

**Scoping Study in Maharashtra Prisons Towards  
Institutionalizing Social Workers in the Prison System**

**Prayas  
A Field Action Project of TISS  
&  
The Tata Trusts  
2017**

## FOREWORD

The motto of the prison department is rehabilitation, reformation and reintegration. We put our best efforts to achieve this objective. We have been partly successful in achieving these objectives. The population of the prison setting is very vast and complex as it includes educated, uneducated, male and female, first timers and habitual offenders, gangs, youth, children, mentally challenged, etc. The needs of each group are varied and complex. The prison department is giving its best for the prisoners in terms of maintaining hygiene, providing quality food according to the norms of the Prison Manual, providing security, education and training, etc.

Besides the prison department, there are other stakeholders as well, as such as the police, judiciary, the women and child development and health departments to minimize the complexity of the problems. But the prison setup is caught up in the 'stigma' network whereby departments are not always proactive in reaching out to the prison population. I have accepted this challenge of changing the identity and image of the prisons. In my opinion, prisoners belong to our society and not born criminals. We need to treat them as human beings, if we want to reintegrate them into society. Some extra efforts will need to be put in to bring about a change within them.

The Memorandum of Understanding (MOU) signed between Tata Trusts and the Government of Maharashtra is an opportunity to engage in some creative work towards the wellbeing of the prisoners. The scoping study has helped us to understand the scope for the intervention, the density of the problems, and prioritizing the areas for intervention. Through this innovative project, people specialized in the field of social work, psychology, and law will come together for the rehabilitation of persons affected by crime. It will help in bringing new thoughts into this field. I wish the project all the best towards achieving its goals and objectives of prisons management as envisaged in prison manual, government policies and court directives.

(Dr. Bhushan Kumar Upadhyaya)

Addl. Director General of Police & Inspector  
General of Prisons & Correctional Services,  
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## FOREWORD

The Memorandum of Understanding between the Government of Maharashtra and the Tata Trusts signed in 2016 is a milestone in institutionalizing social work intervention in the criminal justice system in India.

A scoping study was initiated in five central prisons of Maharashtra and Borstal school to understand the needs of prisoners and explore the role of social workers in prisons. The report is now ready. It arms us with data that will result in factual understanding of the needs of prisoners, the quality of legal aid, the condition of incarcerated women and their children, and youth in the Borstal school. The report therefore will be a source of guidance on interventions required in the criminal justice system, the roles and responsibilities of social workers, and the contribution of the prison department.

The Tata Trusts team from its Civil Society Strengthening portfolio has conceptualized and played a key role in both data collection as well as its interpretation, ensuring that the report is indeed of relevance to policy makers and government departments. Our collaboration with Prayas, a field action project of the Tata Institute of Social Sciences, as a technical partner has made this effort more robust and well researched. As part of our objective of making justice accessible to the prison population, we have been working in partnership with Prayas for more than twenty five years. We are also grateful to inmates and prison personnel who extended their co-operation towards data collection without which the report would not have been possible.

The positive outcomes of the project thus far are heartening. We are hopeful that this programme, when integrated with long term prison reforms, will serve as a model for other states to adopt.

R. Venkataramanan  
Managing Trustee  
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Shri Pradeep Jagtap, Sr. Jailor, Yerawada Central Prison

Shri Kharat, Jailor, Yerawada Central Prison

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Ms. Swati Pawar, Jailor, Yerawada Central Prison (Female Jailor)

Ms. Praveen Tadvi, Jailor, Yerawada Central Prison (Female Jailor)

### **Nasik Central Prison**

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Shri Gite, Jailor, Aurangabad Central Prison  
Ms. Megha Kadam, Jailor, Aurangabad Central Prison (women section)

### **Nagpur Central Prison**

Ms. Rani Bhosale, Superintendent, Nagpur Central Prison  
Shri Sunil Nighot, Dy. Superintendent, Nagpur Central Prison  
Shri Balwant Kale, Sr. Jailor, Nagpur Central Prison  
Shri Yogesh Patil, Teacher, Nagpur Central Prison  
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*We are grateful to the prisoners and prison staff who participated in the study*

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2. Lovina Vaz
3. Mahesh Jadhav
4. Pravin Patil
5. Siddharth Dolas
6. Surekha Sale
7. Meenal Kolatkar
8. Vikas Kadam

***Nasik Central Prison***

1. Nurith Divekar
2. Lovina Vaz
3. Mahesh Jadhav
4. Pravin Patil
5. Devayani Tumma
6. Varsha Lad
7. Sudhakar Babu
8. Vijay Johare
9. Sunil Mhaske
10. Chandrakant Shinde

***Nasik Borstal School***

1. Nurith Divekar
2. Lovina Vaz
3. Mahesh Jadhav
4. Pravin Patil
5. Devayani Tumma
6. Varsha Lad
7. Sudhakar Babu
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### ***Aurangabad Central Prison***

1. Nurith Divekar
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3. Priyanka Kamble
4. Komal Phadtare
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### ***Nagpur Central Prison***

1. Nurith Divekar
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4. Surekha Sale
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7. Gautam Kadam
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## **Executive Summary**

An agreement was signed on March 31, 2016, between the Government of Maharashtra and the Sir Dorabji Tata Trust to initiate a partnership on welfare and rehabilitation of prisoners.

After the agreement was signed, the Tata Trusts and Prayas, a field action project of TISS, organized a series of meetings to discuss the details of the project implementation. The Principal Secretary, Home Department (Prisons), called a consultation meeting to discuss the details of the project at Mantralaya in which Prayas was invited as a knowledge partner. A Project Implementation and Monitoring Committee has been formed to work out details of the project implementation consisting of the Principal Secretary, Home Department, ADGP and IG Prisons, Director, Prayas, Nominee of TT and DIG Prisons. The Committee discussed the details of the project implementation such as arrangement of office space for the Project Director and other staff, the financial transactions to be handled, etc. The issues related to the financial transactions took a long time to get sorted out and finally it was decided to open a Personal Ledger Account (PLA) with the Prisons Department in which the funds will be deposited and it will be operated by the ADGP and IG Prisons and the Project Director of the Project. The accounts would be audited by the Accountant General of Maharashtra.

The social work, supervisory and administrative positions for the project were advertised and interviews were conducted to fill the 19 posts of Social Workers, 2 posts of Project Coordinators, 1 Project Director, 1 Finance Officer and 1 post of Monitoring & Evaluation Officer. The selection and eligibility criteria, short-listing of candidates for the interview, and conduct of interviews was carried out by a panel consisting of representatives of the Prison Department, Prayas and TT.

The Project Implementation and Monitoring Committee suggested that a scoping study of the selected prisons be conducted to understand:

- Role of social workers in the field
- Role of social workers in prison
- Needs of prisoners in different prisons
- Requests of prisoners in different districts

- Situation of legal aid and the effectiveness of the District Legal Services Authority
- the condition of the women prisoners
- the situation of children inside and the children left outside
- NGO or social workers working in these prisons
- Government schemes available to the prisoners and their families
- Probation services available in these prisons
- Condition of the Borstal School

Accordingly five teams consisting of social workers of Prayas, the representatives from Tata Trusts and the prison staff from the respective prisons visited all the six sites i.e. Yerawada Central Prison, Nashik Central Prison, Aurangabad Central Prison, Nagpur Central Prison, Talaja Central Prison and Nasik Borstal School.

The data collected was analysed and a draft report is prepared. The job description of each post was prepared based on the experience of Prayas, requirements of the prison department and the findings from the scoping study.

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## **Chapter I**

### **Background**

The Criminal Justice System (CJS) in India is heavily tilted towards retribution and punishment, despite laws and policies to make it correctional and reformatory. Unlike many countries in the West, India has no policy framework or provisions recognizing the need for social workers in the CJS. The primary departments charged with keeping the CJS on a reformatory track across the country are underfunded, and with inadequate staffing in terms of numbers and training. While a number of excellent voluntary initiatives are working across the country to make CJS humane and restorative, they operate from outside the formal boundaries of the CJS.

More than two and half decades ago, Dr. Sanober Sahni, as a faculty at the Department of Criminology and Correctional Administration, Tata Institute of Social Sciences (TISS), initiated a field action project, *Prayas*, in one prison in South Mumbai, to study and understand the condition of under trial prisoners. She placed student social workers to initiate rehabilitative work with under trial prisoners. The Tata Trusts have supported Prayas since the year 1990 and Prayas has grown into a project with social workers placed across 5 prisons in Mumbai and Thane as well as in the Bharuch district of Gujarat.

Prayas in the last 27 years has consistently provided evidence for the need for social workers within the prison system. However, this evidence has not been able to translate into governmental action or ownership. There continues to be a lack of a formal or State support system for rehabilitation and reformation for prisoners. Initiatives like Prayas that do manage to place social workers are most often donor dependent, thus making support services varying and temporary.

Since the Trusts have been among the few organizations that have supported this pioneering work, the Government of Maharashtra (GoM), through a letter from the Chief Minister to Mr. R. N. Tata, approached the Trusts to extend the scale of proven social work interventions in the prison system to other prisons, as well as institutionalize the same within the existing governmental framework.

In response to the abovementioned letter, a Memorandum of Understanding (MoU) was signed between representatives of the Sir Dorabji Tata Trust and the Prison Department (GoM) in March 2016. As per the MoU, both the parties agreed to jointly demonstrate the need for social work interventions with the existing five central prisons (Taloja, Nashik, Nagpur, Yerwada and Aurangabad) and one Borstal School in Maharashtra.

Four social workers were appointed for each of the 4 central prisons (two each for the male and female sections) to ensure appropriate legal aid for prisoners, maintaining contact between the prisoner and his/her family, ensuring health needs are attended to and recreational, educational and vocational training activities are initiated for prisoners. As per the ToR of the project, at the time of release, prisoners will be given immediate support, linked with rehabilitation and after-care agencies besides working with the police to avoid re-arrest based on suspicion.

The Trusts and Prayas would engage in continuous advocacy with relevant government departments to create an environment, whereby the Prisons Department will be open to incorporating social workers formally within their system (the appointment of full-time social workers in prison setting). The advocacy will be supported by robust and comprehensive data collected over a period of three years, including an Impact Evaluation that is being built into the project.

## Chapter II

### Methodology

This scoping study of the selected prisons was conducted to understand:

- Role of social workers in the field
- Role of social workers in prison
- Needs of prisoners in different prisons
- Requests of prisoners in different districts
- Situation of legal aid and the effectiveness of the District Legal Services Authority
- the condition of the women prisoners
- the situation of children inside and the children left outside
- NGO or social workers working in these prisons
- Government schemes available to the prisoners and their families
- Probation services available in these prisons
- Condition of the Borstal School

Five teams consisting of social workers of Prayas, the representatives from Tata Trusts and the prison staff from the respective prisons visited all the six sites i.e. Yerawada Central Prison, Nashik Central Prison, Aurangabad Central Prison, Nagpur Central Prison, Taloja Central Prison and Nasik Borstal School.

