

**JAIL ADMINISTRATION IN MIZORAM:
A CASE STUDY OF CENTRAL JAIL AIZAWL**

**M.Phil.
DISSERTATION**

Submitted by:

Ms. Lalchhuantluangi

Department of Public Administration

Regn. No.: MZU/M.Phil./23/27.4.2010

in

Fulfilment for the degree of
MASTER OF PHILOSOPHY

Supervisor:

**Dr. Lalrintluanga
Associate Professor**



**DEPARTMENT OF PUBLIC ADMINISTRATION
MIZORAM UNIVERSITY
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CERTIFICATE

This is to certify that **Ms. Lalchhuantluangi** has prepared a Dissertation under my Supervision on the topic *Jail Administration in Mizoram: A Case Study of Central Jail, Aizawl* in partial fulfillment for the award of the Degree of Master of Philosophy (M.Phil) in the Department of Public Administration, Mizoram University, Aizawl.

This Dissertation has been the outcome of her original work and it does not form a part of any other dissertations submitted for the award of any other degrees.

She is duly permitted to submit her dissertation for examination.

Dated Aizawl,
the 16th December 2010

(Dr.LALRINTLUANGA)
Supervisor

DECLARATION

I, Ms. Lalchhuantluangi, hereby declare that the subject matter of this dissertation is the record of work done by me and that contents of this dissertation did not form basis of the award of any previous degree to me or to the best of my knowledge to anybody else, and that the dissertation has not been submitted by me for any research degree in any other University/Institute.

Dated: _____

(LALCHHUANTLUANGI)

ACKNOWLEDGEMENT

I express my sincere gratitude to my Supervisor, Dr. Lalrintluanga, Associate Professor, Department of Public Administration, Mizoram University, for the valuable guidance, help and encouragement which served as the basis for the completion of this dissertation. In fact without the help and guidance of Dr. Lalrintluanga, I could not have completed this work.

I sincerely extend my thanks to Dr. Srinibas Pathi, Professor & Head, Department of Public Administration, and other faculty members of the Department.

I am thankful to the Officers of Prison Department, especially Sri. C. Lalthianghlima, D.I.G. Prisons, Mizoram and Sri. K. Lawmthanga, Special Superintendent, Central Jail, who rendered all possible helps within their limitations.

I thank the prisoners of Central Jail, Aizawl, for their unlimited patience in answering the questions in my Questionnaire and Interview Schedule.

I would also like to express my gratefulness to my parents, for their prayer, endless support and encouragement, and to them, I dedicate this dissertation.

I thank all my friends and my fellow Staff and Principal, Boston Higher Secondary School, Aizawl, for providing timely help and support.

Lastly, I am grateful to the Almighty for blessing me with all the things that I need.

Dated Aizawl the _____

(LALCHHUANTLUANGI)

CONTENTS

	Pages
CHAPTER-I Introduction	1-10
CHAPTER-II Genesis of Jail Administration in Mizoram	11-29
CHAPTER-III Quality of Life of Inmates of Central Jail in Aizawl	30-48
CHAPTER-IV Working Condition of Central Jail Staff	49-69
CHAPTER-V Conclusion	70-77
BIBLIOGRAPHY	78-80
APPENDIX	81-85
ABBREVIATIONS	86
GLOSSARY	87

CHAPTER-I

INTRODUCTION

A study of Jail administration needs a proper understanding of the concept of 'Jail' or 'Prison' with a view to bringing out an operational definition for the present study. The researcher has also felt it equally necessary to examine the background of the land and its people within which an administration dealing with Jails or Prisons has been established by the government to confine criminals with the aim of checking the spreading of crimes in the society. Accordingly, the researcher has introduced in the first part of this Chapter the land 'Mizoram' and its people within whose social framework some type of Jail Administration had come into existence, and, in the second portion, dealt with the concept of 'Jail' or 'Prison' with a view to finding out an appropriate concept of Jail Administration for the present study.

I. Profile of the Land 'Mizoram' and the People

Mizoram was formerly known by different names. It was first known by the Lushai Hills and, later on, by the Mizo Hills of the composite State of Assam. It is a mountainous and hilly region located in the extreme southern corner of North-East India. Since its elevation as the 23rd State of the Indian Union on 21st February 1987, Mizoram becomes one of the smallest Seven Sister States of North-East India. The area of Mizoram is only 21,087 sq. Kilometres.¹

It is bounded on the North by the Cachar District of Assam and the State of Manipur, on the East and South by Chin Hill (Burma), on the West by Bangladesh and the State of Tripura.²

Mizoram is a storehouse of natural beauty with its endless variety of landscape, hilly terrains, meandering streams deep gorges, rich wealth of flora

¹ Government of Mizoram, *Statistical Handbook, Mizoram, 2000*, (Directorate of Economics & Statistics, Aizawl), p.viii.

² Government of Mizoram, *Mizoram: Some Facts*, (Directorate of Information, Public Relations and Tourism, Aizawl), p.1.

and fauna. The climate of Mizoram is pleasant and is neither too hot nor too cold throughout the year. It is generally cool in summer and not very cold in winter because the tropic of cancer runs across the territory at a place called 'Thenzawl.'³ The minimum temperature ranges between 10°C and 22°C and Maximum between 23°C and 32°C. Monthly average rainfall in the State is around 2,094 mm. Even those members of the Gorkha community, permanently staying in Mizoram since the British rule, have given a beautiful new name to it as "a naturally air-conditioned State."

The State of Mizoram has been divided into 11 (eleven) districts, 23 (twenty-three) Rural Development Blocks, 24 (twenty-four) Sub-Divisions and 3 (three) Autonomous District Councils. The total number of villages as per 2001 census is 817. One of the biggest problems of Mizoram is the lack of good roads and development of communication networks. Extensive road building programme was launched in the area in 1966, that is, the year insurgency broke out in Mizoram. Now, Mizoram has a network of around 4000 km (2,486 miles) or minor or village roads and a small number of national highways. The village roads are primarily single lane or unmetalled tracks that are lightly trafficked. The State is connected to the Indian network through National Highway 54.

Ethnologically, the indigenous people living in Mizoram are the homogenous hill tribes of 'Mizos' who are believed to have migrated to their present habitat from the East. The original hill tribes/ sub-tribes and clans inhabiting Mizoram are Lushai, Ralte, Hmar, Paite, Pawi, Khawhkring, Khiangte, Chawngthu, Pachuau, Pautu, Hrahsel, Tochwawng, Vangchhia, Chhakchhuak, Zawngte, Fanai, Renthlei, and Lakher.⁴ It is, therefore, evident that the Mizo society is an amalgam of several indigenous tribes who have their own unique lifestyle and distinctive dialects. However, most of the Mizo tribes

³ Thanga, L.B., *The Mizos: A Study in Racial Personality*, (United Publishers, Gauhati, 1978), p.xiii.

