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# **ANALYSIS OF THE ROLE PLAYED BY JAIL WARDERS IN PRISON ADMINISTRATION WITHIN THE MODEL JAILS OF HIMACHAL PRADESH**

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Dr. D.P. Verma, Professor, Department of Laws, Regional Centre Dharamshala, Himachal Pradesh

Nitish Kumar Sharma, Research Scholar, Ph.D. (Pursuing), Department of Laws, Himachal Pradesh University, Summer Hill, Shimla, Himachal Pradesh

## **ABSTRACT**

Prison administration encompasses the management and functioning of correctional institutions like prisons, jails, and detention centres. Its foremost objective is to maintain a safe, secure, and humane environment for the confinement of inmates, while simultaneously offering avenues for their rehabilitation and societal reintegration. An effective prison administration is committed to the rehabilitation and reintegration of inmates, ensuring community safety, and upholding the well-being and dignity of both the incarcerated individuals and the staff. There have been various Officers and other staff members involved in the administration of the prisons. Jail Warders, commonly referred to as correctional officers, are pivotal in upholding order and security in prisons and jails. Their responsibilities include supervising, caring for, and rehabilitation of the inmates, as well as maintaining order, discipline, and security within the prisons. Their duties also cover overseeing inmates during daily activities. But it is not as simple as it looks as the job of Jail Warders is challenging, as they encounter numerous obstacles in their day-to-day duties. Therefore, the prime objective of the current research work will be to study and analyse the working of the Jail Warders in the Model Jails within the State of Himachal Pradesh. The main objective of prison administration is to guarantee the safe, secure, and humane detention of inmates, while also offering them opportunities for rehabilitation and societal reintegration. which is not possible without the support of Jail Warders who remain in direct contact with the Prisoners in order to implement various schemes and measures introduced from time to time and to ensure smooth management of the Prisons.

## 1. Introduction

A prison is a facility designed to detain individuals who have been held in custody by the legal system or who have been deprived of their freedom following a criminal conviction. Both felony and misdemeanour convictions can lead to imprisonment. Today, a significant function of jails is to confine those accused of crimes while they await trial, and in many countries, these individuals constitute the majority of the prison population.<sup>1</sup>

The concept of prisons is ancient, not a modern development, with the earliest penal institutions referred to as 'Jail' or 'Prison'. Prisons act as a significant form of social defines by completely isolating prisoners from the external world. The fundamental goal of imprisonment has consistently been to protect society from criminal activities. The prison system in India has an extensive history that dates back to the Rig-Veda, Ramayana, Mahabharata, and Manu smriti. In ancient India, prisons were constructed to confine war captives and enemies of the state. The medieval Indian prison system was akin to its ancient predecessor. During the Mughal and Maratha reigns, prisons were centres of severe torture and punishment. The British rulers initially perpetuated the medieval era's cruel and outdated practices, but eventually, reforms were initiated thanks to Lord Macaulay's efforts.<sup>2</sup>



The State of Himachal Pradesh has a long history of operating jails. Most Princely States had Departments for law, Enforcement, and Prisons. In some cases, the Kings themselves headed these prison departments. The jails were overseen by the State Medical Officer, who also held

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<sup>1</sup> Prison, available at: <https://www.britannica.com/topic/prison> (Last visited on April 20, 2022).

<sup>2</sup> Dr. Alok Kumar Meena, —History of Indian Prison System: An Overviewl 8 Journal of Emerging Technologies and Innovative Research (JETIR) 1 (2021).

the title of Superintendent of Jails. The earliest recorded operational prison has been in Chamba. According to the Chamba State gazetteers, this prison was established in 1890 during the reign of Raja Sham Singh. Furthermore, the Department of Town & Country Planning has recognized 42 cultural sites, including the now-empty former jail. Raja Shamsher Prakash of Sirmour is credited for constructing of a jail at Nahan by 1904. The said jail could accommodate 100 male and female prisoners. The daily average of the prison population at that time remained 56. The Raja was himself the Inspector General of Prisons. Later this jail became a District Jail and a Central Jail w.e.f. 01st April, 1962. Presently, the number of Prisons within the State of Himachal Pradesh is 14 including 2 Model Jails, 8 Sub- Jails, 2 District Jails, 1 Open Air Jail and 1 Borstal Jail.<sup>3</sup>