The data collected was analysed and a report was prepared. The job description of each post for the pilot project was prepared based on the experience of Prayas, requirements of the prison department and the findings from the scoping study.

Sr. No.	Methods and Tools used	Period of data collection	No. of prisoners interviewed	No. of staff interviewed	Challenges faced	Limitations of the study
Yerawada Central Prison	• Interview and FGDs with prisoners and staff with the help	October 2016 to January 2017	On an average, 15 inmate interviews conducted in male and	On an average 3 to 7 staff members including Superintendents interviewed	<ul style="list-style-type: none"> <li>• Time frame</li> <li>• Shortage of human power</li> </ul>	<ul style="list-style-type: none"> <li>• The study was conducted at very short notice.</li> <li>• Time given for</li> </ul>
Nasik Central Prison						
Nasik Borstal School						

<b>Aurangabad Central Prison</b>	of Interview Guide and Focus Group Discussion Guide • Observations during the visits with the help of Observation Guide		female section at all six sites of data collection			data collection was short. • The team varied from district to district
<b>Nagpur Central Prison</b>						
<b>Taloja Central Prison</b>						



## Chapter III

### Findings across Sites

#### 1. Aurangabad Central Prison

##### *Mulakat*

Mulakat is available for families of inmates as per the procedure. However, there is little assistance provided to help obtain the documents for *mulakat*. Many families who are unaware of the imprisonment of the inmate do not request for *mulakat*. It has been observed that special *mulakat* for children of prisoners are not taking place. The only method by which prisoners stay in touch with their children is through telephonic conversations in the mulakat shed. When children visit female prisoners, they do so while inmates are behind bars and hence there is no physical contact. According to the inmates, many of them are unaware about the whereabouts of their children and therefore these children need to be traced. According to the Superintendent, there are 50-70 requests for mulakat per day, and they are therefore unable to accommodate all requests in a given day, as they do not have the sufficient facilities to provide mulakat for all on the same day. The women prisoners shared that post release, there should be a shelter for the women prisoners, as most of them did not have families who would accept them back.

##### *Legal issues*

A number of inmates did not get police escorts for their court hearings. Some cases have been pending for more than 6 months. Many inmates did not get bail even in petty offences due to non-production in court.

Some inmates have not been allocated lawyers for their hearings and legal aid lawyers under DLSA rarely visit the prison. Inmates do not get an opportunity to interact with Probation Officers as they do not visit the prison. There is no display of information on the common board regarding free legal aid in prison, leaving inmates unaware about this provision. Overall, prisoners get very little assistance in matters of appeal, contact with the police station, proper legal guidance, status of their case and parole information.

It was mentioned that DLSA conducted para-legal trainings for the inmates in order to enable them to write their own applications for legal help. However, there is no provision to help those

inmates who are illiterate. New inmates do not get post cards or stamps to contact families through letters. The Jail Court system is non-existent and the Video Conferencing facility was not functioning.

### ***Vocational training***

Trainings available for prison inmates include carpentry, black smithy, handlooms and tailoring, and saw mill work. Mahindra Motors has initiated a special project within the prison to train prisoners on switch gear making and scooter parts. The money that the inmates receive during training can be used for their expenses (buying coupons to purchase items from the prison canteen). This money can also be sent to their family members through money order.

### ***Health issues***

Basic treatment and first aid services are available in the prison. The prison doctor and the ANM provide treatment or consultations if the prisoners have minor health issues. However, inmates complain about doctors giving them the same tablets for every ailment. This shows lack of trust between patients and the medical staff in prison.

A major issue that arises is arranging police escorts for prisoners to be taken to hospitals for treatment, for instance if they need to be taken to the OPD in the Civil Hospital. This is a challenge as the escorts provided by the police are limited in numbers. There is also a need to appoint a full-time psychiatrist in the prison to help deal with the prisoners who have mental illnesses.

### ***Women prisoners***

Indira Gandhi National Open University and Yashwantrao Chavan Open University classes are conducted in the prison in the Women's Section. There is a library that is available in the prison. The prison teacher suggested that there should be a separate library for the Women's Section and that one staff should be appointed to maintain book keeping as well as other records. The prison teacher also suggested that inmates could spend their free time in the library.

## **1. Taloja Central Prison**

### ***Mulakat***

The inmates are entitled to *mulakat* but most families of prisoners are unaware of the *mulakat* facility. Special *mulakat* with children of inmates is not taking place, as they only speak to their children via intercom in the *mulakat* shed. According to most inmates, they do not have information about their families, and are worried about them. They requested that assistance should be provided to trace and contact their families. Those inmates who have family support receive money via money order. However, those who do not have the support of their families do not receive any money. According to the Superintendent, there are 150-200 requests for *mulakat* per day, and they are therefore unable to accommodate all requests in a given day, as they do not have the sufficient facilities to provide *mulakat* for all on the same day. Inmates also want permission to attend family events e.g. if there has been a death in the family, etc.

### ***Legal issues***

The District Judge of Raigad visits the prison, as the prison falls within his jurisdiction. However, representatives from other courts do not visit the prison. New inmates do not get post cards or stamps to contact families through letters. The prison also lacks facilities such as the Jail Court. There is no display of information on the common board regarding free legal aid in prison, leaving inmates unaware about this provision. A number of inmates do not get police escorts for their court hearings. Some under trial prisoners have not been taken to court for their hearings for more than 6 months. Many inmates do not receive bail even in bailable offences due to non-production in court. Some inmates have not been allocated lawyers for their hearings and legal aid lawyers under DLSA rarely visit the prison. Inmates do not get an opportunity to interact with Probation Officers as they do not visit the prison. Overall, the prisoners get very little assistance in matters of appeal, contact with the police station, proper legal guidance, status of their cases and parole information.

### ***Video conferencing***

There is a provision for video conferencing but it is not functioning due to lack of infrastructure. Duty counsels need to be made available for the video conferencing.

### ***Health issues***

There is a spread of skin infection amongst the inmates and according to them, there is doctor present in the prison but they believe that his prescriptions are of no value. TB and HIV(+) inmates do not get a special diet for their health. There is also an ambulance provision in the prison. There are positions of 4 Medical Officers - 3 posts are filled, however 1 remains vacant. When there is a medical emergency, cases are treated in the prison itself. However, when the case becomes critical, the inmate is sent to the Civil Hospital. There are 25 hospital beds available in the prison. It was also observed that the orthopedic surgeon is supposed to make regular visits every Tuesday, but is not doing so. The DOTS and ICTC centres are not available in prison. There is an ECG and a blood check-up laboratory but the doctor suggests the need for a mini operation theatre and a dental chair in the prison. NGOs are providing medical camps for the inmates' health.

### ***Vocational training***

There is a scope to conduct vocational trainings in prison as a lot of space is available.

### ***Rehabilitation services***

Even though this central prison is newly constructed, there is lack of facilities for the staff as well as the inmates. There is a gap of rehabilitation services within the prison. More manpower is required to effectively deal with the prisoners. There is scope to develop cultural and hobby based activities within the prison and the department can explore sports as a therapeutic option for inmates. It is recommended that a specialized, trained staff is required in the field of working on human behavior.

### ***Other issues***

There is an issue of lack of police escorts for the inmates from districts such as Raigad, Thane and Mumbai. It was also observed that the District and Sessions Courts and police officers need to attend the Inter-Departmental Committee on Prisoners meetings on regular basis in order to assess the needs of escorts to help a smoother process of them producing the inmates before their respective courts in the required districts.

There is a teacher in the prison. Books are also available in the library and there is a need to develop a system of distribution of these books.

### **3. Yerwada Central Prison**

#### ***Mulakat***

Mulakat is offered twice a month for convicts and once a month for under trials. In order to be eligible for mulakat, inmates must submit documents of relationship, identification or court affidavits. The families of the inmates are not aware about the rules and regulations regarding mulakat that are set by the Department. Many relatives get scared about the complexity of police and court procedures, and try to avoid the same thereby getting deprived of mulakat in the process. Many families do not meet inmates in prison due to their residence being at a long distance from the jail. A number of families live in other districts or states and due to lack of awareness about the system, financial constraints, lack of friends/relatives who can help in town, no scope of stay back arrangements they are unable to make visits to the prison.

Convicted inmates are allowed to use the telephone facility once every fifteen days. The telephone facility is not available for under trials.

#### ***Legal issues***

Many inmates are not able to avail of bail facilities due to lack of proper documents. They were found to be unaware of their case status. This can be attributed to gap in services provided by the lawyers through the DLSA as many times they do not follow-up the case, and in a number of instances, do not submit the *vakalatnama* in time.

Prison officers have stated that certain inmates who have been imprisoned for petty offences are given bail but due to inability to arrange to pay the bail amount as well as lack of sureties, they remain in prison unnecessarily.

Another issue faced in prisons is the lack of police escorts to take under trials to courts, due to which delays occur in the trial process. Prisoners are also not aware of their case status in matters of appeal in the High Court, as they remain uninformed by their lawyers who rarely make prison visits. Lawyers also do not tend to respond to letters written by inmates.

### ***Health issues***

The Chief Medical Officer has been appointed in prison and basic treatment and first aid services are available in prison. When inmates have minor health issues, they are treated by the prison doctor or the ANM. Due to overcrowding in prisons, contagious diseases spread amongst inmates such as skin infections. In a number of instances, inmates do not follow norms of personal health hygiene which cause health issues in prison. Another problem that arises due to overcrowding is that the lack of sufficient number of health practitioners leads to lack of attention to the inmates and the resources available for treatment are limited. Due to the lack of knowledge of medicine, inmates tend to blame the doctors for giving the same medicines for all types of ailments. In a number of cases, inmates are unable to produce treatment papers in order to verify their medical history. There are no facilities for treatment of serious illnesses in custody. Arranging escort for treatment outside (OPD in the Civil Hospital) is a challenge as the escorts provided by the police are limited in number. Many posts such as the X-Ray technician, counselor, and medical officer remain vacant.

### ***Vocational training***

Trainings are available for inmates in the prison. The scope of the trainings is limited to the trades available in the prison industry. Under trials however do not have direct access to these trainings, but some of them can work by requesting the authorities. Skilled workers get Rs.55/- per day as per the rules. Some of the work offered to inmates include - furniture work, smithy, leather work, power loom work, tailoring, baking and piece rate work on a special project of Mahindra Motors. The inmates do not get certificates for the skills they acquire in prisons. These certificates if provided would be helpful to them upon release. The wages received by inmates can be saved in their prison accounts. This money can be used for their expenses for purchasing items at the canteen, etc. Inmates can also send this money to their family members.

#### *Details of motor training given to inmates by Mahindra and Mahindra:*

Work: Motor/ wiring training

Inmates: 40

Training period: 1 month

Education required: Upto 10<sup>th</sup> Std

Timings: 8 am to 11 am, 12pm to 4pm

Wages: The company gives Rs. 200/- per day per inmate but inmates get only Rs.55/- per day as per prison rule.