⁴ Liangkhaia, Rev., *Mizo Chanchin*, (Nazareth Press, Aizawl, 1976), pp.9-21.

permanently living in Mizoram can comfortably speak Mizo language, called '*Mizo Tawng*,' which is the official language of Mizoram.⁵

Their Mizos are simple, sincere, intelligent, friendly, and hospitable. In spite of minor differences in the dialects of some tribes, the Mizo society is a simple, close-knit and gregarious society with no caste system.⁶

Historians believe that the Mizos are a part of the great wave of the Mongolian race spilling over into the eastern and southern India centuries ago. It is a popular belief among the Mizos that they came from *Shinlung* or *Chhinlungsan* located on the banks of the river Yalung in China. They first settled in the Shan State and moved on to Kabaw Valley to Khampat and then to the Chin Hills in the middle of the 16th century. The Mizo people once lived in western Myanmar from where they were believed to have migrated to their present habitat due to the pressure of over-population and of the Chins.⁷ It is, thus, evident that the Mizos are living not only in Mizoram but also in other States of the Indian Union namely Manipur, Assam and Tripura of the Indian Union and in foreign countries like Bangladesh and Chin Hill (Myanmar).

Mizoram is one of the most thinly populated States in India. According to the 2001 Census, the population of Mizoram is 888,573. The density of population is as low as 23 per sq. km.

Mizoram maintains the second highest literacy rate (89.47) in India. Though the majority of the Mizos have embraced Christianity as their religion, they are keeping alive their rich cultural heritage, colourful customs and traditions.

The main occupation of the Mizo people is agriculture. The majority of population live in the rural areas and around 52% of the population are engaged in agricultural activities to sustain their life. There is no practice of permanent cultivation of land and the people continue to use a slash and burn method of

⁵ Liangkhaia, Rev., *Op.cit*, p.90.

⁶ Soppit, C.A., *A Short Account of the Kuki-Lushai Tribes on the North-East Frontier Districts*, (Assam Secretariat Press, Shillong, 1898), p.10.

⁷ The term, 'Chins,' is now used for calling those tribes akin to the tribes constituting the term 'Mizos,' inside India.

shifting cultivation.⁸ There is no landholding system among the Mizos. The land belongs to the government which regulates its use by the people. Today, political leaders and administrators have realised the ill-effects of shifting cultivation. By way of stopping the practice of shifting cultivation, the State Government has introduced New Land Use Policy (1994) and the Mizoram Intodelh Project (2001) for the agricultural farmers in Mizoram.

The political institution among the indigenous people in Mizoram was chieftainship which lay in physical and intellectual power of a person who could command a large number of people and repel attacks from other Chiefs and enemies. In other words, one who had the ability to organise a force became a Chief. It thus, appears that the institution of chieftainship emerged out of the collective needs of group life which characterise tribal living.⁹

In the traditional period, every Mizo village was an independent entity with an autonomous institution for administration of local or village affairs. Each village had its own *Lal* or Chief who was independent of other Chiefs ruling over other villages. Accordingly, the Mizo Chief was bound by custom to act as the guardian and defender of the people living within his territorial jurisdiction.

Murder was a serious offence which hardly existence in Mizo society of ancient time. But if there was a murder case, the family of the victim had a liberty to take revenge and kill the murderer. But, the practice among the Mizos was that the murderer could rush to the house of the Chief to cling to the centre post for the protection of his life. When the murderer did so, he was said to have done '*Lal Sutpui pawm*' which literally means 'clinging to the foundation post of the Chief to save his life.' This is symbolic act by which the Chief was bound to protect the murderer. Once the murderer was under the Chief's protection, all others would leave him alone due to fear of confrontation with the Chief. By obtaining the Chief's protection, the murderer and his family had

⁸ Chatterji, N., *The Mizo Chief and His Administration*, (Tribal Research Institute, Aizawl, 1975), p.9.

⁹ R.N. Prasad, "Public Administration in North-East India", Vikas Publishing House, 2005, p. 1.

become the '*Chief Bawi or Dependant*' and hence lost their freedom and that of his descendents.¹⁰

Rape and sodomy were rare. But Sodomy was not considered a crime if committed with the consent of the pathicus. Rape was very rare. However, the practice of *zawn* was common in the past which was akin to gang-rape. Young men of a village would take a girl of loose character to a village corner or to some quiet place and enjoy her in turn. This offensive act was not considered an offensive and therefore, no punishment was provided. Rape, as we understand it today, was almost unknown.¹¹

There were many civil and criminal cases. The Chief was to try both civil and criminal cases with the aid and assistance of his Council of *Upa* or Elders. When cases were to be tried, the Chief's house *ipso facto* became the courtroom which should also act as the institution of Jail where the offenders would be kept to wait for the final verdict. It is to be noted that the Chief had the power of life and death and his decisions were final. The punishment varied depending upon the severity of the offence. A fine was imposed which varied from Re. 1 to Rs. 5 known as '*Salam*'.

Theft was rare among the Mizos, though it is becoming more common now. In the 'good old days', people did not use locks and keys in the villages. Punishment for theft varied according to the articles stolen.¹²

II. Concept of Prison *alias* Jail

The researcher has also looked into different conceptual frameworks of Prison or Jail with a view to giving an operational definition of the term for the present study.

The words 'Prison' and 'Gaol' are derived from the Latin words which mean 'Size' and 'cage' respectively.¹³ The Oxford English Dictionary defines

¹⁰ R. N. Prasad and P. Chakraborty, "Administration of Justice in Mizoram", A Mittal Publication, New Delhi, 2006, p. 17.

¹¹ R. N. Prasad and P. Chakraborty, "Administration of Justice in Mizoram", A Mittal Publication, New Delhi, 2006, p. 17.

¹² R. N. Prasad and P. Chakraborty, "Administration of Justice in Mizoram", A Mittal Publication, New Delhi, 2006, p. 19.

prison as, “a place properly arranged and equipped for the reception of persons who by legal process are committed to it for safe custody while awaiting trial or punishment.”¹⁴ Prison is traditionally defined as the place in which persons are kept in custody pending trial, or in which they are confined as punishment after conviction. Whatever may be the official designation of the prison as Jail, work-home, reformatory, penitentiary, State prison, house of correction or whatever else, it is a place where the punishment of imprisonment is executed.¹⁵ ‘Prison’ (with which the word ‘Jail’ is synonymous) is defined in section 3 (i) of the Prisons Act of 1894. It means any Jail or place used permanently or temporary under the general or special orders of a State government for the detention of prisoners; and includes all lands and buildings appertaining there but does not include – any place for the confinement of prisoners who are exclusively in the custody of the police, any place specially appointed by the State Government under section 541 of the Code of Criminal Procedure, 1882, or any place which has been declared by general or special order, to be subsidiary Jail.¹⁶

According to prevailing usage in India, the term “Jail” is a generic term which applies to penal institutions housing both prisoners awaiting trial and prisoners committed to sentences. Consequently, the Jails perform the function of remanded institution and prisons.¹⁷

According to the popular view of the Mizo people, “Jail is a place of punishments which a court may impose on those convicted offences against the criminal law”. In fact, Jail is not only a place of punishment but also a place of correction of inmate. Paterson opines, “Men come to prison as a punishment and not for punishment.”¹⁸

¹³ Jonna Kelley, “When the Gates Shut”, Longman, London, 1967, p. 7.