## 2. Administration of Prisons

The Directorate of Prisons and Correctional Services is primarily responsible for the administration of prisons and the rehabilitation of the prisoners within the State of Himachal Pradesh subject to the general control of the State Government. The mission is to provide a safe, secure, caring, and humane environment for inmates, whether they are awaiting trial or have been convicted. It also aims to ensure effective parole supervision and to offer vocational training to all inmates, facilitating their rehabilitation and successful reintegration as responsible citizens upon their return to the community.

Currently, the Department is led by the Director General of Prisons & Correctional Services, who, under the directives of the State Government, has overall control and supervision over all the prisons within the state. The Director General oversees the department, wielding the administrative powers detailed in this manual, along with any additional powers granted by the government as needed.<sup>4</sup>

The organization comprises of two major wings:

a) The Executive Wing

b) The Correctional Wing

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<sup>3</sup> Department of Prisons and Correctional Services, available at: <https://hpprisons.nic.in/Home/ContactUs> (Last visited on January 10, 2024)

<sup>4</sup> H.P. Prison Manual 2021, Chapter III p.20

An officer of at least the rank of Deputy Inspector General leads the Executive Wing, with support from various Officers within the prison department, reporting directly to the Director General of Prisons and Correctional Services. In parallel, the Correctional Wing is managed by a Deputy Inspector General (Correctional Services), aided by officers appointed by the State Government. As far as the staff members including the top officers of the prison department are concerned, such as Director General, Inspector General, Deputy Inspector General, Superintendent and other officers appointed by the State government are not required to exclusively belong and be appointed within the Prison Department. These officers can be part of the Police Department which are whenever the state government feels appropriate given the charge of the management of the prisons. But as far as the jail waters are concerned, they exclusively are appointed for the management of the prisons and are not in any way connected to any other department which means their appointment is wholly and solely within the Prisons and the Correctional wing of the State.

### **3. Analysis of the Role of Jail Warders in Model Jails within the State of Himachal Pradesh**

Prison Warders have the crucial role of ensuring the safety of both staff and inmates within their correctional facility. Their duties include establishing training standards for correctional officers and other personnel, such as kitchen workers, janitors, and medical staff. They are also tasked with creating rules and regulations for inmates to provide them with the highest level of protection during their incarceration. Additionally, warders are responsible for the overall security of the prison, ensuring that no unauthorized entry or exit occurs. This involves maintaining well-guarded premises and overseeing inmate visitations in a manner that balances family contact with the safety and security of the facility, its staff, and the inmate population. The third responsibility of prison warders is to ensure the correctional facility operates efficiently. This includes maintaining adequate staff levels at all times, ensuring compliance with all laws and regulations, managing the budget effectively, and keeping the facility and its grounds in excellent condition.

Within the state of Himachal Pradesh, the prison administration is carried out in accordance with the provisions contained in the HP Prison Manual 2021. As per the manual, Chief Warder, Head Warder, and Warders make up the Guarding Personnel. Every six inmates should have a minimum of one guard on duty; this ratio as per the Manual is required to be maintained during

all three shifts. [Note: When calculating the ratio, employees who work in industries or other welfare-related activities will not be included.] The Superintendent should, according to each guard's standing within the cadre, give specific responsibilities to each member of the guarding staff on a rotating basis on different sections/points including security, custody, discipline, searches and counting of prisoners, opening and locking-up of the prison, reporting defects and shortcomings in prison buildings, walls, locks, lighting arrangements, bars taking immediate action for rectifying these and taking care of the custody of locks and keys, handcuffs and other security equipment and all the related aspects connected with the care and welfare of prisoners.<sup>5</sup>

There are two Model Jails within the State of Himachal Pradesh namely:

- a) Model Central Jail Kanda, District Shimla and
- b) Model Central Jail Nahan, District Sirmour

### **Model Central Jail Kanda**

The approximate distance of Model Central Jail, Kanda from Shimla City is 17 kms.