The company issues a certificate on completion of the training. After release from the prison, the inmate can get a job in the company as a trainee worker

.

### ***Women's issues***

Many women in custody are charged with homicide, ITPA, etc. (sessions court cases). Most women are not able to avail *mulakat*, as their families stay in distant districts and at times the family members do not have the necessary documents to prove their relationship with the prisoner. There is a special *mulakat* available for children below 12 years in a separate room inside the prison.

Women are not aware of the legal rights they are entitled to. Some women informed that despite having taken their fees from the family members, the lawyers are not appearing during the court dates. The lawyers do not keep them updated with their court matters. No representatives from DLSA come to meet the women prisoners.

Women complained that they get the same medicines for all illnesses. The inmates are taken to the government hospitals only in emergencies. It was observed that the female doctor who had come from the Mental Hospital was not equipped with basic check-up equipment.

### ***Others issues***

Children of prisoners remain neglected in terms of their education. There is need for improvement in the training, job and overall family support given to the women inmates. There are problems of rehabilitation with regard to the release of women prisoners convicted with life imprisonment. Since most of these women are senior citizens, rehabilitating them into the mainstream society becomes a challenge.

Probation Officers very rarely visit the prison. Prisoners are unaware about Probation Officers. Women in particular are not kept up-to-date about who will be visiting from DLSA for legal aid purposes. Most of the women prisoners are arrested in Sessions court related matters, and are under a lot of stress. Women convicts can call home from the prison but this facility is not available for women under trials.

An anganwadi is setup outside the prison. Anganwadi sevika, anganwadi helper and one guard from the prison take care of the children of prisoners. ICDS provides dry snacks as sukha bhel, biscuits and chikki. Separate diet is provided for the children (2 bananas, 500 ml milk, bread, rice, roti, dal, vegetables). For breakfast, they are given poha, upma, jaggery, ground nuts. If any child needs a special diet, then they are given 2 eggs.

#### **4. Nashik Borstal School**

##### ***Mulakat***

The families of inmates in the Borstal School are allowed to come for *mulakat*. However, those inmates who have families that reside at a distance from the Borstal School rarely come for *mulakat*. Presently, very few families come to visit the inmates, while some of the families are difficult to be traced or contacted.

##### ***Legal issues***

One major issue that the inmates face is that they do not have access to documents that are seized by the police during the search undertaken at the time of the arrest. Many of the inmates do not have legal documents to prove their age, or are unable to present the same when required.

##### ***Health issues***

There is lack of proper medical services available to inmates, and a number of medical posts remain vacant such as those of psychologist and psychiatrist.

##### ***Programs and activities***

Presently there is a lack of programmes and activities in the Borstal School that can help create awareness towards citizens' rights and rehabilitation of inmates.

##### ***Education***

There is a need to extend educational aid and support to help reconnect youth to the education stream. It is important to help provide them with scholarship opportunities as well as sponsor their fees for admission in open schools.



### ***Vocational training***

Skills training is provided to inmates under the Prime Minister's Skill Development Scheme.

### ***Other issues***

The Borstal School is the only institution found to be over staffed and under populated. The staff at the Borstal School welcomes the idea of a social worker. However, they are unaware about the role of the social worker, despite the social worker from Prayas making visits for the follow-up of cases. The Nashik School of Social Work (IMRT) places students for field work in this institution.

## **5. Nashik Central Prison**

### ***Mulakat***

*Mulakat* is conducted twice in a month for convicts and once a week for under trials. There are certain documents that have to be furnished by inmates in order to be eligible for *mulakat* such as documents of relationship, identify documents and court affidavits. The inmates and families are unaware of the rules and regulations to be followed while applying for *mulakat*. It has also been observed that the family members do not meet the inmates frequently, due to their residences being far away, as many families live in another district or state.

### ***Legal issues***

The Jail Court is not functioning in the prison. The only court that is functioning as a Jail Court is the Central Bus Stand Court. All the other courts are far from the prison. Inmates are also rarely intimated about information pertaining to their cases and there is delay in provision of legal aid by the DLSA. When legal aid is provided to prisoners, there is no follow-up conducted and the legal aid lawyer does not work effectively in the appeal cases. It has been observed that four lawyers visit the prison regularly and write applications on behalf of the inmates. However, apart from filing the *vakalatnama*, the DLSA lawyers do not maintain follow-up regarding the status of the cases. It has also been observed that the legal aid lawyers at times suggest that the inmate plead guilty in order to prevent lengthy trials as well as prevent delays due to unavailability of escorts. Another issue that inmates face is the issue of furnishing cash and surety bail, as they come from economically weak backgrounds.

Private lawyers do not follow-up with their clients, and in matters of appeal, advocates do not visit the inmates in prison. In a number of instances, applications are returned to the prison from the High Court or Supreme Court due to lack of documents. Probation Officers also do not visit the prison.

### ***Health issues***

The prisoners complain that they do not get medicines when needed. There is a spread of skin infection within the prison and medical check-ups are only conducted at the time of admission.

### ***Women's issues***

Women prisoners are not provided with vocational training. Probation Officers from the DWCD visit the Women's Section and are provided information by the Jailor. Beautician training and tailoring services are provided by an NGO. One of the inmates in the prison is a teacher by profession.

### ***Vocational training***

Training is given to inmates through workshops, as a part of their sentence. As per the prison rules, unskilled inmates get Rs.45/- per day, semi-skilled inmates get Rs.50/- and skilled inmates are offered Rs.55/- per day. Inmates are involved in furniture manufacturing, iron work, leather work, baking, weaving, etc. The tailoring, soap making and bakery units are functional in the prison. However, the prisoners do not get a certificate from the concerned department identifying their contribution.

### ***Other issues***

A number of posts remain vacant, for instance there are not enough guards. Overcrowding in prisons is also an issue. Many prisoners have children who they are unable to properly take care of and provide them with an adequate education. There are no education facilities within the prison. In many cases, there are no male earning members in the family. The ICDS balwadi has not been implemented in this prison. A balwadi is run by an NGO, Nashik Social Service Center. Immunization of children is done as per schedule through the Municipal Corporation and children of prisoners are given proper nutrition. A special diet is given to pregnant women inmates, and clothing is provided as per the needs of the inmates.

## **6. Nagpur Central Prison**

### ***Mulakat***

Nagpur Central Prison follows the traditional system of *mulakat* (there are no intercom facilities) due to which there is too much commotion as everyone is shouting for their relatives to hear. The prison department is still in the process of installing the intercom facility. There is no special *mulakat* for children left outside the prison. Inmates are unable to make phone calls to their relatives as police verification of phone numbers takes time. The male inmates mentioned that they get a special *mulakat* once a year where they can physically meet their children. The *mulakat* shed is constructed outside the prison gate so that the relatives can directly access the *Mulakat* Section without entering the prison but there is a need for facilities such as drinking water, canteen and toilets as relatives travel from far.

### ***Legal issues***

The DLSA advocate visits on every Wednesday. She processes bail applications, reviews applications of convict prisoners, juveniles below 18 years in custody and facilitates the transfer of their cases to the Juvenile Justice Board. She sends applications for parole and furlough to the Collector's office and follows up with the authorities. Though she does her work with sincerity, she is yet to be paid for the cases completed and for the prison visits made. There is a perception that if an inmate gets a DLSA lawyer, he/she is sure to get convicted so even prisoners who are very poor exhaust their resources to hire a private lawyer. Many of the inmates are languishing in prison, as they have been given cash bail but they do not have money to pay it.

There are no other lawyers or para-legal volunteers except one lawyer come from DLSA. Also, there seems to be a communication gap between the advocates, DLSA and the prison administration.

Due to delay of escorts, inmates do not get regularly produced in court increasing the pendency in courts. None of the inmates have any information about their appeals in the High Court and Supreme Court.

Parole is limited to not more than 30 days. The inmates shared that they should at least get 3 months (90 days) so they can settle their family matters and help the family on the farm. For new

convicts, there is a system of cash surety of Rs 20,000/- and two people to stand surety which has made the process of granting parole difficult.

Convicts do not have necessary documents to file their appeals in the High Court. It was suggested that the under trial period of the inmates should be considered for calculating remission. Presently, the prison department does not include the under trial period in calculating remission period.

### ***Video conferencing***

There are four VCs of which two are not functioning. Two VCs are placed in the same room due to which the inmates are unable to hear what the magistrates speak. Inmates are only given the next date through VC. Some information like the status of the charges-sheet and bail, if bail has been approved or rejected is given through the VC. Some inmates are unable to access bail options. In rare cases, bail was granted but no information on the bail amount was given through the VC.

### ***Health issues***

There is no gynecologist and no nursing staff inside the Women's Section. There are no facilities for pre-test counseling and counseling of HIV (+) women. One of the most pressing issues is the lack of de-addiction facilities for inmates suffering from withdrawal symptoms due to substance abuse. First timers suffer from anxiety and depression, while some prisoners belonging to smaller gangs fear revenge from mafia gangs inside the prison.

A psychiatrist visits once a week and the clinical psychologist has been appointed hence she is available every day in prison. Two posts of psychologists have been sanctioned for a temporary period of three months. Earlier, mentally ill women were sent to Civil Hospital for treatment but now they are treated inside the prison.

The psychologist shared that the inmates complained of sodomy and violence in prison. Psychologists conduct mental health assessment of the new comers in prison. Between 2-4 p.m. the psychologists visit the inmates in the medical barrack but no visits are made to the barracks inside the circle.

The inmates shared that same medicines like Avil, Rantac and Paracetamol are administered for all illnesses. One packet of sanitary napkins containing 8 pads and one soap for bathing and washing (usually lasts only 8 days) is given to the women every month but if they need extra sanitary napkins or soaps, they have to buy from the canteen stores. Women complained that there is no special diet for sick inmates including children. Only HIV (+) women are given extra bananas.

Medical camps are conducted in prisons but no medicines are provided to the inmates after the camps. There are facilities for a dental treatment inside the prison, but the dental chair is old and the facility lacks equipment. The dentist is available on a visiting basis and there is no full-time post of a dentist in the prison.

### ***Vocational training***

Women prisoners requested some basic training in computer skills. There is a need to have vocational training for the youth aged 18-21 years in prison so that they can get a job once they are released.

The inmates get paid Rs 40/- per day for unskilled job like cleaning and for other skilled jobs such as working in power loom, carpentry, black smith they get paid on a piece-rate basis. So, if they do not complete one piece a day, they are not entitled to get the Rs 50/- per day. It is unfortunate that not all convicts get work. There is need to have a different kind of work for older convicts.

There are traditional occupations like making toran and mats for women. Other trainings like rearing goats, poultry, growing flowers and vegetables should be given.

### ***Rehabilitation***

Women accused of spousal murders have nowhere to go post their release. Especially for such women, there is no support from the marital family and the natal family is too poor to bring up the children. The inmates are unaware about the Probation Officer's visits as they rarely visit. Help needs to be provided to inmates whose farms have been untilled in their absence.