¹⁴ The Oxford English Dictionary, Vol. VIII, Oxford University Press, Calcutta, 1979, p. 1385.

¹⁵ R.N. Datir, “Prison as a Social System” Popular Prakasan, Bombay, 1978, p. 1.

¹⁶ Dr. B.P. Saraf, Ashok K. Saraf, “Assam Jail Manual”, GLR Publishing House, Guwahati, 1987, p. 37.

¹⁷ Extract from Recless, Lectures (address to the Prison Administrator at Tata Institute of Social Science, Bombay, 1952), January 1956, p. 2.

¹⁸ S.K. Ruck (Ed), “Peterson On Prisons”, Frederick Muller, 29 Great James Street, London, 1951, p.23.

The word Jail means different things to different people. To the law-abiding it is the place where Criminals end up. To the criminal it may be a vague hazard or unavoidable indignity often experienced. To the social inadequate it may be a shelter. To some isolated individuals it may be the only place where they can find some semblance of companionship. To the prisoner officer it is his place of work. To the administrator it is a unit that costs so much to run needs so many staff, can hold number of inmates. To politician it may be a headache. Some one who should be inside gets out or some one who should be outside has been mistakenly locked up.¹⁹

The purposes of Jail are protection of the community, supply of food, clothing and shelter to convicted criminal, protection of inmates from each other and from persons in the outside community, imposition of punishment and rehabilitation of criminals. These purposes are assigned by outsiders and are shared by institutional personnel, although some of them are logically contradictory.²⁰ Jail should be a moral hospital. Prisoners should be trained both in body and mind and so treated that they become fit for living in society after release.

Jail is not an autonomous body like a church. It is not independent system of power, but an instrument of the State, shaped by its social milieu and by stage of social, political and economic development. It reacts to and is acted upon by the society as various struggle to advance their interests.²¹

Jail administration forms an important part. It is one of the three important elements of Criminal Justice System, the other two elements being the Police and the Judiciary. Efficient Jail Administration can protect the citizens against social evils as well as reform the morals of the prisoners and hence plays an important role in Central and State Administration. Jail administration in India, has suffered neglect and lack of recognition. A lot has been talked about the police, a little less about the courts and almost nothing

¹⁹ Huger J. Klare, "People In Prison", Pitman Publishing, Kingsway, London, 1973, p. 3.

²⁰ Donald R. Cressy, "The Prison-Studies in Institutional and Organizational Change", New York, 1961, p. 5.

²¹ Indra J. Singh, "Indian Prison: A Sociological Enquiry", Concept, Delhi, 1979, p. 16.

about prisons and prisoners. The problems of prison administration need to be highlighted to focus public attention on this very vital sphere of social concern.

The operational definition of Jail Administration for the present study is that aspect of administration dealing with security custody and confinement of prisoners and training them up to be fit in body and mind to live in society after release. In this regard, Jail administration is required to play the role of a moral hospital to reform or rehabilitate the criminals. In other word, Jail administration for the present study connotes an administration of prison and prisoners which is governed by State Government to achieve the aforesaid objectives.

Review of Literature

Besides, the researcher has undertaken review of literature pertaining to Jail Administration in other parts of the country to prove that no study on Jail Administration Mizoram has been done so far by any other scholars within and outside the State.

Jaytilak Guha Roy in her *Prison and Society: A Study of the Indian Jail System* (1989) has carried out a study of Indian Jail System with Reference to Jail System in West Bengal. In this study, the author has recommended various correctional measures for Jail administration in India.

Another scholar, Kum Kum Chadha, in her book *“The Indian Jail: A Contemporary document”* (1970) has given an insight into the deplorable conditions in Indian Jails in general and Tihar Central Jail in particular.

The author, S. Ghosh in her *“Open Prison and The Inmates”* (1992) has selected two open prisons and two closed prisons for her study from the state of Uttar Pradesh, she has explored, analyzed and scrutinized the socio-psychological background and personality dynamics of prisoners of both open and closed prisons to unravel their adjustment processes and attitude structure from a comparative view point.

The other authors, Amarendra Mohanty and Narayan Hazary in *Indian Prison System* (1990) mentioned that the historical evolution of prison

administration in Orissa. The authors discussed structure, functions, process, and setting of prisons in India.

The author, S.P. Srivastava, in his book “*The Indian Prison Community*” (1977) has carried out a study of an oldest maximum security prison in India. This book is a significant contribution to criminological and correctional literature in India and provides a refreshing approach to a wide understanding of the Indian prison community.

And another author, R.N. Datir, in *Prison as a Social System* (1978) has described in detail the administrative organization, classification of prisoners, architecture of the prisons, prison discipline, prison labour, prison education, prison hygiene and open prisons; these topics dealt with in the context of Maharashtra State provide very valuable and not easily available information.

Commendable though they are in their respective works, none of the above works has dealt with Central Jail Administration in Mizoram. Hence, it has been decided to take up the present study with the following objectives.

Objective of the Study

- (1) to study the origin of Jail Administration in Mizoram with special reference to Central Jail, Aizawl.
- (2) to study the major functions of Central Jail Administration, Aizawl.
- (3) to assess the living conditions of the inmates of Central Jail, Aizawl.
- (4) to study the working conditions of Aizawl Central Jail staff and problems confronting them.

Hypotheses

- (1) Inadequacy in the administration of Aizawl Central Jail is due to inefficiency of the Jail staff.
- (2) The living condition of inmates of Aizawl Central Jail depends upon the quality of Jail administration.

Methods of Data Collection

This study has been based on primary and secondary data collected from Jail Manual and other published and unpublished original documents of the State Government. In case of any data gap or absence of vital informations, primary data have been collected from Central Jail Staff through structure questionnaire and other relevant methods.

Scope of the Study

Jail Administration in Mizoram has, in general, been facing many problems regarding facilities, size of staff, goods and materials for rehabilitations, finance, buildings and health. Since no researcher has done any work on the problems of Jail administration, a need has been felt to take up the present study with the objective of suggesting positive measures for improving Jail administration in Mizoram. Although there are other types of Jails in Mizoram, the present study shall concentrate on Central Jail administration at Aizawl.

Organisation of the Study

The whole work is divided into five chapters. The first chapter is an introductory chapter which has dealt with the Profile of Mizoram, Concept of Prison *alias* Jail and review of literature. It has also highlighted the Objectives of the Study, Hypotheses to be proved or disproved, Methods of Data Collection and lastly the Scope of the study.

The second Chapter has made an in-depth study of the genesis of Jail Administration in India in the context of Jail Administration in Mizoram.

In the third Chapter, an attempt has been made to assess the quality of life of inmates of Central Jail in Aizawl with a view to understanding the quality of treatment meted out to the Jail inmates.

The fourth Chapter has made an evaluation of the working condition of Central Jail staff.

The fifth Chapter is a concluding chapter which has brought out the summary and findings of the present study.