According to the most recent data available up to 19/03/2024, Model Central Jail Kanda has a capacity for 438 inmates, including 408 males, 30 females, and 0 transgenders. However, the current inmate population stands at 502, with 481 males, 21 females, and 0 transgenders. Of these, 291 are convicts (277 males and 14 females), and 211 are undertrials (204 males and 7 females). The data clearly shows that Kanda jail is housing 68 inmates beyond its capacity, highlighting the issue of overcrowding.<sup>6</sup>



<sup>5</sup> H.P. Prison Manual 2021, Chapter IV p.32

<sup>6</sup> Occupancy Details, available at: <https://hpprisons.nic.in/> ( Last visited on August 14, 2024)

## **Model Central Jail Nahan**

Situated roughly 135 kilometres from Shimla, the capital city of Himachal Pradesh in District Sirmour, this facility is among the oldest jails in the state. It also holds the distinction of being the largest in terms of inmate capacity. The Model Jail, Nahan, currently houses more inmates than its official capacity; it is designed to accommodate 471 inmates, yet it presently contains 525 prisoners.



The Jail Warders constitutes the Guarding Staff of the Prisons and the Correctional Services. But due to huge number of inmates within the model jails of Himachal which exceeds the capacity of these jails, the role of jail warders becomes more challenging and sometimes difficult also. There have been various problems that have come to limelight which are being faced by them mostly on day-to-day basis making their job more hectic and stressful.

### **Some of the problems revealed are as follows:**

#### **i) Threat to Life and Family**

Jail Warders have reported that in their daily work, they encounter threats from inmates concerning their own lives and the safety of their family members. Inmates attempt to persuade staff members to be lenient and safeguard their interests. Facing such threats, staff members often feel scared and remains concerned for their families. Some inmates warn that they will harm the staff members' families after their release as retribution. These threats make it challenging for the jail warders to carry out their duties fearlessly and with integrity.

Nevertheless, they have pledged their unwavering dedication to their responsibilities, despite these intimidations.

### **ii) Political Influence**

Staff members have raised concerns about the political influence they face when interacting with inmates who have political connections. These inmates often attempt to sway the Prison Authorities using their influence. The warders report that working under such conditions hinders their ability to treat all inmates equally compared to other prisoners. This leads to discontent among the staff and other inmates, who may express their dissatisfaction and sometimes this results in conflicts within the prison.

### **iii) Stressful Job**

There have been concerns about the stress experienced during their job, attributing it mainly to the lack of rest. In emergencies, such as when an inmate must be taken to the hospital, they are deployed alongside the inmate, which makes the situation extremely hectic. They are required to perform both day and night duties without a weekly holiday for complete rest, which is essential for their physical and mental relaxation. They have raised concerns about the impact of their job on their mental and physical health. Mentally, they struggle with overthinking, stress, depression, and mood swings. Physically, they suffer from fatigue and body aches. Balancing these issues in such an environment is challenging for them.

### **iv) Lack of Proper Training**

As mentioned previously, jail warders in prisons encounter inmates with various psychological profiles. Each inmate requires treatment tailored to their psychological needs. However, warders often lack the necessary training to manage these needs effectively, leading to conflicts between inmates and staff who are in direct contact with them. Occasionally, these conflicts become personal, and staff members may face threats from inmates, which adversely impacts their performance.

### **v) Shortage of Employees**

There have been insufficient number of guards assigned to the prisons. They are dissatisfied with the current ratio of warders to prisoners, stating that there are only two warders for every

200 inmates. Additionally, they lack weapons to defend themselves in case of conflicts with prisoners or among the staff, leading to a pervasive sense of fear among the employees.