Both male and female inmates suggested that they should be provided with loans to start business when they leave the prison as they have no savings and have spent most of their savings for the court trial.

### ***Other issues***

Organizations like Rotary Club organize camps but do not provide medicines. NGOs like VARHAD and Sahayog Trust provide legal aid to inmates.

There are senior citizens above 60 years, who as per certain rules, are eligible for release provided they have finished 1/3<sup>rd</sup> of their sentence but this issue is neglected by the prison department. Some inmates complained that the police are stationed outside the prison and they often re-arrest prisoners on their release. Convicts from other states should be transferred to their home state as there is a language barrier. Some convicts cannot communicate and hence it is difficult to make contact with their families.

In case of some inmates, they informed that their families were not aware that they were in prison. Families of inmates who stay far away are unable to visit the inmates regularly. In few cases, there is no family support from either side and in cases where the mother is accused in the murder of the father, the in-laws' family do not permit the children to meet the mother.

The prison has huge land and a large convict population. Thus, the prison department needs to make a constructive use of land to engage more number of inmates in activities.

There is a need to focus on rehabilitation of youth offenders. There is scope for more NGO intervention for the coordination of services between the youth and the prison department.

## **Chapter IV**

### **Major Findings**

Each prison has its own ecosystem and faces challenges and issues that are unique to its circumstances, but when we place it in the larger context of the prison system in India, there are issues that cut across the six sites of data collection. These are systemic issues which need to be addressed if rehabilitation and correction is to be realised. Given below are issues that are understood as common across all the prisons that were a part of this study.

#### **❖ Barriers to *Mulakat***

There are issues such as difficulty in obtaining documents in order to avail *mulakat*, red tape in the procedures, and large number of *mulakat* requests that are difficult to process. There is also the issue of inadequate space and facilities in the *mulakat* shed. There are quite often, cases where *mulakat* becomes difficult because the families either do not know that the person has been incarcerated or they live too far away and are too marginalized to make the travel to the prison.

#### **❖ Need for Improved Vocational Training Programme**

The vocational training facilities are available mainly for the convict population as mentioned in the Prison Manual. The number of convicts is less and they are already engaged in different work. The prison factories are short of raw materials. In this situation, providing work to under trials is a challenge. It is need of the inmates to get some skill training and work on piece rate basis. Many of the inmates are educated and skilled. Very few prisoners are uneducated and/or unwilling to work. If provided an opportunity, the prisoners would be happy to acquire at least one skill and certificate of the skill to fulfil the promise that prisons are for rehabilitation and reformation. Providing marketable skills in prison will help them to get employment outside when they get released.

Imparting computer skills will help because it would be in keeping with the current demands of the job market. There is space for diversifying the trainings. Per day wages given to the inmates for their work is very low. It would also be beneficial to the inmates' rehabilitation if they are provided with certificates/documents that recognize their skills and experience. Furthermore, not

all inmates get work during their stay in the prison. There is also the need to expand skill-based trainings offered to women prisoners.

#### ❖ **Dearth of Health Facilities**

Physical and mental health is a grave concern. Prisoners have spoken of how the same generic medicines are given for illnesses/symptoms. Mental health facilities and practitioners are not adequate. There are common mental health issues like withdrawal symptoms due to addictions, anxiety, depression, etc. There are not enough police personnel to escort patients to the Civil Hospital for serious ailments or procedures. There are not adequate facilities in prison for minor procedures. The medication to be made available to HIV(+) or TB patients needs special attention. Overcrowding in prisons leads to spreading of communicable diseases.

Mental health is the most neglected part of the health in custody. The prison system has very poor health facilities without specialized services for mental health. The psychological assessment of prisoners is done only on the orders of courts in particular cases. There are instances of cases where the prisoner was mentally disturbed before his/her arrest. Due to custody, the inmates do not get to meet their dear ones which further affects them. Many inmates go in depression and face complications of mental health.

Counseling is one of the important services required for the inmates as they are very disturbed and in a traumatic state of mind. They need to process and understand what is happening with them. This facility should be available from the time of police custody our system has not accepted it as a necessary service. Thus, the role of social worker to engage in these communications is important. A professionally trained counselor is necessary in the prison setting. In Nagpur Central Prison, we observed that the counselor did not place enough trust in the inmates and the clients did not have faith in the service provider. Thus, it is necessary to review the service. The counselors need some basic training and sensitization to improve the outputs.

Many posts of Medical Officers lie vacant. There is also need for gynecologists for women prisoners. Sanitary needs of women prisoners also need greater consideration.



### ❖ **Inadequate Access to Legal Aid**

Many of the prisoners do not know the reason for their arrest. They do not know of their rights or how to access these rights. Questions like what is bail, what is free legal aid, etc. are common. It is necessary to make them aware about these provisions as there are chances of them getting misguided and cheated.

There should be a regular programme for the awareness on how to engage a lawyer from the DLSA, how to follow up with their lawyers, etc. This work should be carried out in coordination with the DLSA. Many times, the DLSA does not focus on the issues of the inmates. The lawyers provided in these cases fail to do a continuous follow up on the respective dates of the inmates. Many DLSA lawyers take the signatures of the inmates and disappear.

The DLSA has a duty to reach out to various socially excluded groups. Custodial population is one of them. The social workers can approach the DLSA to organise awareness programmes.

The interaction with Probation Officers is also not according to the provisions made in the law. The POs hardly visit the prison. Video conferencing facilities are not fully functional. Jail Courts function on an infrequent basis. The prisoners do not have access to documents of their arrest or pertaining to their age.

The 'plead guilty' strategy is used to avoid lengthy trials but is counter-productive, as it leads to a police record being created. The follow-up from lawyers is not regular. There is a lack of faith among prisoners on the DLSA lawyers leading them to turn to private lawyers which is a drain on their meagre resources. The DLSA lawyers are not compensated on time for their services.

The parole time is insufficient for prisoners who are involved in farming.

### ❖ **Lack of Police Escort**

The number of police escorts available for court hearings and hospital visits is not sufficient. Sometimes this leads to under trial prisoners not being able to avail bail even in bailable offences.

## **A) Court**

The police department provides escort for the prisons to escort the under trials for production before the courts on their respective court dates. There is a shortage of police escorts. Many of the inmates are unable to reach court just because they do not get police escort in time. The system is trying to find a solution to minimize the shortage of escorts through video conferencing, jail court, etc. despite which the lack of police escorts is a major issue in Maharashtra prisons.

## **B) Hospital**

Medical facilities available within prisons are very limited. The advanced tests and treatment facility is not available within the prisons. Thus, the inmates require to be taken to hospitals outside. The inmates need to be taken to Civil Hospital on the discretion of the Medical Officer. There are some issues that inmates are not able to explain regarding their health. The prison department, on the other hand, claims that it is not always necessary to send the inmates to hospital and the prison doctors can treat most ailments. Problems of the inmates related to skin diseases and communicable diseases needs to be taken care of in time.

### **❖ Issues Relating to Women Prisoners**

There is a need for a more diverse vocational training for women prisoners. *Mulakat* facilities and need for physical contact with their children is needed. Greater attention is required for their special medical needs. The educational and familial support system of the female inmates' children needs more attention.

### **❖ Work in Prison Factories**

The work in prison factories is limited to convict population, as they face a shortage of raw material. Prison factories provide the trades which are traditional in nature such as smithy, carpentry, baking, tailoring, handloom, power-loom, etc. Additionally, they have started some contractual work like assembling of automobile parts, auto service station in Yerawada Central Prison, laundry service in Nashik Central Prison, etc. As per the law, under trials cannot be forced to work in prison as they are under judicial custody. However, this is the dominant population in prison and they have time ranging from 6 months minimum to 3 years as under trials. This time can be utilized to train and educate them. The government skill development program should be introduced inside the prisons of Maharashtra. As a policy, this program can

be implemented and monitored by the Officer of the Commissioner of Skill Development and by District Officers close to the respective prisons.

#### ❖ **Recreation Facilities**

The recreation facilities for the under trials are not available in prison as the television and FM radio in some prisons are the only source of recreation and entertainment. The NGO run activities and programmes are available in few prisons but they are not sufficient. Celebration of national days is the popular source of recreation. There is need to introduce recreation facilities, entertainment programmes, competitions, sports activities on a regular basis with the help of NGOs and government departments like the Department of Youth Affairs and Sports.

#### ❖ **Library Facilities**

The libraries in prison are available but not functioning regularly. Reading material is not available for under trials as it is not permitted by the Prison Manual. Newspapers are available for the inmates but in limited quantity. Through efforts of Prayas, the District Libraries have been linked with the prison department. On taking membership from the District Library, the prison department can avail books from the library on a rotational basis. The books are made available to the inmates through the literacy teacher in prison. There is a need to create posts of librarians in at least the central prisons, and a separate budget head for purchase of library books in prisons.

#### ❖ **Services by NGOs**

There are some activities run by the organizations but they are very few in number and not regular. They provide their services on certain occasions such as Independence Day, Eid, Raksha Bandhan, etc. Some organize health camps, etc. But there are very few organisations such as Prayas and VARHAD working for the rehabilitation of prisoners. Thus, there is a need for the organizations to work on a long-term service delivery.

#### ❖ **Pre-Release and Post Release Services**

The intervention of social worker is very important in the custodial situation. The social worker can provide various services mentioned above. The Prison Manual provides relief for the convicted population in prison, but there is no provision to address the needs of the under trial population. They are more in number and are more vulnerable in getting pulled in to serious

crime by coming in contact with the habitual offenders. This issue creates scope for the intervention by trained social workers in criminal justice, and specifically, in prison settings. If provisions for small loans are made available and be used by the inmates to start their own businesses then this can lead to financial independence. There are provisions in place for the release of senior citizens. However, these are often neglected and results in the inmates languishing in prisons at that stage of life. This needs some attention.

#### ❖ **Integrated Counseling and Testing Centre:**

The Integrated Counseling and Testing Centres (ICTCs) exist in many central prisons we visited. We were unable to meet the social workers and counselors on the job. It is revealed from the inmates of the respective prisons that they conduct the blood tests. They also said that that the ICTC just takes their signature or thumb impression on the form and they do not explain why the tests are being carried out. Thus, we observed that the social workers do not visit the barrack and the staff take the cases to ICTC.

#### ❖ **Transfer of Juveniles to Juvenile Justice Board**

In few cases of youth offenders, it is observed that they do not have the documents to prove their age. They are minors but they appear older. So, the police records show their age as major. In the event of an inmate's physical appearance being younger and the inmate claiming that he is minor, they should be given an opportunity to examine their age and necessary procedures to be followed. The criminalization and stigmatization of such inmates can be avoided if they can be given better an opportunity for reformation and rehabilitation by producing them before the juvenile justice system.

#### ❖ **Video Conferencing**

In the context of Maharashtra and especially rural areas, the functioning of the VC system is a big challenge due to load-shedding, failure of internet services, and lack of technical expertise of the staff working in court and prison. Lastly, on the issue of human rights of the person in custody, one cannot deny the right of a person to visit the court at least once in 2-3 months.

