need to expand those reform efforts to the jails outside those urban areas. Jail reform efforts had long been overdue in India. Apparently, the amendment of the Indian Prisons Act in 2000 has been able to usher positive reform endeavors throughout the country. The jail authorities are increasingly becoming more attentive towards inmates' well-being as well as the rehabilitative services necessary for the inmates' reintegration into society upon release from jails.

Key words: jails, prison reform, India

INTRODUCTION

Prisons in the shape of dungeons had existed from time immemorial in all of the old countries of the world. Norval Morris in his book *The Future of Imprisonment* (1974) maintained that punitive imprisonment was used extensively in Rome, Egypt, China, India, Assyria, and Babylon, and was firmly established in Renaissance Europe. In this paper, the focus is on India. India has a longstanding parliamentary democracy (since its independence on August 15, 1947 from the British rule) with a free press, a civilian-controlled military, an independent judiciary, and active political and civil organizations (Roy, 1997). According to the prevailing usage in India, the term *jail* is a generic term that applies to penal institutions housing political prisoners, prisoners awaiting trial, as well as prisoners sentenced to institutional detention. Consequently, the jails in India perform the function of remand institutions and prisons (Mohanty and Haz-

ary, 1990). However, the percentages of the three types of prisoners mentioned above vary from state to state. Significant human rights' abuses, especially violations of the rights of the convicted offenders sentenced to imprisonment have been quite prevalent in the administration of criminal justice in India (Roy, 1997).

For more than a decade the jails in India have been suffering from overcrowding problems. Jails across the country have been bursting at the seams. Most of all, the services provided to the inmates (such as educational or vocational training, health care, counseling, recreational facilities as well as legal aid) have been abysmal for decades. In post-independence India, a couple of jail reforms committees appointed by the central government made several recommendations for jail reforms. In addition, during the 1990s the National Human Rights Commission (NHRC) which was established in 1993, along with other similar groups have recom-

mended "jail reforms" to the central and state governments as well. The Indian Prisons Act was enacted by the British more than a century ago in 1894. In the wake of varied recommendations for "jail reforms", the central government has amended the century-old Indian Prisons Act in 2000 to bring about significant jail reforms. Given the context, the purpose of this paper is to review jail reform efforts across India following the amended Indian Prisons Act. The first section is divided into two sub-sections – jails and their administration, and situations in jails. The second section presents a brief historical overview of jail reform efforts in India. The third section delineates the reform efforts across the country in the wake of the amended Indian Prisons Act in 2000. In the final section a conclusion is drawn based on the facts presented in the previous sections.

JAILS IN INDIA

Jails and Jail Administration

In India, the early jails were only places of detention where an offender was detained awaiting trial and judgement and the execution of the latter (Mohanty and Hazary, 1990). Among varied sanctions like branding, hanging, mutilation, and death, "imprisonment was the most mild kind of penalty known prominently in ancient Indian penology" (Mohanty and Hazary, 1990, p. 19). The main objective of imprisonment was to hold the offenders in detention facilities away from the society. According to Prakash (1976), these facilities were not appropriate for human dwelling.

Punishments for offenders in Mediaeval India had the semblance of Ancient India. During the Mughal period the sources of law and administration of justice essentially remained Quaranic. The offenses were classified as (a) offenses against God, (b) offenses against the State, and (c) offenses against individuals. The punishments for these offenses were divided into four types – hadd, tazir, quisas, and tashir (Sarkar, 1935). These fines included fines and confiscation, forfeiture of rank and title, subjecting to humiliations, banishments, whipping, mutilation, and execution. Imprisonment was not resorted to as a form of punishment for conventional offenders. It was mostly used as a means of detention; offenders were detained pending trial and judgement (Bhusan, 1970).

With the advent of the British rule, the administrative structure assumed a new form. The British criminal law came to be applied in India as the Regulating Act was passed in 1773. The Indian Penal Code and the Criminal Procedure Code were

enacted in 1859 and 1860 respectively. Imprisonment as a form of punishment (which was first applied in India in 1773) came to be applied uniformly throughout India in 1860 (Chadha, 1983).

The administration of jails in post-independence India has been the sole responsibility of the states. All jails are managed by the state governments or by the Union Territory administration (e.g. Andaman and Nicobar Islands). The central government is largely concerned with policy formulation and planning services. In each state the head of jail administration is the Inspector General of Police of the state. This individual has several Deputy Inspector Generals to look after the jails in each of the various geographical areas into which the state is divided (Raghavan, 1995).