CHAPTER - II

GENESIS OF JAIL ADMINISTRATION IN MIZORAM

The institution of Jail, as we find these days in India, was introduced by the British as part of their administration.²² The Regulating Act was passed in 1773 which established the Supreme Court at Calcutta to exercise all civil, criminal, admiralty and ecclesiastical jurisdiction and indicated the intention of the British Government to introduce English Rules of laws and English superintendence of law and justice.²³ The Imprisonment as a form of punishment (or the modern prison system) which was first applied in India in 1773 came to be applied on uniform basis throughout India in 1860.²⁴

(a) Prisons System in Ancient India

In India, the early Jails were only places of detention where an offender was detained until trial and judgment and the execution of the latter. The ancient Indian society exhibited all the characteristics of inscriptive social structure. The central principles of organizations were formulated in the famous texts like Manu, Yajnavalkya, Chanakya's Arthashastra and others.²⁵ Among various types of corporal punishments – branding, hanging, mutilation and death, the imprisonment was the mildest kind of penalty known prominently in ancient Indian penology. Imprisonment occupied an ordinary place the penal treatment and this type of corporal punishment was suggested in the Hindu scriptures.²⁶ The ancient periods speaks of four methods of punishment (Dander) namely, by gentle admonition, by severe reproof, by fine, and by corporal punishments, and declare that these punishments may be inflicted separately or together according to the nature of the offence.

²² Amarendra Mohanty and Narayan Hazary, "Indian Prison System", Ashish Publishing House, New Delhi, 1990, p. 4.

²³ Vidya Bhusan, "Prison Administration in Uttar Pradesh", (unpublished thesis), 1953, p. 12

²⁴ G.R. Madan, "Indian Social Problem", Vol.I, Allied, New Delhi, 1981, p. 126.

²⁵ R.N. Datir, "*Prison as a Social System*", Popular Pakistan, Bombay, 1978, p. 40.

²⁶ Amarendra Mohanty and Narayan Hazary, "*Indian Prison System*", Ashish Publishing House, New Delhi, 1990, p. 19.

Kautilya prescribed that Jail should be constructed in a capital and provide separate accommodation for men and women (thus the principle of classification of men and women was in existence in the Jails during ancient period), and well guarded at the entrances.²⁷ He has further described the duties of the Jailor who always keeps eyes on the movement of the prisoners and the proper functioning of the prison authorities. If a prisoner by chance moves out of his cell, he is fined twenty-four rupees and the warder who is league with the prisoner is fined the double amount. Kautilya has gone deep to Jail life and opines that the prisoner escaping after breaking the prison walls, must be put to death. This shows that the Jail authority called Bandhanagaradhyaksa was always vigilant and alert and evil action could escape his eyes.²⁸

During the early period of Ashoka, there was unreformed prison in which most of the traditional fiendish tortures were inflicted and from which no prisoner came out alive.²⁹ Professor Ram Cahndra Dikhitar in his book entitled ‘Maurya Polity’, has suggested that Ashoka was familiar with the Arthashastra, for Ashoka speaks of as much as twenty-five Jail deliveries effected by him in the course of twenty-six years since his appointment to the throne.

The Silappadikaram, one of the earliest works in Tamil, mentions the release of prisoners on the king’s birthday and the founding of a temple. Kalidasa in the Malavikagnimitra (Act IV) makes the Ridusaka Report to the king. “The astrologers think that as the constellation on which Your Majesty was born is in evil aspect now let all prisoners be released,” Kalidasa (in Raghu 17.19) alludes to the release of prisoners and the commutation of death sentences at the time of the coronation of king Atithi. The Brhatsamhita (47.81) states that when the king takes the *pusyasnana* (ceremonial bath on the day on which the moon is in conjunction with the *pusya* constellation in the month of *pausa* or every month) he may order release except as to those prisoners who were convicted for offences connected with his own person or with harem. In

²⁷ R.N. Datir, *op.cit.*, pp. 42-43.

²⁸ Amarendra Mohanty and Narayan Hazary, *op.cit.*, p. 20

²⁹ A.L. Basham, “*The Wonder That Was India*”, Fontana, Calcutta, 1975, p. 119.

the Mrcchakatika (Act X) also various occasions for the release of prisoners are mentioned by the executioner. The Harshcarita (II- 2nd para) refers to the usage of releasing prisoners at the time of a coronation and on the birth of Harsha (IV). The prisoners are described in the latter passage as having long beards and as darkened by the accumulation of dirt on their bodies.³⁰

From the above discussion, we find that there was no prison system in ancient India. Imprisonment as a mode of punishment was no regular feature and as most of the punishments was meted outside prison. And we also find that there was no description about the internal administration of prison.

(b) Prison System in Mediaeval India

The legal system in Mediaeval India resembled that of Ancient India and the contemporary Muslim Sovereigns Seldom, if at all, attempted to temper with the day to day administration of justice. During Mughal period sources of law and character essentially remained Quranic. Crimes were divided into three groups, namely (a) offences against God, (b) offences against the State, (c) offences against private persons. The punishments for these offences were of four classes: (i) hadd, (ii) tazir, (iii) quisas, (iv) tashir.³¹

Hadd is a punishment unambiguously prescribed by Common Law and considered as ‘the right of God’ which no human judge can alter. Tazir is a punishment intended to reform the criminal and inflicted for such crimes as have had punishment. It was not ‘the right of God’. Quisas or retaliation rested on the personal right of the victim or his next of kin, in the case of certain types of crime such as a murder. He could either demand the legal punishment or accepted the money damages, i.e. ‘price of blood’ offered by the murderer or pardon him unconditionally as he wished. Tashir or public degradation was a popularly-devised punishment of universal currency throughout the Muslim world and even Hindu India and Mediaeval Europe. It included such punishments as shaving off offender’s head, making him ride on an ass with his

³⁰ R.N. Datir, *op.cit.*, pp. 43-44.

³¹ Amarendra Mohanty and Narayan Hazary, *op.cit.*, p. 22.

face turned towards its tail, and his body covered with dust, sometimes with a garland of old shoes placed around his neck; parading him in this posture through the streets with noisy music and finally turning him out of the city. It is neither recognized nor condemned in the law-books of Islam, but has been inflicted by all Muslim qazis and kings, and even by the lay public.³²

These punishments included fines and confiscation, forfeiture of rank and title, subjecting to humiliations, banishment, whipping and mutilation of offending limbs, execution and other corporal punishments. Imprisonment was not resorted to as a form of punishment in the case of ordinary criminals. It was used mostly as a means of detention only. There were fortresses situated in different parts of the country, in which the criminals were detained pending trial and judgement.³³ There used to be three noble prisons in Mughal India, such as one was at Gwalior, second at Ranthambore and third was at Rohtas. Criminals condemned to death punishment were usually sent to the fort of Ranthambore. They met their death two months after their survival there.