#### ❖ **Jail Court**

Jail courts visit the prisons on intervals to assess the cases and try to expedite the matters which are petty in nature to minimize the overcrowding in prison. Though it is a progressive system, it

has limitations too. The system sometimes ends up in using this facility for inmates who are willing to plead guilty so the right to fair trial is denied. The social worker has to be alert to the misuse of such systems.

#### ❖ **Balwadi /Integrated Child Development Scheme:**

The children below the age of 6 years are allowed to accompany their mothers in prison. In many cases, the mother does not have any option other than to carry their children in custody. Thus, the Hon. Supreme Court in the writ petition of R. D. Upadhyaya v/s State of Andhra Pradesh issued the orders and directions to all the state governments on how to take care of the children in custody with their mothers. One of the directions given by the Supreme Court is that the balwadi should be started outside the custody and within the prison premises so that the children will not remain deprived of education and their natural right to child hood. Thus, in many prisons the anganwadi is started but the prison staff is not much in favour of this service in prisons, due to additional burden of escorting the children to the balwadi outside and bring them back after the balwadi timings are over.

#### ❖ **Child Sponsorship Schemes/DWCD:**

The Department of Women & Child Development (DWCD) has a range of services for the welfare and development of women and children. But somehow these services do not reach the needy persons who are in custody. Many children drop out when their parent/s are imprisoned. If they get the access to the sponsorship schemes, the children can continue their education without constraints. The women who need shelter after release should be provided shelter in the homes run by the DWCD. Self-employment for women is possible through the schemes of the department. The women should be treated as women in need of protection as their chances of victimization increases due to the social stigma.

#### ❖ **Probation Services**

Probation services are also a part of the Department of Women & Child Development in Maharashtra. The Probation of Offenders Act came into effect from 1958 in India and the State Rules formulated in 1966 enabled the probation services. The probation services are currently under the DWCD. Probation services have the potential to rehabilitate prisoners through community based services. It is known as social legislation for the rehabilitation of the young and first-time offenders.

## **Chapter V**

### **Role of the Social Worker**

An understanding of the role of the social worker was drawn out from the needs that were expressed by prisoners during the study. The common issues underlined in the preceding chapter give a fairly detailed context to understand the role of the social worker in prisons.

#### **1. Aurangabad Central Prison**

The social worker can make home visits to check-up on children of prisoners. There is also a need for the social worker to work in coordination with the Probation Officers in cases such as 'Grant-in-Aid' scheme for released prisoners and arranging shelter for he released women or aged women. There is a need to follow up with the Department of Women & Child Development and the ICDS to ensure that the ICDS Balwadi is present in the prison.

The social worker should help create awareness amongst the relatives of the inmates regarding the *mulakat* system through letters, phone calls and meetings. The social worker can also play a role in organizing special *mulakats* for the children of prisoners. They should help in *mulakat* arrangements including assistance in providing food, shelter, tickets and guidance on the documents required to the concerned families. To arrange *mulakats* for prisoners on a given day based on the number of requests, the social worker should take it up in the District IDC meetings for more feasible solutions.

The social worker should organize sessions on legal aid as well as coordinate with the local law colleges to encourage senior law students to engage in legal internships to provide legal guidance to prisoners. These students can also help provide legal counsel as well as assist the prisoners in writing applications. Social workers can help follow-up in a few deserving cases, as well as coordinate between lawyers and family members through phone calls and court visits. The social worker can also play a vital role in guiding the family to produce documents for *mulakat* and bail as well as act as a point of coordination between the inmate and DLSA, police station and the courts.

There is a need to introduce trainings for more marketable skills that are suitable for mainstreaming the inmates in society post release. After release from prison, social workers can help guide the released prisoners by connecting them with the Department of Women & Child Development.

The social worker can help arrange health sessions on personal hygiene, sanitation and general health awareness. They can also help arrange programs on mental health with the help of the psychologist and psychiatrist appointed in the prison, as well as organize health check-ups and treatment camps in collaboration with the prison authorities, private trusts willing to conduct camps in prison. The social worker can coordinate with NGOs who are working on health issues to conduct health awareness programs. Coordination with the prison doctor and the family of the inmate is also required in order to help assess the medical history of the inmate.

## **2. Taloja Central Prison**

The social worker with the help of Prayas and the Superintendent should do regular follow ups with respect to provision of police escorts for taking prisoners on their court dates. The social worker should also develop a rapport with the local NGOs and district library to explore effective services that can be provided to inmates.

The social worker should help create awareness amongst the relatives of the inmates regarding the mulakat system through letters, phone calls and meetings. The social worker can also play a role in organizing special *mulakats* for the children of prisoners. They can help locate the family members of certain inmates that are difficult to trace as well as organize emergency meetings for those deserving inmates. They should help in *mulakat* arrangements including assisting in providing food, shelter, tickets and guidance on the documents required to the concerned families. The social workers should assess the needs of the inmates and help draw up a comprehensive mulakat plan (change in mulakat timings, PCO phones to be made available to families if there is overcrowding in mulakat shed, arrangements connected to special *mulakats*). Home visits and phone contact with families of inmates will be helpful for the social workers to develop a rapport with the inmate families, which could subsequently make the rehabilitation process smoother.

The social worker should help create awareness amongst the inmates regarding free legal aid, and issues of bail etc. as well as organize programs on legal aid and role of DLSA within the barracks

The social worker needs to network with the Civil Surgeon for ensuring that there are effective medical services within the prison. The social worker with the help of the prison administration can coordinate with Municipal Corporation and MDACS to run DOTS and ICTS. The social worker can also assist the NGOs in providing medical camps which can subsequently help with the distribution of medicines that can help inmates

### **3. Yerwada Central Prison**

The social worker should create awareness amongst the relatives of the inmates regarding the *mulakat* system through letters, phone calls etc. The social workers should assist in organizing special *mulakats* for the children of prisoners. They can also help provide emergency assistance for those deserving family members who for certain reasons find it difficult to engage in the process. Assistance can be provided in the form of providing food, shelter, travel expenses, guidance for obtaining requisite documents etc.

The social workers can help organize sessions on legal aid and coordinate with the legal aid societies or local law colleges as well as engage senior law students in legal aid internships. They can provide legal guidance and counseling and help inmates write applications with the help of law students. Social workers can follow up in a few deserving cases (selection criteria can be developed based on the situation in the long run). The social worker can coordinate and activate the services of the DLSA as well as coordinate with the police officials. It has also been observed that under-trials belonging to other districts should be sent back to those specific districts as they do not get escorts on a regular basis for production before a court.

Prisoners who participate in trainings need certificates from authorities and the social workers need to follow up with the departments concerned for the same. There is also a need to introduce more marketable skills for the convicts, in order to help them mainstream in society. There is also a need to develop linkages between acquired skills and self-employment loan schemes or help ensure that the welfare department introduces a supportive scheme to the economically weak. After release from prison, social workers can help guide the released prisoners by



connecting them with DWCD, or with District Officers from the Department of Social Justice of the district. Social workers can help give information about the Commissions of the respective communities based on their caste/ religion.

The social worker can help arrange sessions on personal hygiene, sanitation and overall health awareness. Sessions should also be arranged on mental health with the help of the psychologist and the psychiatrist appointed in the prison. The social worker should arrange health check-ups and treatment camps, this should be done in collaboration with the prison Medical Officer, Civil Hospital, prison authorities and private Trusts willing to conduct camps in prison. The social worker can coordinate with NGOs who are working on health issues as well as coordinate with the prison doctor and the families of patients in order to determine the medical history of the patients. The social workers can also help put pressure to ensure that vacant posts are filled in time by the respective departments. They can explore the possibilities of medical interns to be posted in the prison as part of an internship program, in order to help overcome the shortage of manpower.

Social workers can help women with the *mulakat* process, particularly those women who have children. They can provide proper guidance to their families and help in the coordination process. Social workers can also make women aware of their basic legal rights and beneficial provisions to them as per relevant Acts as well as the Indian Penal Code. It is important that women are made aware of the health programs available by the respective Government Health Department. They can also help with the coordination between doctors and women in custody.

Social workers can make home visits of the prisoners in order to know how their children are faring and to give prisoners family updates, or telephonically convey the messages of prisoners if they are unable to conduct home visits.

Social workers can make follow up visits for old age inmates who have been released and help connect them to the Sanjay Gandhi Niradhar Yojana or with the Department of Social Justice. There is also a need for social workers to work in coordination with Probation Officers in cases such as Grant-in-Aid for released prisoners and to help arrange shelters for the released women and aged women.

#### **4. Nashik Borstal School**

The social worker should create awareness about *mulakat* and also help contact the families of the inmates and guide the families as to what is the best course of action to take keeping in mind the best interests of the inmates.

The social workers can act as intermediaries between the police and inmates, in order to help collect the required documents that were seized by the police at the time of the inmates' arrest. The social workers can also help trace certain school related documents such as results of inmates, school Leaving Certificate etc.

The social workers need to actively follow up with the Medical Officers and prison authorities regarding the medical check-up of the inmates. The social worker can help organize various sessions on rights based awareness. Social workers can help ensure that the education aid is available to the inmates even after release.

The Borstal School has a link with the ITI, so the social worker needs to explore this connection including the available facilities of training and refer the cases for training.

The social workers can help with the organization and follow up of the schemes for the welfare of the inmates.

#### **5. Nashik Central Prison**

The social worker needs to maintain a rapport with the families of the inmates by making home visits and phone calls. The social worker can help family members produce the requisite documents for the *mulakat* and bail procedures.

The social worker can help follow up cases of appeal in the High Courts and the Supreme Court. The social worker can help facilitate better coordination between lawyers and family members and help family members produce the required documents for the appeal. Social workers can coordinate with DLSA for better coordination and implementation of schemes. Social workers should help inmates with appeal applications and follow up when needed.

After inmates are released from prison they should be given certificates for the work they were involved in during their stay in the prison, in order to portray the work, experience they have received to help them with future job prospects.

Social workers should identify the common needs of the inmates before starting the provisions of services in prisons. Social workers can work from the Circle Office (Tower) as they may have direct contact with prisoners.

## **6. Nagpur Central Prison**

The social worker can connect the clients who require special attention to the counselors appointed in prison and follow up with them regarding the mental health of the inmates. For those clients suffering from mental illness who cannot express themselves, the social worker can make home visits to the family to gain more information about them.

There is a need for a de-addiction centre within the prison. The social workers can network with NGOs and the Civil Hospital to run such a center within the premises. During counseling if the inmates share about experience of violence and abuse in prison the same needs to be immediately brought to the attention of the higher authorities.

The counseling services in prison should improve. It was more in the form of regular interaction asking questions and giving advice about addiction, epilepsy and enquiry into the background of their cases. The social workers can closely work with the psychologist for inmates who need long term intervention and provide in-depth counseling.

The social workers need to organize sessions for inmates on legal aid with the help of DLSA and High Court Legal Aid Committee, Nagpur.