Situations in Jails

The jails in India have been replete with various problems for a long time. These problems include overcrowding, mistreatment, lack of services needed for inmates' rehabilitation and reintegration into the society upon their release, mismanagement, and callous authorities (Indian Express, November 19, 1999). The most significant problem has been overcrowding. The problem is so baneful that in some states the jails are filled to over four hundred percent of their capacities (*The Hindu*, July 27, 2002).

At this point, let us take a look at some illustrative cases of overcrowding in jails across India:

- On May 21, 2002, the National Human Rights Commission presented their report to the central government after investigating the overcrowding problem in jails in the state of Uttar Pradesh. Against the capacity of about thirty-three thousand, the jails in that state were housing almost fifty thousand inmates (Jha, 2001).
- Another case in point comes from the central jail in Hyderabad (the capital city of the state of Andhra Pradesh, a southern state). The jail with a capacity of little over seven hundred inmates had to accommodate more than twice that number – almost fifteen hundred inmates (*The Times of India*, May 16, 2001). At this particular jail, there was just not enough space to sleep with too many inmates squeezed in the limited space, raising doubts about the health of the inmates.
- In December 1999, there were about ten thousand inmates housed in Tihar Jail (in the state of Delhi) against the capacity of three thousand (*The Statesman*, December 27, 1999).
- In Mumbai, all of the city's jails were burdened with three times their actual accommodation ca-

capacity (Zaidi, 1999). For instance, the Mumbai Central Jail which officially has room for a little over eight hundred inmates, had over twenty four hundred people lodged in it as of April 21, 1999. At the same time, another city jail with a capacity for three hundred individuals housed about six hundred and fifty inmates.

- At the Adarsh Beur Central Jail in Patna (in the eastern state of Bihar), the number of inmates was five times its capacity (*The Times of India*, January 2, 2000).

As mentioned earlier, in addition to overcrowding the jails in India have been suffering from various other problems. In many jails, the physical conditions have been unhygienic; medical facilities provided to inmates have been extremely inadequate (Bedi, 1999). For instance, the Human Rights Commission in its annual report for 2000 had lambasted the state government of West Bengal for the deplorable conditions of the jails and the government's failure to ameliorate the health care services provided in the jails (*The Statesman*, March 4, 2001). The Commission feared that the jails in that state would no longer be institutions of correctional and custodial care unless the state government had the will, determination, and commitment to handle the problems endemic in the state-administered jails.

Another significant fact is women inmates in jails throughout the country have been neglected for decades (Bedi, 1999). Medical care for these inmates have been traditionally inadequate. Life has been bitter for all inside the jails, and it has been particularly bad for women inmates (Dubey, 1999). Some facilities which have been provided to male inmates have been held back from female inmates. For instance, in the Lucknow Central Jail (in the state of Uttar Pradesh), while male inmates were provided with the facility for opening bank accounts, female inmates were not allowed to do so. The same problem was reported from the Patna Central Jail (in the state of Bihar). In addition, the Superintendent of this Jail P. K. Jha maintained that female inmates were not granted to work either inside or outside the jail to earn wages. Conversely, male inmates were authorized to work even in the fields outside the jail (*The Times of India*, June 9, 2001). Furthermore, according to Bedi (1999), female inmates throughout the country have faced special problems not experienced by their male cohorts. They have been vulnerable to exploitation and sexual abuses.

Rehabilitative services provided to jail inmates in India have been lacking for a very long time. The jail administrations throughout the country have

largely ignored provisions for educational training, job/vocational training, life skills training, recreation, and legal aid (Bedi, 1999). In recommending jail reforms Bedi (1999) had emphasized the necessity for providing all these services. In Bedi's own words, "Indeed the society has an obligation to provide for these services to help inmates reintegrate into society" (1999, p. 235) after their release from jails. Likewise, the jail authorities of the Panaji Central Jail (in the state of Goa) admitted the necessity for programs pertaining to health care, education, skills training, recreational activities, as well as legal aid (Kumar, 1998).

According to the National Human Rights Commission's annual report for 2000, there have been another problem – incarcerating under-trials in the nation's jails. The vast majority of jail inmates have been awaiting trial. Since plea-bargaining is not granted in the administration of criminal justice in India (Raghavan, 1995), the issue of under-trials has plagued Indian jails for a long time. According to the Commission's annual report (*The Statesman*, March 4, 2001), seventy percent of jail inmates (2,15,183 of a total of 2,90,065 inmates) were under-trials. In three states (Uttar Pradesh, Meghalay, and Manipur) under-trials accounted for ninety percent of the jail population. In three other states (Delhi, Bihar, and Jammu and Kashmir) the percentage of under-trials was eighty (NHRC, 2002).