The Gwalior Fort was reserved for the 'noble that offend'. To Rohtas were sent those nobles who were condemned to perpetual imprisonment, from where 'very few return home.' Princes of Royal Blood were often sent to this place.³⁴

When the prisoners were taken to the prison, they were usually loaded with iron fetters on their feet and shackles on their necks.³⁵

Occasionally, the prisoners were transferred from one place to another. According to Muslim law, the quazis were supposed to visit the prisons and inquire into the conditions there, and release those who showed signs of repentances. However, they neglected their duty. The only redeeming feature for the prisoners was that orders for their release were issued on special occasions. These occasions were birth of crowned prince, recovery of the

³² Jaytilak Guha Roy, "*Prisons and Society: A Study of the Indian Jail System*", Gain Publishing House, New Delhi, 1989, pp. 6-7

³³ Amarendra Mohanty and Narayan Hazary, *op.cit.*, p. 22.

³⁴ Satya Prakash Sangar, "*Crime and Punishment in Mughal India*", Sterling, Delhi, 1967, p. 34.

³⁵ Satya Prakash Sangar, *op.cit.*, pp. 35-36.

Emperor or any of his sons from long illness, or some occasional Royal visit to a prison fortress.³⁶

To sum up, the features of the prison system prevailing in the Pre-British were as follows:

- (i) There were no prisons in modern sense.
- (ii) There was no description of the internal administration of prisons.
- (iii) Prison service was a part of police service.
- (iv) There was no separate prison service from civil service
- (v) Imprisonment was not the normal feature of punishment and most of the punishments were meted out outside the prison.
- (vi) Very few persons were sent to prison (possibly the political prisoners)
- (vii) Some forts were used for keeping certain types of prisoners (mostly political prisoners).

(c) Prison system in British India

The Prison system as it operates today in our country is a legacy of the British rule. It was an ingenious creation of the colonial rulers over our indigenous penal system with the prime motive of making imprisonment “a terror to wrongdoers”. Nevertheless, it was a great leap in the history of our penal reforms as it facilitated the abolition of our antediluvian system of barbarous punishments and substitution of imprisonment as the chief form of punishment for the commission of crimes.

In sixteenth century during the regime of East India Company the prison conditions in India were terrible and inhuman. This was due to the fact that, deterrence was the only aim of the prison system. With the advent of the British the administrative structure in the country began to assume a new form. At first alteration was made in the existing legal system. In 1773 was passed

³⁶ M.B. Manaworker, “*Prison Management: Problems and Solution*”, Kalpaz Publication, 2006, p. 48.

the Regulating Act, which established the Supreme Court at Calcutta to exercise all civil, criminal, admiralty and ecclesiastical jurisdiction. It indicated the attention of the British to introduce English laws and English superintendence of law and justice. The imprisonment as a form of punishment (or the modern prison system) was first applied in India in 1773.³⁷

In 1784, the British Parliament empowered the East India Company to rule India and since then some attempts were made to introduce reforms in the administration of justice. In fact, the Jails were an extension of Mughal rule which were being managed by the personnel of the East India Company in their efforts to maintain peace and establish their trade. The prison institutions were run by district magistrates who were known for their indifference and reluctance to this aspect of administration, and hence conditions therein were extremely bad. No effort was being made to ameliorate the conditions of prisoners. They were just slave-labourers.

Reforms in Prison administration came to occupy public attention more than 150 years ago when the British Parliament passed an enactment in 1824 in regard to the essentials of prison administration.

(i) First Committee on Prison Reformation

In India the “famous committee” on prison reforms was set up in 1836; this committee had Lord Macaulay as its member. It submitted its report in 1838 and “criticized the corruption of subordinate establishment and the laxity of discipline”.³⁸ The far reaching recommendations of the Committee were:

- (a) That Central Jails should be build to accommodate not more than 1000 prisoners each.
- (b) That Inspector General of Prisons should be appointed in all provinces.

³⁷ M.B. Manaworker, *op.cit.*, p. 49.

³⁸ Kum Kum Chadha, “*The Indian Jail*” Vikas, New Delhi, 1983, p. 150.

- (c) That sufficient building should be provided in all Jails to accommodate prisoners comfortably.³⁹

Therefore, in 1846 the first Central Prison was set up in Agra. The erstwhile United Provinces, Punjab, Madras, Bombay and Bengal followed suit. In 1844, the first Inspector General of prisons was appointed in the North-West Province. In 1850, the Government of India made it a permanent post and suggested that each Province should have an Inspector General of Prisons.

(ii) Second Committee on Prison Reformation

The Second Committee on Prison Reforms was appointed in 1864 to consider question of Jail management, because of death rate in prisons and by other allied considerations. The Committee found that in the proceeding ten years no less than 46,309 deaths occurred inside the prisons. It came to the conclusion that the sickness and mortality might be mainly due to (a) overcrowding, (b) bad ventilation, (c) bad conservancy, (d) bad drainage, (e) insufficient clothing, (f) Sleeping on the floor, (g) deficiency of personal cleanliness, (h) bad water, (i) extraction of labour from unfit prisoners and (j) insufficient medical inspection. Following its recommendation in 1864, it was directed that all provinces should have Civil Surgeons as Superintendents of District Jails.

(iii) Third All India Committee

The Third Indian Jail Committee was appointed in 1877. This Committee was composed entirely of officials actually engaged in prison work. It reviewed that Jail management generally and mostly concerned itself more with the matters of detail in prison work than with the general aims and principles of administration.⁴⁰

³⁹ Amarendra Mohanty and Narayan Hazary, *op.cit.*, p. 25.

⁴⁰ M.B. Manaworker, *op.cit.*, p. 55.

(iv) Fourth All India Committee

The Fourth Indian Jail Committee was appointed in 1888, suggested changes in rules of prison administration and classification and segregation of prisoners.⁴¹ This Committee was expressly directed towards the routine working of the prisons. This report covered nearly the whole field of internal management of Jails and laid down elaborates rules for prison management. The Committee recommended the separation of under trial prisoners and the classification of prisoners into casuals and habituals. Most of the recommendations of the Committee were incorporated in the Jail manuals of various provinces.⁴²

(v) Fifth All India Jail Committee

The work of the Fourth All India Jail Committee was supplemented by All India Committee, 1892. This was the Fifth All India Committee. It resurveyed the whole Jail administration and laid down further detailed rules. The Prison Act of 1894 was mainly the outcome of the efforts of this Committee. Thus, the Prison Act of 1894 came into being which governs all the prisons in the country. The Act restricted and regulated the use of whipping, cellular confinement and penal diet. It provided for the classification of different offenders and tried to secure uniformity of treatment of all offenders in Jail.⁴³

The year 1897 made a land mark in the history of prison reforms in India. In that year, Reformation School Act was passed and according to this Act Courts were directed to send youthful offenders below 15 years to Reformative instead of prisons. Then the Prisoners Act of 1900 was passed.⁴⁴

⁴¹ Kum Kum Chadha, *op. cit.*, p. 151.

⁴² M.B. Manaworker, *op.cit.*, p. 55.

⁴³ G.R. Madan, "*Indian Social Problems*", Vol. I, Allied, New Delhi, 1981, p. 128.

⁴⁴ Amarendra Mohanty and Narayan Hazary, *op.cit.*, p. 26.