#### **vi) Absence of Recreational and Wellness Activities**

The staff members have expressed dissatisfaction due to the absence of recreational activities. Furthermore, wellness activities like meditation programs and yoga sessions are not conducted for them either. This has created a negative atmosphere as the staff members are constantly in an environment with prisoners who have committed various crimes. Consequently, conversations within the prison institution revolve primarily around these wrongful acts, instilling a sense of negativity in the staff. Prolonged exposure to such an environment can result in stress and depression among the staff members.

#### **vii) Homesickness**

A significant concern expressed by the staff is the restriction from working in their home districts. As they are required to work day and night throughout the week, they find themselves unable to visit and spend time with their families, resulting in feelings of homesickness and loneliness.

#### **viii) Limited Career Advancement Opportunities**

Jail warders have voiced concerns over the limited opportunities for career advancement within the prison system. The prospects for promotion are scarce, leading to a sense of entrapment as they remain stagnant in the same role for extended periods, resulting in frustration among the staff. From the issues outlined above, it is evident that the staff, especially the jail warders, are dissatisfied with their work environment in the prisons. In addition to identifying the aforementioned problems, the researcher has also attempted to propose solutions on behalf of the respondents concerning these issues and other related concerns.

As per the above-mentioned information, it is clear that there have been various problems that the jail warders have been facing in their day to day working. Because prison is a very sensitive institution which requires alertness and presence of mind in every moment of work, therefore it becomes very important to find out the solution to these problems.



### **3.1 Key suggestions**

There have been some useful suggestions that have come from the side of the Jail Warders and supported by the researcher to address the issues they are facing. They mainly include the following:

#### **i) Time to Rest**

The warders have recommended allocating adequate time for rest. They have also proposed a weekly holiday to alleviate their physical and mental fatigue.

#### **ii) Use of Force**

Jail warders are currently not permitted to use force against inmates during conflicts within the prison. The respondents propose that they should be authorized to employ at least minimal force in such scenarios to maintain discipline effectively within the prisons.

#### **iii) Health Check-ups**

The warders have recommended that health check-ups be organized frequently and periodically within prisons to ensure the physical and mental well-being of the staff members is thoroughly assessed and monitored. In addition, meditation and yoga programs should be implemented to promote improved health among the staff members.

#### **iv) Leisure-Based Activities**

Periodically, staff members should also be scheduled for recreational activities, which will allow them to unwind from the stress of their daily work and appreciate their career.

#### **v) Sufficient Employees**

The selection of sufficient staff members is necessary to enable efficient prison discipline implementation and proper monitoring of the inmates.

#### **vi) Addressing Pay and Promotion**

Additionally, the warders have recommended that staff employees have an appropriate path for

advancement. Either a test for the promotion may be administered, or seniority may be taken into consideration. In addition, since the staff members have been working nonstop for the whole week, they should also receive a wage equivalent to 13 months.

**vii) Scheduling in the Home Districts**

In order for the staff members to continue having regular contact with their families, they should also be allowed to work in their home areas. They won't experience loneliness or homesickness at work in this way.

**viii) Putting the HP Prison Manual's guidelines into practice**

They have further proposed that the State should appropriately implement the provisions outlined in the HP Prison Manual regarding their service. The Manual includes extensive provisions for staff members' families in regard to housing, pay, education, and other matters.

**3. Conclusion**

It is an undeniable reality that prisons are a financial drain on the State, contributing virtually little to overall State income growth. It is a difficult undertaking for the State to complete all of these responsibilities with the limited resources at its disposal. However, things are moving in the right direction. From the above information, it can be clearly inferred that it is the Jail Warden who remains in direct contact with the prisoner on day-to-day basis. Therefore, in order to achieve the goal of reforming and building the inmates as responsible citizens of the society, the rule played by the jail warders is ut most significant. But the reforming objective cannot be easily achieved unless or until the problems which are being faced by the jail warders are effectively addressed by the concerned authorities. They constitute the backbone of the prison administration.

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