Considering the problems prevalent in Indian jails, since 1998 the National Human Rights Commission (NHRC) have been urging the state governments as well as the central government to legislate jail reform throughout the country (Bedi, 1999). What follows next is a historical overview of the efforts undertaken for jail reform in India since the advent of the British rule.

HISTORICAL OVERVIEW OF JAIL REFORM IN INDIA

Under the East India Company rule, a number of jails were built in Bengal, North-Western state, Madras, and Bombay in four decades during the late 18th century and the early 19th century to accommodate about seventy five thousand inmates (Devakar, 1985). The first jail reform committee was set up in 1836 with Lord McCauley as the chair. The committee submitted its report and made the following significant recommendations – (a) central jails should be built to accommodate not more than one thousand inmates in each; (b) Inspector General of Jails should be appointed in all provinces (i.e. states) to monitor jail management; and (c) sufficient number of buildings should be

built in all jails to house inmates comfortably (Madan, 1981). Consequently, in 1846 the first central jail was established in Agra. The erstwhile United Provinces, Punjab, Madras, Bombay, and Bengal followed suit. In 1844, the first Inspector General of Jail was appointed in the then North-Western Province. By 1852, other state governments appointed such Inspectors in their respective provinces (Chadha, 1983).

The second committee on jail reform was appointed by the British government in 1864 to minimize the high death rates in jails and for investigating other aspects of jail management (Devakar, 1985). One very significant finding of the committee was – in the preceding ten years a little over forty six thousand deaths occurred in jails. The committee concluded that sickness and mortality could be due to several problems – overcrowding, insufficient clothing, sleeping on the floor, poor provision for daily amenities, extraction of labor from unfit inmates, and most of all inadequate medical care (Chadha, 1983). Following its recommendations in 1865 it was directed that all provinces must appoint civil surgeons for all jails.

The third jail reform committee was appointed by the British regime in 1877. This committee reviewed jail management generally. No significant change was recommended by this third committee (Devakar, 1985).

The fourth reform committee, appointed in 1888, recommended changes in jail management, and classification and segregation of inmates (Madan, 1981). The recommendations of this committee were supplemented by the All India Committee on Jail Administration in 1892 as this committee resurveyed jail administration across the country and made further recommendations (Chadha, 1983). All these recommendations culminated into the legislation of The Prison Act of 1894. This Act restricted and regulated the use of corporal punishment (e.g. whipping), cellular confinement, and penal diet (Madan, 1981). In addition, this Act provided for classification of different offenders and mandated uniform treatment of jail inmates (under-trials and convicted offenders) (Madan, 1981).

The year 1897 was a landmark in the history of jail reforms in India. The Reformatory Schools Act was legislated in that year; this Act made it mandatory for the courts throughout India to send juvenile offenders below 16 years of age to reformatory schools rather than to jails (Chadha, 1983).

However, despite the appointments of several jail reform committees in British India the jail management lagged behind the reformatory goal. It

failed to regard the inmate as an individual; the inmate was deemed as a unit in the jail administrative machinery (Mohanty and Hazary, 1990). It failed to focus attention toward inmates' well-being and problems of health and labor, let alone vocational/educational as well as life skills training and counseling. (Chadha, 1983).

To bring about an overall change in Indian jails the last pre-independence jail reform committee was appointed in 1919 with Sir Alexander Cadrew as the chair (Madan, 1981). This committee recommended reformation for an effective jail administration in India. The committee emphasized on training jail staff, manufacture of goods by inmates, reformatory measures provided in jails, medical care, and aid to inmates upon release (Mohanty and Hazary, 1990). However, these recommendations never materialized during the British rule due to two World Wars and the simultaneous intensity of the independence movement in India (Bhusan, 1970).

In the post-independence era, the central government had requested the United Nations to send an expert under its Technical Assistance Program to study jail administration in India and to make recommendations for improvement therein (Bhusan, 1970). Dr. Walter Reckless was deputed by the U.N. in 1951 for the job. Specifically, he recommended several changes – establishment of new jails to perform specialized rehabilitative functions, legal substitutes for short-term imprisonment, reduction in the number of under-trials, and drafting of jail management manuals in every state.