(vi) Sixth Indian Jails Committee

The First World War and Internationalism failed to bring revolutionary changes in the Indian prison reformation. Yet, emergence of internationalism further boosted the morale of the prison reformists. In order to bring about an over all change in Indian prison system; the Indian Jails Committee was set up in 1919 in which Sir Alexander G. Gadrew was the chairman. It submitted its report in 1920 suggesting far reaching changes in various aspects of prison system. The Committee for the first time suggested two conceptual pivots – “prevention” and “reformation” for a more effective base for prison administration in India.⁴⁵ “The aim of effective base for prison Administration is the prevention of further crime and the restoration of the criminal to society as a reformed character” stated the committee. The report contained a number of recommendations dealing among others with such subjects as prison staff, separation and classification of prisoners, prison labour and manufactures, discipline and punishment, reformatory influences in prison, prison hygiene, medical administration, and aid to prisoners on release and probation treatment.⁴⁶

On the introduction of the Montagu Chelmsford Reforms, Jails and other similar services became State subjects. The provincial governments showed great enthusiasm for Jail reform and started appointing a series of Jail Reform Committee with a view to improving prisoner’s lot in the Jails under jurisdiction. The Committee appointed in different States were Punjab Jail Reform Committee (1919 and 1948), Uttar Pradesh Jail Committee (1929, 1938 and 1946), Bombay (1939 and 1946), Mysore (1941), Bihar (1948), Madras (1950), Orissa (1952) and Travancore Cochin (now Kerala) (1953).⁴⁷

(d) Development of Jail Administration in India since Independence

In the post-independence period the Government of India took some interest in the matters of changes in the prison system and had requested the

⁴⁵ Kum Kum Chadha, *op. cit.*, p. 151.

⁴⁶ Amarendra Mohanty and Narayan Hazary, *op.cit.*, p. 26.

⁴⁷ Amarendra Mohanty and Narayan Hazary, *op.cit.*, pp. 26-27.

United Nations to send an expert under its Technical Assistance Programme to study the Prison Administration in India and to make suggestions for improvement therein. Dr W. C. Reckless was dispatched by the United Nations in 1951 to study the Prison administration in India and to make suggestions for improvement therein. Dr. Reckless in his report suggested many valuable changes, most of which were not, in essence, radically different from the recommendations of the Indian Jail Committee of 1919. Dr Reckless specifically wanted the development of whole time probation and after care services, the establishment of new Jails to perform specialized functions, legal substitutes for short sentences of imprisonment, reduction in the number of under trial prisoners, separations of juvenile delinquents from the adults and the revisions of Jail manuals.⁴⁸

The year 1952 further witnessed a break –through in national coordination on correctional work as in that year the Eighth Conference of the Inspectors General of Prisons was held after lapse of seventeen years. The Conference held at Bombay reiterated the need for revision of State Jail Manuals. The first open prisons were set up about this time in Uttar Pradesh and some other States and Prison Welfare Officers were appointed in number of States in later years.⁴⁹

The Central Bureau of correctional service was set up in 1961 at the Central level (renamed as the National institute of Social Defence in 1975), was yet another important development. Its functions were enlarged to include preventive, correctional and rehabilitative aspects of social defence, namely – welfare of prisoners, prison reforms/administration, probation, beggary, alcoholism, juvenile vagrancy, social and moral hygiene, drug addiction, etc. the institute continues to work under the Ministry of Social Welfare and has been playing a useful role in its enlarged field of social defence.⁵⁰

⁴⁸ *Ibid.*

⁴⁹ Jaytilak Guha Roy, *op.cit.*, p. 16.

⁵⁰ Jaytilak Guha Roy, *op.cit.*, p. 18.

Again the Government of India constituted “Working Group on Prisons” in 1972 which submitted its reports in 1973. The Committee made a number of Recommendations and the State Governments were asked by Central Government to implement such Recommendations. This Committee made recommendation for the establishment of a Research Unit at the headquarters of the Inspector General of Prisons in each State. Besides, the setting-up of a Training Institute in each State as well as of Regional Training Institute, diversification of the Institutions, accommodation and other connected matters, etc., formed the contents of its report.⁵¹

While planning and monitoring of the Schemes recommended by the Seventh Finance Commission were being assigned to the National Institute of Social Defence through the Ministry of Home Affairs, the Government of India appointed another Committee (All Indian Committee on Jail Reforms) in July 1980 for making a comprehensive review of prison administration in the country and suggesting suitable measures for its improvement. The reforms headed by Mr. Justice A.N. Mulla (Rtd). This report contained 659 valuable recommendations on various aspects of prison development for the consideration of Central and State Governments. Among the important suggestions made by the Committee were:⁵²

- (a) Directive Principle of National Policy on Prisons should be formulated and embodied in Part IV of the Indian Constitution.
- (b) The subject of Prisons and allied institutions should be included in the concurrent list of Seventh Schedule of the Constitution of India.
- (c) Provision of a uniform framework for correctional administration by a consolidated, new and uniform comprehensive legislation to be enacted by the Parliament for the entire country.
- (d) Revision of Jail Manuals should be given top priority.
- (e) Suitable amendment of Indian Penal Code.

⁵¹ Amarendra Mohanty and Narayan Hazary, *op.cit.*, pp. 27-28.

⁵² Amarendra Mohanty and Narayan Hazary, *op.cit.*, p. 29.

In 1986, a Committee on Women Prisoners was constituted with retired justice of Supreme Court V.K.Krishna Ayer as the Chairman. Its report was submitted on 1st June 1987. The major recommendations of this Committee were:⁵³

- (a) Provision of a national policy relating the women prisoners in India.
- (b) Formation of new rules and regulations relating to their punishment and conduct.
- (c) Maintenance of proper coordination among the Police, Law and Prison for providing due justice to women prisoners
- (d) Provision of legal-aid for them.
- (e) Construction of separate prisons for women prisoners.
- (f) Proper care of the baby born in Jail to a woman prisoner and provision of nutritious diet for the mother and the child.

(e) Administration of Justice in Mizoram

This portion of the chapter is an attempt to make an indirect reference to the judicial aspect of administration for the evolution of prison system In Mizoram.

(i) Justice in Pre-British Period

During the Pre-British period, each village had an autonomous indigenous institution for administration of village affairs. The chief of each village administered justice according to the customary law of the Mizos. He acted as the supreme administrator, the judge, the protector, and guardian of his village. He exercised full power and control over the administration of justice. The chief and his council of elders (*Lal Upas*) constituted the village court and decided all cases and disputes. The jurisdiction of the chief's court was his village. Generally the council of elders was men of the chief's choice and they were selected without considering the opinion of the villagers. The chief had also a power to remove of his elders. The chief's court was more or less a bench system, of what we have today and the court room was the chief's house

⁵³ Amarendra Mohanty and Narayan Hazary, *op.cit.*, pp. 29-30.

itself where the cases were tried. Originally, he had the power of life and death. His decisions were final.