The social workers need to follow up with legal matters of inmates in coordination with NGOs like Sahayog Trust, VARHAD and para-legal volunteers visiting prison.

The social workers can make regular home visits in regard to the Women's Section cases to understand the status of the family support available for them during the trial.

## Role of Social Worker across Sites

- The social worker should help create awareness amongst the relatives of the inmates regarding the *mulakat* system through letters, phone calls and meetings. The social worker can also play a role in organizing special *mulakats* for the children of prisoners. They should help in *mulakat* arrangements including assistance in providing food, shelter, tickets and guidance on the documents required to the concerned families. To arrange *mulakats* for prisoners on a given day based on the number of requests, the social worker should take it up in the District IDC meetings for more feasible solutions.
- The social worker needs to maintain a rapport with the families of the inmates by making home visits and phone calls. The social worker can help family members produce the requisite documents for the *mulakat* and bail procedures.
- The social worker can conduct sessions for prisoners at the time of entry into prison on legal issues, so that they are aware of the processes that are to be initiated further. Inmates/convicts can be divided as per their legal status and information can be provided. The social worker would be to categorize the under trial and convicts according to the legal status of their case and provide specific information to them.
- The social worker should organize sessions on legal aid as well as coordinate with the local law colleges to encourage senior law students to engage in legal internships to provide legal guidance to prisoners. These students can also help provide legal counsel as well as assist the prisoners in writing applications. Social workers can help follow-up in a few deserving cases, as well as coordinate between lawyers and family members through phone calls and court visits. The social worker can also play a vital role in guiding the family to produce documents for *mulakat* and bail as well as act as a point of coordination between the inmate and DLSA, police station and the courts.
- There is a need to develop the credibility and confidence about the service through regular follow up. In case of inmates not being able to access bail due to lack of money or surety, the social workers should explore other options like release on PR Bond, etc.

- In case of lack of balwadi services within the prison, social workers need to follow up with the ICDS and liaison with Probation Officers to refer cases and provide schemes of Bal Sangopan Yojana for children' education and support.
- Social workers can help inmates write letters to facilitate communication between families and clients. The social worker need to develop a rapport with the family towards rehabilitation and legal aid etc.
- The social worker can help arrange health sessions on personal hygiene, sanitation and general health awareness. They can also help arrange programs on mental health with the help of the psychologist and psychiatrist appointed in the prison, as well as organize health check-ups and treatment camps in collaboration with the prison authorities, private trusts willing to conduct camps in prison. The social worker can coordinate with NGOs who are working on health issues to conduct health awareness programs. Coordination with the prison doctor and the family of the inmate is also required in order to help assess the medical history of the inmate.
- Prisons need to introduce courses like cooking, gardening, vegetable farming, beauty treatment, goat and chicken rearing.
- Social worker can follow up on various government schemes like Sanjay Gandhi Niradhar Yojana, Awas Yojana, and Grant-in-Aid scheme to help inmates start their own business post release.
- Social workers can develop a resource directory of services like shelter homes, health facilities, vocational training etc. within their district that can be useful to provide need based intervention to inmates.
- Social workers should also facilitate organising entertainment programs to bring out the creativity of the inmates.

## **Conclusion**

This scoping study was undertaken to make an initial assessment of the issues in the lives of the prisoners. The observations and findings are aimed to expose gaps and identify areas of intervention. This report has attempted to not just look at each individual prison, but also collectively identify the common issues across prisons in order to identify what the role of the social worker can be. Therefore, the reader will find that the report contains both issues specific to each prison and the larger challenges that we face in furthering correctional and reformative work with prison populations. Thus, this report has made an attempt to define the role of social worker within the prisons towards the welfare and rehabilitation of prisoners.

## ANNEXURES

### *Annexure I*

*(Concept note of the upcoming project sent to the Chief Minister of Maharashtra State)*

#### **Reformative and Rehabilitative Services in Maharashtra Prisons:**

##### **A Pilot Initiative**

The issue of rehabilitation of prisoners and their families is an important subject within the broad parameters of social welfare and social protection. Over the years, the work of a few organizations in Maharashtra, notably supported by Tata Trusts, has been able fill a gap in addressing the welfare and rehabilitation needs of prisoners and released prisoners, their families and children. Rehabilitation services have proved highly useful in reducing the burden on the criminal justice system, especially the prison department, as persons who are successfully rehabilitated, rarely re-enter the system. Institutions such as Tata Institute of Social Sciences, Mumbai have also played an important role in promoting developments in the area of prison reforms and rehabilitation of vulnerable prison populations in a number of locations across the country.

Based on the results achieved so far through the involvement of such organizations in rehabilitation of prisoners, the Home Department (Prisons) has been exploring the possibility of starting a pilot project to appoint trained social workers in the nine central prisons of the state, as a systemic and formal model for rehabilitative and reformative services in Maharashtra. If implemented, Maharashtra would be the first state in the country to take this progressive step of developing a structured mechanism to provide psycho-social and rehabilitative services to crime-affected population. However, the model needs to be tested before the government is able to commit long-term funding as well as human resources in this area.

The Government of Maharashtra would like to enter a partnership with the Tata Trusts to set up a pilot project focusing on the reformation and rehabilitation of prisoners and their families in the nine central prisons of Maharashtra for a period of three years. While the government will be an active implementation partner in this process, financial support for the pilot project is sought from the Trusts. At the end of the three years, a review of this pilot will be conducted and if found beneficial, the government will formalize and institutionalize the process.

The proposed model for the ‘Pilot Initiative for Rehabilitation of Prisoners’ will comprise the following components:

1. ***Appointment of social workers/welfare officers on a contract basis for three years for placement in the male and female sections of each of the nine prisons:*** The costs relating to their appointment, training and working in the field will be supported by the Tata Trusts, while the infrastructure will be provided by the prison department. The social workers will be responsible for:
  - Arranging legal guidance to the prisoner, liaison with lawyers, or arranging for his/her legal aid
  - Liaising with the prison administration in connection with the attending to the health problems, and for arranging educational, recreational or vocational training activities for prisoners
  - Maintaining contact between the prisoner and his/her family
  - Arranging for post-release support in terms of alternate shelter, medical support, hospitalization, emergency financial support (immediately on release), professional and government-recognized vocational training, arranging for loans for self-employment, and liaising with the police to avoid police re-arrest based on suspicion
  - Linking with after-care programmes which will have to be created by collaborating with appropriate agencies who can provide such services for released prisoners.
  
2. ***Strengthen legal aid services for under-trials, especially from socio-economically marginalized groups:*** A review of the current system will be first carried out, including establishment of data by the State Legal Services Authorities about the number of prisoners provided legal aid by the State. Further, resources for enhancing the compensation for legal aid lawyers will be piloted by identifying revenue sources to enhance the funds available from within the system. For instance, by utilizing fines collected by the criminal justice system.
  
3. ***Improve the health and hygiene situation inside prisons:*** In order to address the health and hygiene needs of prisoners, the following initiatives could be piloted.
  - Incorporate prison service in the bond of graduating MBBS students, both men and women



- Develop an agenda to address women’s menstrual health and hygiene concerns within prisons. Organizations such as Goonj could be collaborated with to ensure adequate supply of sanitary napkins. This could be linked with production of low-cost and recyclable napkins.
- Regular health awareness programs in prisons in partnership with the Health Department and short-term training programs like first-aid course, community health work for women prisoners, etc. Not only will this enhance the availability of health services in prison, it will also be a possible source of livelihood after release (as ASHA workers, for instance).

**4. *Develop a network of Law colleges across the state to establish legal clinics within the nine central prisons.*** Legal clinics within the prisons will reduce the burden on the judicial system, by reducing the time and effort required for pre-trial, pre court proceedings, such as writing applications, collecting necessary documents and submitting them to the appropriate officials within the system.

- Batches of students will be placed on a weekly basis inside the prison premises to help prisoners and under trials with writing applications and resolving basic queries
- Applications received will be reviewed by the professors at the colleges, to ensure accuracy and legal compliance
- The reviewed applications will be submitted to the appropriate authority, by the students on behalf of the prisoners and under trials.

**5. *Strengthen the current probationary system,*** to ensure the comprehensive rehabilitation of released prisoners, under trials who are out on bail and those who are eligible for probationary release under the Probation of Offenders Act, 1958.

The responsibility for conceptualizing, mentoring and implementing the pilot project in the nine central prisons will lie with a ‘**Sub-Committee (SC) on the Pilot Initiative for Rehabilitation of Prisoners**’. The Sub Committee will be appointed by the State Inter-Departmental Committee (IDC) on Prisoners. This Committee has been functioning since 1994 to undertake steps and monitor prison reforms in the state. The meetings of the State IDC are convened by the Principal Secretary, Home Department (Prisons), GoM. The other members of this Committee include:

- Principal Secretary, Law and Judiciary Department, GoM
- Principal Secretary, Women and Child Development Department, GoM

- Addl. DG and IG of Prisons, Maharashtra
- Nominee of the DGP, Maharashtra
- Member Secretary, Maharashtra State Legal Services Authority
- Prayas, a field action project of Tata Institute of Social Sciences

The Sub Committee may be chaired by the IG Prisons, Maharashtra, with a nominee of the Tata Trusts and a nominee of the Tata Institute of Social Sciences as members. The Sub Committee will be responsible for the selection process, appointment, training and functions to be carried out by the social workers in the project. The Sub Committee may associate or invite officials from other departments or non-official members from time to time, as per need.

**A mid-term review, followed by a final evaluation** of the model will be completed through the assistance of an external expert agency i.e. an organisation which has experience and expertise of correctional social work.

Based on the findings of the evaluation, a report will be submitted to the Government of Maharashtra. The Government of Maharashtra will then make a decision whether reformative and rehabilitative services need to be institutionalized within prisons.

***Annexure II***

***(Response received from the Chief Minister, Maharashtra State office to Shri Ratan Tata, Chairman, Tata Trusts)***

Mr.Ratan Tata

Chairman, Tata Trusts

Mumbai- 400005

Dear Mr. Tata,

I have been informed by my officers that the Tata Trusts's upport to institutions such as Tata Institute of Social Sciences (specifically, their project, 'Prayas') has contributed to the rehabilitation of under-trial and convicted prisoners as well as assists families of prisoners, especially their children. The support provided by the Tata Trusts to initiatives such as Prayas, working in prisons across the state over the last 25 years, has clearly helped in establishing the need for trained social workers in prisons and custodial institutions. Expanding such work is both necessary as well as critical to ensure that Maharashtra can be a model state with comprehensive rehabilitative services leading to a substantial lowering of repeat offending behaviour.

It is, therefore, my considered view that reformation and rehabilitation of prisoners, and prison reforms should be undertaken in a systematic and professional manner across the state of Maharashtra. This would be particularly crucial for addressing the situation of under-trial prisoners, who currently comprise more than 65 per cent of prison population. Providing them effective legal aid and support will not aid release of those who have not been convicted, but will immensely reduce the pressure on the system and the infrastructure. Additionally, working with under trials, a majority of whom are youth will ensure that we create a society that is productive and contributes to the vision of a developed state and nation.