In 1952 an All India Conference of Inspector Generals of Jails was held in Bombay. A resolution was accepted in this conference to set up a committee for drafting a Model Jail Management Manual. Accordingly an All India Jail Committee was appointed in 1957. This committee submitted its report to the central government and finalized a Model Jail Management Manual in 1959 (Saksena, 1987). Despite the adoption of the Manual, things did not change during the 1960s and 1970s in terms of jail management.

An inordinate number of reports and articles were published by the mass media during the 1970s drawing attention of the Government of India towards jail management, conditions of jails, rehabilitative services provided to the inmates, the number of under-trials languishing in jails for years, and overcrowding (Mohanty and Hazary, 1990). Consequently, the central government appointed a Committee on Jail Reform headed by Mr. Justice

A. N. Mulla (retired) in April, 1980. The committee submitted its final report to the central government in March 1983 and made over six hundred recommendations on various aspects of jail management. Most significantly, the committee recommended amendment of the Indian Prisons Act of 1894, revision of Jail Management Manuals by the central as well as state governments and improvement of rehabilitative services to inmates for reintegration into the society upon their release (Mohanty and Hazary, 1990).

The central government further established a Committee on Women Inmates in May 1986 with the retired justice of the Supreme Court V. K. Krishna Iyer as the chair. The Krishna Iyer committee submitted its final report to the central government in 1987. Like the Mulla committee, this committee also advised the central government to amend the age-old Indian Prisons Act of 1894. The major recommendations of the committee were establishment of a nationwide uniform policy providing justice to female inmates, provision of vocational/educational training, counseling, therapeutic treatment, and legal aid (Mohanty and Hazary, 1990).

In addition to the recommendations of jail reform committees, other factors have influenced the central government to amend the century-old Indian Prisons Act. One such factor has been court orders to reform jail management focusing on inmates' well-being and rehabilitative provisions. For instance, in October 1998, "the Panaji bench of the Mumbai High Court had directed the Goa Central jail, Agnada, to implement several measures to improve the lives of inmates as well as management" (Kumar, 1998). The court also ordered the jail authority to improve provisions of rehabilitative services for the inmates.

Also, the National Human Rights Commission (NHRC) has been urging the central and state governments for the last several years to improve rehabilitative services offered to jail inmates across the country. In their Annual Report of 1999, the NHRC encouraged the central government to amend the Indian Prisons Act of 1894 to improve the quality of jail management as well as provide better rehabilitative services to inmates for reintegration into society upon their release (*Times of India*, January 5, 2000).

The central government finally amended the Indian Prisons Act in 2000. The amended Act provides equal treatment in jails (*The Statesman*, October 8, 2000). This Act eradicated differential treatment of inmates based on their social status, education, etc. It also provided for abolition of cer-

tain penalties which mitigate against human dignity such as use of handcuffs, fetters, penal diet, hard labor among others. The new provisions allow inmates to pursue enhanced educational/vocational training, counseling, therapeutic treatments, life skills training as well as legal aid without obstruction (*The Statesman*, October 8, 2000). Additionally, it provides improved living conditions in regard to accommodation, food, and medical care for the inmates, and also a graduated system of incentives toward remission in the length of incarceration to inmates for their good behavior. Furthermore, it makes magisterial inquest mandatory in case of custodial deaths and provides mandatory release of undertrials whose detention exceeds the minimum period of incarceration specified for the offense.

REFORM EFFORTS IN THE WAKE OF THE AMENDED INDIAN PRISONS ACT

In the wake of the amendment of the century-old Indian Prisons Act in 2000, jail reform efforts have been undertaken by the state governments in India. What follows next is a presentation of some recent illustrative cases of jail reform endeavors essayed in states across the country.

Delhi – Tihar Jail

A number of years before the amendment of the Indian Prisons Act in 2000, Tihar Jail (one of the country's maximum-security detention facilities) had started witnessing some remarkable transformations. As a matter of fact, these changes commenced in 1994 under the tutelage of the then Inspector General of Prisons in Delhi Ms. Kiran Bedi. The transformations started with the creation of two juvenile wards in 1994 (Bedi, 2000).

A drug de-addiction center was established in 1999. "Ashiana" is the center where drug-addicted inmates are referred to by the jail physicians. "Ashiana is a voluntary non-governmental organization (NGO) which provides a staff of doctors, nurses, and ward-boys and has converted Jail 4 into a regular hospital" (Bedi, 2000, p. 205). The inmates undergo a treatment course for four weeks; after that efforts are directed toward their rehabilitation. "A number of non-governmental organizations have come forward to offer help in treatment and counseling" (Bedi, 2000, p. 206).