The punishment varied depending upon the severity of the offence. A fine was imposed which varied from Re. 1 to Rs. 5 known as '*Salam*'. In theft case, restitution of the articles stolen was always demanded. If a case was a severe one, a fine of one mithun or Rs. 40 could be imposed. If a man killed another of same village and fear of being killed in retaliation, came to the Chief's house seeking refuge, the Chief would protect him and there after no body dared to take revenge against the murderer. The supremacy of the Chiefs remained as such till the British subjugated them in 1890.⁵⁴

(ii) Justice during the British Period

In 1890, the British annexed the Lushai Hills. The British rulers reduced the supremacy of the Chief. They recognized the Chiefs and the village courts but made certain changes in the existing system of administration of justice. Firstly, a change was that against the decision of the Chief's court, an appeal could be taken to the Superintendent/ Deputy Commissioner heading the district and his assistants. Secondly, a change was that the Chiefs could not try major cases like murder, offences regarding government property, suicide, rape or other heinous crime/ cases. The Superintendent exercised the powers on life and death, but in the case of death penalty or sentence of imprisonment for seven years and upwards, however, the approval confirmation of the Chief Commissioner, later the Governor of Assam was required. The High Court of Fort William (Calcutta) had no jurisdiction over the district. The Chief Commissioner was the head of the Province as well as the head of the administration of justice in the Lushai Hills (Mizoram) till 1921 and the Governor till 1948. Besides, the Superintendent/ Deputy Commissioner and his assistants, Chiefs/ Headmen were also there to carry on administration of justice.⁵⁵ Thus the British Superintendent was to have control over the Chief and also to use him as an agent of the British administration in the Lushai Hills.

⁵⁴ R.N. Prasad, *op. cit.*, p. 86.

⁵⁵ R.N. Prasad, *op. cit.*, pp. 86-87.

The Chief acted as link between the people and the Superintendent and never defied the orders of Superintendent.

(iii) Administration of Justice after Independence

India attained independence from British rule On August 15, 1947. High Court of Assam came into existence in 1948; its jurisdiction was extended to Mizoram. A separate bench of the Assam High Court is established in Aizawl for the quick disposal of cases in Mizoram. The Judicial powers of Superintendent/ Deputy Commissioner, in before and after Independence period, it appears that the Superintendent/ Deputy Commissioner being an executive head is also the head of criminal and civil justice in accordance with the rules for administration of justice in Lushai Hills, whereas, No Deputy Commissioner or District Magistrate of the plains districts of the country exercises such judicial powers because there has been a separation of executive and judiciary in most of the states, following the Directive Principles of state policy enshrined in the Constitution of India.⁵⁶ This status of the Superintendent continued till the Indian Constitution came into force in 1950 but there was a gradual change in the high powers of Superintendent since Independence.

In 1952, the District Council (autonomous institution) was introduced, the post of high powered superintendent was abolished the whole area was put under a Deputy Commissioner with much curtailed executive powers excluding judicial powers and the Chief Executive members of the District and Regional Councils. ‘The Mizo Hills Autonomous District (Administration of Justice) Rules, 1953’ and the ‘Pawi-Lakher Autonomous Region (Administration of Justice) Rules, 1954’ for administration of justice within the limits of the rules formulated by the Governor of Assam. The former appellate judicial power of the Deputy Commissioner was lost in this new system. The Rules of 1953 and 1954 have been in force since 7th April 1953 and 1st March 1954 respectively.

The Mizo District Council as per its Administration of Justice Rules, 1953 established three types of courts in 1954 such as Village Courts,

⁵⁶ R.N. Prasad, “*Government and politics in Mizoram*”, Northern Book Centre, New Delhi, 1986, p.40.

Subordinate and Additional District Council Courts and District Council Court for the administration of justice in its areas. The Pawi-Lakher Regional Council constituted only two courts namely: Village Council Courts and Regional Council Court to carry out the administration of justice in its areas.⁵⁷

(f) Prison System from the British Rule up to the Present Day in Mizoram

The record of Prison Department Aizawl, Police Station was established in 1896. After three years, the first Mizoram Jail was started on 25th June 1899 at Jail veng, Dawrpui (now, Millennium centre) where convict and under trial prisoners (U.T.P.) were held under the custody. This Jail was called District Jail and was one of Jails under the Assam State Government. In 1966 the Mizo National Front (M.N.F) started an armed campaign for independence. Thus, it was started a two decade long battle between the Mizo insurgents and the Indian army. Many people were arrested during this battle, unable to enter in Aizawl Jail, so that prisoners were transferred in different Jails of the State of Assam.

Prison Directorate: Mizoram was one of the districts of Assam till 1972 when it became Union Territory on 21th January 1972. Prison Directorate was also started in 1973. But Aizawl District Commissioner was taken the post of Inspector General Prisons (I.G. Prisons) and any Additional District Magistrate was used to be Deputy Inspector Prisons (D.I.G). I.G Prisons, D.I.G, A.I.G, Office Superintendent and other 32 subordinate staff are working to look after the state Jail administration from this new Head- quarters office building since 23th March 1990. Earlier, private buildings were hired for office of Prison Directorate under fulltime I.Gs' from 14th October 1982. Prison Directorate is located near Aizawl Police Station at Babutlang with an area of 0.36 Bigha (5217.31 Sq ft). Originally, Prison Directorate Building was constructed at an estimated cost of Rs.25.25 lakhs in 1988.

⁵⁷ R.N. Prasad, *op. cit.*, p. 92.

A list of Full-time Inspector General of Prisons from 1982 to 2010

Sl.no	Name of IGP	From	To
1.	Major D. Sailo	14 th October 1982	9 th December 1983
2.	Lalit Mohon	10 th December 1983	25 th August 1986
3.	J. Pazawna	25 th August 1986	30 th November 1990
4.	B. Sanghnuna	30 th November 1990	30 th November 1994
5.	V.L. Hminga	1 st December 1994	1 st July 1998
6.	C. Thanchhuma	1 st July 1998	1 st July 1999
7.	R. Kaprumvunga	1 st July 1999	28 th January 2002
8.	C. Thanchhuma	12 th February 2002	12 th October 2003
9.	C. Lalthankhuma	13 th October 2003	6 th September 2006
10.	R. Hrangtawna	6 th September 2006	19 th October 2009
11.	K. Rohmingthanga	19 th October 2009	Till today

New Jail / Additional Jail: Central Reserve Police Force (C.R.P.F) was settled before the establishment of Armed veng, Jail (now District Jail, Aizawl). Due to M.N.F's armed campaign for independence, prisoners were increased and one part of C.R.P.F's building in used for temporary Jail. The size of a building was not large similar to the size of Lock-up. It was known as New Jail and was also called Additional District Jail Aizawl in officially. New Jail was regularly functioned from 1972. Under the establishment of District Jail Office, One Assistance Jailer and Warders looked after New Jail/ Additional Jail.

Tuirial Camp Jail: Camp Jail was build to approach a road of Tuirial Air Field. In 1974, Tuirial Camp Jail was started function and was also made differently from the establishment.