I solicit the Tata Trusts' support to work in conjunction with the Government of Maharashtra to demonstrate the need for rehabilitative, reformatory and corrective services within the Prison Department. A three-year pilot project can be started in the nine central prisons of the state whereby trained social workers can be appointed to engage in the welfare and rehabilitation of vulnerable and socio-economically marginalized groups in prisons and with children/families of prisoners. We seek this support with an assurance, that if such a pilot is proved useful, the Government of Maharashtra will institutionalise social work/welfare services in prisons across the state.

A note delineating a suggested plan of action for a fruitful collaboration between the Government of Maharashtra and Tata Trusts is appended.

Devendra Fadnavis

Chief Minister, Maharashtra

*Annexure III*

*(Permission letter issued by Director General of Police (Prisons) for conducting the scoping study)*

*Annexure IV*

*(GR issued by Home Department for forming Project Implementation & Monitoring Committee)*

*Annexure V*

**Focus group discussion guide with Inmates(Convicts/Undertrials)**

**GENERAL:**

- Years in prison - as under trial or convict
- Reasons for arrest

**LEGAL AID and COURTS:**

- Type of legal aid – free legal aid lawyer or a private lawyer
- Stage at which legal aid was made available - remand, bail or trial stage
- Knowledge about free legal aid scheme / DLSA
- Experience with free legal aid services, if any
- Experience with lawyer
- Knowledge about bail procedures, PR Bond, trial process, probation, etc.
- Experience with judge
- Suggestions to improve legal aid system
- Any interaction with POs
- Experience with appeal process – availability of lawyer, availability of information about the stage of appeal, etc.
- Experience with parole and furlough and suggestions if any
- Situation of production before court – physical and/or video linkage

**FAMILY SUPPORT**

- Contact with family – how often, mulakat in prison / court, sending money home, etc.
- Reasons for not having contact with family
- Situation of family, especially children

**HEALTH SERVICES**

- Feedback about medical facilities in prison
- Response system in case of emergencies
- Presence of lady doctor – full time or visiting doctors
- Need for counsellor or visiting psychiatrist
- Situation of escort services for taking to hospital
- Availability and quality of special diet for sick prisoners
- Availability and quality of special diet for pregnant mothers and children in prison
- Availability and quality of immunization and vaccination facility for children in prison
- Availability and quality of sanitary napkins in women's section

## **SERVICES PROVIDED BY NGOs**

- Visits by NGOs and type of services provided
- Quality of intervention, benefit to prisoners, regularity, accountability, etc.

## **MULAKAT FACILITIES**

- Procedure of prison mulakat facility and suggestions to improve the same
- Mulakat system for children outside the prison - arrangement of special mulakat
- Telephone facility to speak to with families/children outside for under trial and convict prisoners

## **VOCATIONAL TRAINING/EDUCATION/RECREATION/LIBRARY FACILITIES**

- Availability of skill training facilities and types
- Views on usefulness of training skills after release
- Suggestions to improve vocational training facilities
- Availability of educational/computer facilities
- Type of work given and wages – any suggestions
- Availability of recreation facilities and suggestions
- Availability of library facilities and newspapers, and suggestions

## **PRISONERS WITH CHILDREN**

- Availability of facilities for children- toys/anganwadi/pediatrician/clothes
- Procedure for transfer of children after completion of 6 years
- Family support outside to take care of children outside and identification of needs of these children
- Situation of children living in institution and level of contact with them – identification of needs for these children
- Access to government schemes for children outside

## **PROBLEMS FACED IN PRISONS (GENERAL)**

- Suggested role of social worker in prison
- Access to citizenship documents and banking

## **Post release support**

- Future plans after release
- Services needed on release - shelter, emergency support and long term support
- Knowledge about 'Grant-in-aid scheme' for released prisoners
- Knowledge about shelter facilities after release



*Annexure VI*

*(Focus group discussion guide for interviewing prison personnel during the scoping study)*

**Focus Group discussion questions with**

**Superintendent /Prison Staff (Senior Jailer Circle Jailer, Guards, Matrons, Guruji)**

## **Demographics**

- Population of undertrials (F/M), Convicts (F/M) and children
- Age group pattern
- Staff strength and types on staff available
- Total capacity of the prison

## **General**

- Policy of transfer of prisoners
- Visitor's board meetings – frequency, issues discussed, minutes maintained or not, decisions taken, and suggestions to improve the forum
- Suggested role of social worker in prison

## **Children of prisoners**

- Problems faced by children of prisoners left outside
- Problems faced by children living in institutions
- Anganwadifacilities and suggestions to improve the same
- Presence of teacher – full-time or part-time and scope for improvement in their role
- Procedure to transfer children after completion of 6 years
- Suggestions to improve the situation of children of prisoners – inside and outside
- Role of social worker and probation officer vis a vis children of prisoners left outside

## **Legal aid/Bail/Parole/furlough**

- Situation of legal aid facilities and procedure to access services
- Presence of jail court and procedure to identify prisoners to be produced before jail court – suggestions to improve the same
- Experience with regard to production of under trials in court
- Experience with video conferencing inside prison
- Reasons for under trials not getting bail
- Reasons for under trials not availing bail after grant of bail
- Visits by Probation Officer – frequency, quality of work, coordination with jail staff, suggestions, etc.
- Suggestions to improve the legal aid system and improve coordination with DLSA

## **Health:**

- Situation of health facilities for serious and minor illnesses
- Health awareness programmes conducted in prison- government or NGO
- Situation of mentally disturbed prisoners – facilities and suggestions
- Testing and treatment of HIV or TB patients – facilities and suggestions

## **Vocational training/ Education/Recreation/Library:**

- Type of VT/education/recreation/library facilities
- Type of work given and wages
- Suggestions to improve the same

**NGO visits:**

- Visits by NGOs and type of services – frequency, quality of services, etc.
- Coordination between NGOs and prison staff - suggestions

**Post release support:**

- Problems faced by prisoners after release – under trials, convicts, women, etc.
- Knowledge about residential institutions or NGOs helping prisoners after release

**Annexure VII**

*(Focus group discussion guide for interviewing Probation Officers during the scoping study)*

**Focus group discussion guide with Probation officers**

- What are your current responsibilities?
- How many times do you visit the barracks? How many inmates do you work with on an average every month?

- How many times do you make court visits? (Per month)
- Are these visits adequate? If not, what are some of the reasons that you are unable to make the desired number of visits as well as rehabilitation work?
- What support would you require to ensure that you are able to perform your role effectively?
- Are there any NGOs providing any support currently?
- Is there a scope for NGOs to provide support? What kind of support would you expect from the NGOs?
- What are your suggestions to improve the coordination with between the prison authorities and NGOs to ensure that welfare and rehabilitation of inmates

## **Annexure VIII**

*(Focus group discussion guide for interviewing NGOs during the scoping study)*

### **Focus group discussion guide with NGOs**

- What services are you currently providing to the inmates?
- What are some of the challenges in providing these services?
- Can you tell us, the different kind of problems that inmates and their families deal with?  
In what ways can these problems be addressed?

- Can you suggest ways in which the coordination between the prisons system and the NGOs can be improved?

*Annexure IX*

*(Copy of the guideline issues taken up for the baseline survey during the scoping study)*

**Guidelines for baseline survey:**

*A. Under trial prisoners*

## **Legal aid services**

- i. Do you have lawyer in your case? Government or private?
- ii. Are you satisfied with the services?
- iii. Who paid the lawyer?
- iv. Is the lawyer appointed through DLSA?
  - A. How? during request round in prison? During the visit of the Judge? Jail court of VC
  - B. Legal aid for convict – through legal aid / private - during request round in prison? During the visit of the Judge? Letter to Court /
- v.
- vi. Ability to approach legal aid authority
  - i. Appointment of lawyer through legal aid panel
  - ii. Procedure to give lawyer to a prisoner – under trial (remand, bail and trial stage), convict (appeal stage) – forms, application, etc.
  - iii. System to monitor work done by legal aid lawyers
  - iv. Problems faced to provide legal aid
  - v. Suggestions to improve the system
  - vi. Under trial prisoners not getting bail in bailable offences
  - vii. Prisoners undergoing sentence instead of availing/being granted fine
  - viii. Can prisoners avail of legal aid services in appeal cases
  - ix. Is there a jail court in the prison and do the prisoners get legal aid during the jail court
  - x. Do they get PR Bond during the jail court
  - xi. Are the PO reports called for in PR bond and probation cases
  - xii. The facilities of video conferencing inside the prison
  - xiii. Regular police escorts for court dates
  - xiv. Production of prisoners during court dates
  - vii. Sending application to judge/magistrate through prison authorities
  - viii. Legal awareness posters inside the prison barracks
  - ix. The prisoners' case related papers (charge-sheet, Judgment copy), lawyers' name, documents – are all these with the prisoners

## **Health issues**

- Compounder and doctor in the prison
- Visiting lady doctor (permanent or visiting)
- Health awareness programmes conducted in prison
- Mentally ill/disturbed prisoners in the prison and are they under treatment
- Visiting psychiatrist in the prison
- Immunization and vaccination of children
- TB/HIV patients are there and are they segregated

- Testing of HIV patients
- Availability of police escort for hospital
- Nutrition/diet of pregnant women, children, seriously ill patients
- Availability of ambulance in the prison
- Provision of sanitary napkins for the women

### **COP**

- Anganwadi facility – where, teacher is regular
- ICDS provisions are implemented or not
- Diet as per the age of the children and what?
- Provisions of toys and clothes for children
- Availability of paediatrician
- Mulakat of outside children
- Condition of the children outside
- Availing of schemes for outside children
- Availability of telephone facility with families/children outside for both undertrial and convict prisoners
- Responsibility of the authorities of admitting a child above 6 years of age
- Facilities to get the child inside with the mother – who does it

### **Prisoners without family support**

- How many prisoners are there who do not have any contact with families and reasons
- Since how many years are they in prison as undertrials or convicts
- Plans of such convict prisoners after their release
- Availing of bail facilities, appeal facilities
- Do they have some prisoners supporting them inside the prison in the absence of family support

### **General**

- Do they have citizenship rights documents
- Availability of work and wages
- Contact with family
- Money order received from family/sent to family
- Mulakat facilities and procedures
- Transfer of prisoners to their respective jurisdiction prison
- Visits by NGOs – type of services
- Visits by judge, members of visiting committees, etc.
- IDC meetings and Visitors Board visits
- Recreation – TV, carrom, sports, etc.
- Education – literacy classes, open school, open university
- Vocational training – courses, short-term activities

- Library facilities and newspapers
- List of residential institutions for women and children available in the office
- Role of probation officer, welfare officer or prison officer with regard to family problems, children, legal aid, health problems, etc.
- Availability of private lawyers and quality of service
- Availability of issue of postcards to prisoners