The inmates' participation in games and sport activities within the jail boundary has been encouraged by the authorities since 1998 through inter-ward competitions held twice a year (see *tiharpris-*

ons.nic.in). Eminent personalities from the field of sport and culture are invited on these occasions to encourage inmates to take part in these events, to foster their physical, mental, and cultural well-beings and inculcate discipline.

Both adult and formal educational trainings are being offered to the inmates since 2000 (see *tiharprisons.nic.in*). The Indira Gandhi National Open University established a regular study center in Tihar for providing education to the inmates as well as the staff (Bedi, 2000). Undergraduate and graduate degree courses are offered along with certificates in management, computers, rural development, nutrition, health care, creative writing, etc. As of December 2001, twenty such courses were being offered (see *tiharprisons.nic.in*). For instance, capsule computer courses of six month duration are provided to willing and eligible inmates with the help of the Sterlite Foundation (a NGO). Expenditures on fees for the courses are borne by the state government; also, study materials and audiovisual aids are provided free of cost to inmate students. Libraries with modern facilities have been established in each ward with the help of NGOs. The most engaging aspect of the educational system in Tihar Jail is that educated inmates voluntarily teach their less educated cohorts (see *tiharprisons.nic.in*).

Another rehabilitative effort undertaken in Tihar Jail has been meditation classes for the inmates (see *tiharprisons.nic.in*). A permanent meditation (Vipassana) center has been in operation since 1998. A number of voluntary NGOs have been imparting moral education, counseling, and techniques of meditation to the inmates. A study conducted by Professors Khurana and Dhar (2000) of the Indian Institute of Technology, New Delhi, investigated the impact of meditation on subjective well-being and criminal propensity among the Tihar inmates. The researchers reported that meditation significantly enhanced subjective well-being and decimated criminal propensity among the participants.

West Bengal – Calcutta

The state government of West Bengal opened a computer center, a physiotherapy center, and a diagnostic and therapeutic unit at the Alipore Central Correctional Home in Calcutta [the state capital] on September 2001 (*Times of India*, Calcutta, December 16, 2001). According to Mr. D. Chowdhury, the Inspector General of Prisons in the state, these new facilities have been inaugurated as part of the state's jail reform efforts. Convicted inmates receive computer training (free of cost) at the new facility to procure jobs after their complete their sentences. The services at this facility are provided by Century Computer, a NGO.

The same NGO has also started computer training classes for inmates at the Presidency Jail, Calcutta, in December 2001. According to De and Sen (2002), the authorities at this jail have adopted several reform initiatives. Both male and female inmates can now avail computer training, educational training, varied vocational training, legal aid, as well as therapeutic counseling free of cost. Management of finances along with other life-skills training have been made available free of cost to the inmates. In December 2002, the central government sanctioned 1.2 million [Rupees] to the state government for jail reform efforts across the state (*The Statesman*, December 26, 2002).

Madhya Pradesh

Since the beginning of 2003, it has been dot com time for about 30,000 inmates detained in various jails across this state as they get trained to make use of the latest computer technology (Shiv Kumar, 2003). The inmates are learning computer operations free of any fee within the jail premises and according to Mr. Shakeel Raza, Inspector General of Prisons in the state, these inmates would have a better opportunity to get jobs upon release. Also, in Bhopal [the state capital] jails the authorities have started offering certificate courses in health care, computer, and rural development in 2001; therapeutic counseling is also made available to the inmates (Shiv Kumar, 2003).

Uttar Pradesh – Lucknow

In 2001, an international charitable organization, the Art of Living Foundation, started offering programs in Lucknow [the state capital] jails for relieving jail inmates from stress and other negative feelings (Jha, 2001). The Foundation which has a consultative status with the United Nations as a NGO, teaches yoga and meditation to the inmates. According to the state Inspector General of Prisons, these programs are tailored to increase energy and enthusiasm and eliminate negative emotions like anger, frustration, depression, and sadness (Jha, 2001). At Lucknow jails, with the help of several NGOs the authorities are also offering varied educational and vocational training, therapeutic counseling, and legal aid to the inmates.

Tamil Nadu – Chennai

At the beginning of 2001, the state Inspector General of Prisons rendered permission to the Indira Gandhi national Open University to offer undergraduate and graduate level degree as well as certificate courses in computers, nutrition, health care, and rural development at Chennai [the state

capital] jails (*Indian Express*, April 23, 2001). In addition, the jail authorities in Chennai have revamped recreational and health care facilities as part of their jail reform endeavors.

Karnataka – Bangalore

Consequent to the amendment of the Indian Prisons Act in 2000, extensive reform efforts have been undertaken in Bangalore [the state capital] city jails. The jail authorities in this major southern city of the country have upgraded housing facilities for inmates; simultaneously, they have updated health care, counseling, recreational facilities as well as legal aid (*Times of India*, September 5, 2001). Legal counseling has been made available to the inmates since July 2001 at a nominal cost (inmates are only charged for typing and document fees). Furthermore, since the beginning of 2001, Bangalore city jails are offering both degree and certificate courses at undergraduate level in computers, management, and health care to the inmates. The authorities have also opened a drug de-addiction center for inmates in 2002 (*Indian Express*, February 21, 2002).

The illustrative cases mentioned above demonstrate that the amendment of the Indian Prisons Act in 2000 has led to varied jail reform efforts undertaken by the state governments across India. Although the states vary from each other in terms of the types of reform endeavors, overall, the amended Act has surely made an impact throughout the country.

CONCLUSIONS

The objective of this paper was to review jail reform initiatives undertaken by the state governments throughout India in the wake of the amendment of the century-old Indian Prisons Act in 2000. The Act was brought into effect by the British rulers in 1894. However, jails as detention facilities were built and used by the British rulers at several large cities across the country during the late 18th century and the early 19th century. The first jail reform committee was set up by the British in 1836; the last one was appointed by them in 1919. Altogether five jail reform committees were set up by the British in pre-independence India. During the post-independence era, two jail reform committees were appointed by the Government of India. Despite the inordinate number of recommendations made by these committees, jail management and situations of inmates remained baneful for a very long time. For several decades jails across India have been overcrowded. In addition, the services

provided to inmates (such as adequate educational and vocational training, health care, nutrition, therapeutic counseling, recreational facilities, and legal aid) have been lacking over the years. The establishment of the National Human Rights Commission (NHRC) ushered some changes. The NHRC along with several other organizations advocating inmates' right to well-being recommended jail reforms to the central and state governments as well. The Government of India finally amended the Indian Prisons Act in 2000.

It has been a little over only two years since the Act was amended. In a large country like India the jail authorities may need sufficient time to implement the changes spelled out by the amended Act, especially due to the fact that there is no centralized jail administration. As mentioned earlier, each state government is responsible for administration of jails in their own state. That is, each state government is responsible to bring about jail reforms specified by the amended Act.

As presented through the illustrative cases, evidently various state governments have embarked on the reform movement. The first reform movement was essayed at Tihar Jail in the capital city Delhi. Various aspects of the reform movement in Tihar Jail set examples for the rest of the country. Housing a little over twelve thousand inmates, Tihar is the largest jail in the country. As evident from several reports, the reform efforts at this jail have been able to make positive impact on the inmates. Yet, the country's largest jail remains overcrowded. As a matter of fact, overcrowding is still a problem in Indian jails. For instance, in the state of Bihar, the Patna High Court pulled up the state government for doing little to decimate overcrowding and directed the government to submit reports every month to the Court on this issue (*The Telegraph*, March 12, 2003).

Another lingering downside of the jails is the number of undertrials spending time at these facilities. Reduction in the number of undertrials in jails across the country is one of the specifications of the amended Act. Jails are still lagging behind in implementing this specification, mainly due to lack of space in the existing facilities and lack of building new detention facilities. Some of the amendment, some states (such as Delhi, West Bengal, Maharashtra, and Tamil Nadu) have taken initiatives to this end (*The Telegraph*, January 16, 2003).

Despite the lingering problems of overcrowding and the situation of undertrials, the upside is several state governments have started jail reforms soon after the Act was amended. The jail authorities are now providing varied educational and vo-

cational training, therapeutic counseling, drug de-addiction centers, upgraded health care, recreational facilities, and legal aid as well. As evident from the cases presented in this paper, the majority of the reform efforts are taking place at jails located in large urban areas over the last couple of years. The state governments need to expand those reform efforts to the jails outside those urban areas. Jail reform efforts had long been overdue in India. Apparently, the amendment of the Indian Prisons Act in 2000 has been able to usher positive reform endeavors throughout the country. The jail authorities are increasingly becoming more attentive towards inmates' well-being as well as the rehabilitative services necessary for the inmates' reintegration into society upon release from jails.

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