### **Convict prisoners**

- i. Legal aid for filing appeal
- ii. Pendency of appeal in HC
- iii. Situation of children of prisoners left outside
- iv. Procedure for granting parole or furlough – problems faced
- v. Type of work given and wages
- vi. Grant-in-aid scheme for released prisoners
- vii. Shelter facilities after release
- viii. Use of the training learnt inside the prison during their stay

### **Prison officers**

- i. Legal aid facilities and problems
- ii. Escort problem
- iii. Recreation, education and vocational facilities – any suggestions
- iv. Work and wages facilities – any suggestions
- v. Parole and furlough system, procedures and problems - suggestions
- vi. Premature release system – problems and suggestions
- vii. Inter-departmental coordination issues and problems
- viii. Main problems in the prison and suggestions
- ix. Problems faced as a prison officer and suggestions

### **Selection criteria for social workers**

- MSW qualification from recognized university
- Upto 40 years
- Minimum 3 years
- More preference to be given to social workers with work experience or fieldwork experience in the criminal justice system
- Domicile of Maharashtra State
- Knowledge of computer skills, Marathi

### **Selection criteria for coordinators**

- MSW qualification from recognized university and full-time course



- Upto 45 years
- Minimum 5 years
- More preference to be given to social workers with work experience or fieldwork experience in the criminal justice system
- Knowledge of computer skills
- Work experience as a coordinator, managements, administrative skills

**Selection criteria for Project Director**

- MSW qualification from recognized university and full-time course
- Upto 50 years
- Minimum 7 years
- More preference to be given to social workers with work experience or fieldwork experience in the criminal justice system
- Knowledge of computer skills
- Work experience as a coordinator or Director, management, networking, administrative skills

***Annexure X***

***(Copy of the advertisement published for receiving applications for the project positions)***

**Advertisement to invite applications for project-‘Welfare and Rehabilitation of Prisoners:  
A pilot demonstration in Central Prisons of Maharashtra’**

The Sir Dorabji Tata Trust (SDTT) and Allied Trusts (Tata Trusts) are a distinguished non-profit social organization founded by the members of the Tata family. Through grant-making, direct implementation and co-partnership strategies, the Trusts support and drive innovative programmes in the areas of natural resources management, education, healthcare and nutrition, rural livelihoods, enhancing civil society and governance, media, arts, crafts and culture and diversified employment. The Civil Society Strengthening (CSS) portfolio facilitates the growth of civil society initiatives in the criminal and juvenile justice sector to work with marginalized adults and children in conflict with law. Based on a bipartite agreement signed between representatives of Tata Trusts and Government of Maharashtra (Home Department), a pilot project will be carried out in the 5 central prisons of the state<sup>1</sup> and one borstal school. The project named 'Welfare and Rehabilitation of Prisoners: A pilot demonstration in Central Prisons of Maharashtra' (hereinafter referred to as Project) is being funded by the Tata Trusts and implemented by the Government (through the Prison Department) of Maharashtra. Prayas, a field action project of the Tata Institute of Social Sciences, working in prisons of Maharashtra for the last 26 years, is the technical partner to the Project. The Project is aimed at legal and rehabilitative services for undertrial and convicted prisoners (and their families). The Project is seeking candidates on a contractual period of three years (renewable every 11 months based on performance) for aforementioned project. The job descriptions for each have been described below:

### **Social Workers**

➤ **Positions:** Total 19

- 11 male social workers required for male sections of Taloja, Yerawada, Nagpur, Aurangabad, and Nasik Central Prisons, and the Borstal School, Nasik.
- 8 female social workers for female sections of Yerawada, Nagpur, Nasik, and Aurangabad Central Prisons.

➤ **Roles and responsibilities:**

- Make regular visits to the male/female section of the designated prison to establish rapport with staff and inmates and identify clients/beneficiaries to provide socio-legal support.
- Provide legal aid and information, draft applications, co-ordinate with lawyers, track court cases, liaison with police/prison authorities for police escort when necessary
- Organize legal awareness sessions for inmates
- Liaison with relevant government functionaries/non-governmental organizations to create sustainable model for legal aid services in the prison
- Establish & promote links between the prisoners and their families/relatives through home visits and phone calls.
- Organize health and mental health camps by liaising with relevant government and non-governmental organizations.
- Facilitate and provide emergency financial / non-financial assistance to families.
- Arrange educational/vocational and recreational activities in prisons by networking with relevant government agencies/NGOs.

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<sup>1</sup> Taloja, Pune, Nashik prison and borstal school, Nagpur and Aurangabad

- Provide information and facilitate linkages to government schemes for inmates and their families.
  - Make efforts to support children of prisoners left outside through home visits, guidance and counselling, liaison with government/NGOs, facilitate access to schemes, educational sponsorships, emergency or medical assistance, etc.
  - Provide guidance and counselling on issues relating to post-release issues and problems.
  - Prepare regular reports and documents about their work and progress.
- **Minimum qualifications and requirements:**
- Master's degree in Social Work from a recognized university
  - Domicile of Maharashtra State
  - Knowledge of computer skills, Marathi, English and Hindi
- **Desirable qualities/experience/skills**
- Preference to be given to social workers with work minimum 3 years' experience or fieldwork experience in the criminal justice system
  - A collaborative approach and experience of working with governmental systems
  - Knowledge of government schemes and skills to make linkages with them
  - Ability to work effectively in teams as well as independently
- **Age**
- Up to 40 years
  - **Salary** Rs 27500 pm (including benefits)

### **Project Director**

- **Position:** 1
- **Location:** Office of the ADG and IG Prisons, Pune
- **Roles and responsibilities:**
- Provide strategic direction for the implementation and development of the project
  - Ensure smooth functioning of the project and resolve barriers through meetings with jail officials, DIG and IG prisons
  - Regular monitoring of the progress of Project through on site visits, mentoring of staff, review of field records
  - Liaison with relevant government (state and district) departments (DLSA and court, Probation and DWCD, ICDS, Social justice) in conjunction with Prayas and the Trusts
  - Identify and liaison with non-governmental and other state agencies to identify resources in the State to link it with the project aimed at rehabilitation of the inmates (health, shelter, education, training etc.)
- **Minimum qualifications and experience:**
- Master's degree in Social Work
  - Evidence of leadership skills for 7 years or more

- Knowledge of computer skills
  - Skills in networking and liaising with governmental departments and agencies.
  - Fluency in Marathi, Hindi and English
- **Desirable qualities/experience/skills:**
- Preference to be given to candidates with work experience in the criminal justice system at a Project Manager/Director level
  - MPhil/PhD in social work or social sciences
  - Experience in leading and managing teams
  - Negotiation and facilitation skills of working with state and non-state agencies
  - Knowledge and experience with monitoring, evaluation and learning requirements
  - Good writing and presentation skills
- **Age:** Up to 50 years
- **Salary:** Rs 49,500 pm (including other benefits)

### **Project Coordinator**

- **Positions – 2**
- **Location:** As per requirement, attached to any of the Offices of the DIG Prisons at Pune, Aurangabad, Nagpur, or Mumbai and regular travel to project locations
- **Roles and responsibilities:**
- To provide onsite programmatic and administrative support to social workers across 6 sites of the project
  - To coordinate with jail authorities and social workers to ensure timely implementation of project
  - To ensure reporting and verification of data collected at each site (programmatic and non-programmatic)
  - To monitor and track project outputs on a monthly basis
  - To liaise with Monitoring and Evaluation officer, in data collection and reporting
- **Educational qualifications:**
- Master's degree in social work from recognized university
  - Minimum 5 years of experience as a project coordinator, project management
  - Knowledge of computer skills
  - Fluency in Marathi, Hindi and English
- **Desirable qualities/experience/skills:**
- Preference to be given to social workers with work experience or fieldwork experience in the criminal justice system
  - Experience in managing teams
  - Negotiation and facilitation skills to work with state and non-state agencies

- Good writing and presentation skills
- **Age:** Up to 45 years
- **Salary:** Rs 38,500 pm (including other benefits)

### **Monitoring and Evaluation Officer**

➤ **Position – 1**

➤ **Location:** Office of the ADG and IG Prisons, Pune

➤ **Role and responsibilities:**

- Support the implementation of Monitoring and Evaluation plans of the program
- To ensure timely submission of Monthly & Quarterly report to Project Director
- Collection and analysis of data from 6 project sites and ensure the quality and authenticity of the data.
- Contribute to the implementation of effective monitoring, review and evaluation strategies and activities for the program as against the agreed project deliverables
- Maintain up to date accurate records on MIS data and program indicators at all levels.
- Support the compilation of information, including workshop reports, quarterly and annual reports and review and re-planning reports.
- Support the development of tools and resources for use by the program being developed by the M and E consultant
- Support assessment processes within Project
- Assist in managing any relevant external technical support that may be required for the project
- Support the Programme director in the compilation of data
- To do periodic Site visits for monitoring of project records at each project site.
- To assist in the training of social workers on data collection tools through methodologies best suited for them
- Undertake periodic data analysis of target vs achievement and submit to program director

➤ **Minimum qualifications and experience:**

- Master's degree in Economics, Statistics, Population Studies (Demography), or Development Studies (or equivalent) with at least 3 to 4 years of relevant monitoring and evaluation experience in the development sector
- Fluency in Marathi, Hindi and English

➤ **Desirable qualities/experience/skills:**

- Experience of prior managing Monitoring and Evaluation in the developmental sector.
- An understanding of development issues and desirable if prior experience in the field of criminal and juvenile justice.
- Working experience on analytical software packages (SPSS/ STATA)

- Excellent analytical, writing and verbal communication skills
- Ability and willingness to undertake travel primarily between the different project sites
- **Age:** Upto 45 years
- **Salary:** Rs 44000 pm(including other benefits)

### **Finance Officer**

- **Position – 1**
- **Location:** Office of the ADG and IG Prisons, Pune
- **Roles and responsibilities:**
  - Oversee the financial operations of the program and ensure timely and accurate financial reports and practices including cash management, payroll, financial disbursements, ledgers etc.
  - Responsible for entering financial information and maintaining all financial records for projects and for the organization.
  - Preparing and maintaining fund flow on a quarterly basis
  - Manage financial control, prepare and analyze budgets, develop financial reports
  - Monitor the expenditures to ensure that program funds are utilized appropriately by the close of the fiscal year.
  - Ensure that all financial reporting is completed on time and submitted to both Government and Tata Trusts
  - Oversee the financial audits of the program
- **Minimum qualifications and experience:**
  - The applicant must possess a master’s degree in Finance/Accounting, or equivalent, from a reputed institute.
  - Minimum 3 years post qualification experience in a similar position
- **Desirable qualities/experience/skills:**
  - Strong financial and accounting skills
  - Well versed with standard financial and accounting software
  - Good inter-personal skills and the ability to work independently
  - Good written and oral communication skills
  - Knowledge of Marathi, Hindi and English
- **Age:** Upto 45 years
- **Salary:** Rs 27500 pm(including other benefits)