District Jail, Lunglei: Higher up of Lunglei Police Station, Supply Godown was used to make a Jail in 1974. Among Additional District Commissioners, one was hold a part time Jail Superintendent's post from the

Office of District Commission. District Jail Lunglei was established on 19th September 1977, and located at Sazaikawn 3kms distance from Lunglei Town. Barbed wire was used for a fence. During 1980-1981, a stone wall was in used. It has a capacity of lodging 138 Males and 35 Females, Total = 173. Facilities provided are Volleyball games, Table Tennis, Television, Indoor games like carom, draught, chess, Radios, Guitars, Conference Hall for lectures/Sermons/counselling from Non-Government Organizations and Jail Staff. This Jail was looked after by 62 numbers of Jail employees headed by Jail Superintendent. 75% of them have been provided with staff quarters in the Jail Complex. One Bike is provided for office use. W.T & Telephone is provided for Telecommunication.

District Jail, Saiha: Established and commissioned on 9th April 1977, located at 3 kms distance from District Court. It has a capacity of accommodating 85 males and 10 females, Total = 95. Facilities of recreation provided are Volleyball game, Table Tennis, Carrom, Chess, Draught, Guitars, Television and Radios. 27 numbers of Jail employees headed by Jail Superintendent looking after this Jail 90% of them have been provided with staff quarter in the Jail complex. W.T Set is provided for Telecommunication system.

Central Jail, Aizawl: Established and commissioned on 15th September 1986 located at 12kms distance from Aizawl Court, D.C Complex, between Tanhril and Sakawrtuichhun Village, (now within City area). After three days, Central Jail was started to use with 18 prisoners. All the prisoners of Dawrpui veng Jail, New Jai, Tuirial Jail were transferred to Central Jail, Aizawl. Central Jail has four walls of 800mtrs long with capacity of accommodation for Male 456 and Female 89, Total 545 prisoners. This is the only Central Jail in the State where life convicts and other long term and habitual convicts besides under trials are admitted. There is a separate women Jail Annex in the Jail area under the same Superintendent but guarded and look after round the clock exclusively by Female warders. Children up to 6yrs old with mothers are also admitted.

District Jail, Kolasib: District Jail, Kolasib was established on 28th November 1990 at Saidan hillock, Kolasib. A stone wall was used in District Jail, Kolasib. It is located at 3 kms distance from D.C Court. It has a capacity of accommodating 114 prisoners (98 male and 16 female). 31 numbers of Jail employees headed by Jail Superintendent looking after this Jail. 90% of them are provided with staff quarters in the Jail complex. Details of different posts are shown at Chart of Prison Department & Staffing. W.T Set is provided for Telecommunication system.

District Jail, Champhai: Established and commissioned on 29.11.1990 it is located at 2 ½ kms from D.C Court. It has a capacity of accommodating 95 prisoners (77male and 18 female). 33nos of Jail employees headed by Jail Superintendent look after this Jail. 76% of them are provided with staff quarters in the Jail complex. W.T Set is provided for Telecommunication.

District Jail, Aizawl: After start of Central Jail administration, New Jail (located in Armed veng) was repaired a fence of wall with stones. New Jail had changed to a District Jail, Aizawl. Prisoners of Camp Jail were transferred to Central Jail, but the Staffs of Camp Jail were transferred for looking after to the District Jail, Aizawl. It is located at Armed Veng, (three) 3 kms from District Court established and used for lodging of adolescent male prisoners only with Drugs and related cases since 31.3.1990. It has a capacity of lodging for 110 inmates. Facilities provided - Volleyball game, Table Tennis, TVs, indoor games like carom, draught, chess, Radios, Guitars, Conference Hall for lectures, sermons and counselling from outside NGOs and Jail Staff. There are one Superintendent, one Jailor, two Assistant Jailors and thirty nine other subordinate staff for this Jail.67% of Staff has been provided with family quarters within Jail complex. One Bike is provided for the office use. W.T Set & Telephone is available for Telecommunication.

Jail Administration is under the control of the Home Department as it deals with Law and Order. All Jails in the State are classified as District Jails. Now in Mizoram, there are five District Jails - (i) District Jail at Aizawl, (ii)

District Jail at Lunglei, (iii) District Jail at Saiha, (iv) District Jail at Champhai and (v) District Jail at Kolasib, and one Central Jail at Aizawl.

Numbers of District Jails and Sub-Jails are going on the construction, there are – (i) Sub-Jail, Tlabung, (ii) District Jail, Serchhip, (iii) District Jail, Mamit, (iv) District Jail, Lawngtlai and (v) Sub-Jail, Vairengte.

Prison is under State subject. In Mizoram, Jail Administration, in the real sense of the term, has emerged in Mizoram only after its elevation the elevation of its Mizoram was elevated from the status of one of the Districts of Assam into a Union Territory. As such, Mizoram Jails in the initial stage of development were under Central Administration till Mizoram became a State. During this period, Jail administration was mainly concentrated in security custody and confinement of prisoners. Now, with the modern concept of Prison, the Department is making energetic effort to take up the security aspect and reformation of prisoners on equal footing.

In India, there were in all 1,155 prisons of different kinds in 1991-92. These prisons are categorized as Central Jails (86), District Jails (252), and Sub Jails (718), Borstal Institutions / Juvenile Jails (21), open Jails/Camps/Farms (21), and some specialised Institutions (46). There are also 11 Women's Jails in the country. Prison administration is under Home Department. In Mizoram, there are five District Jails located at Aizawl, Lunglei, Saiha, Champhai and Kolasib and a Central Jail at Aizawl. Under Prison Department there is a Directorate headed by I.G.Prison and under him there are one D.I.G. and one A.I.G. The District Jails are looked after by Jail Superintendents and the Central Jail by a Special Superintendent. Under the Jail Superintendent, there are Jailor, Assistant Jailor, Chief Head warder, Head warder and Jail warden. There is one Doctor for Central Jail and District Jail, Aizawl.

CHAPTER-III

QUALITY OF LIFE OF INMATES OF CENTRAL JAIL IN AIZAWL

In this chapter, an attempt has been made to assess the quality of life of inmates of Central Jail at Aizawl with reference to Assam Jail Manual which is being used as its Manual by Prison Department of Mizoram. As an instrument of making accurate assessment of the quality of life of inmates of Central Jail in Aizawl, the researcher has collected primary data with reference to the background of each inmate of Aizawl Central Jail for which she administered as many as 300 (three hundred) questionnaires to the inmates and received back 295 (two hundred and ninety five) (that is, 98.33 %) from them.

(A) Bio-data of Jail Inmates as the Respondents

First, let us look into the bio-data of Central Jail inmates in term of age, sex, marital status, caste, religion, occupation, educational attainment and rural-urban backgrounds which would enable us to understand the attitudes and preferences of each of them towards Jail Administration.

(a) Age

The following table shows the individual backgrounds of Inmates in terms of age.

Table 3:1
Age Group of Offenders

Age group	Number	Percentage
18-25	80	27.12
26-30	90	30.51
31-35	52	17.63
36-40	37	12.54
41-45	20	6.78
46-50	10	3.39

50 and above	6	2.3
TOTAL	295	100.00

For the purpose of analysis, the age of the inmates has been divided into seven categories. In the study out of the total, 30.51 per cent of respondents come from the age group of 26 to 30 years. Next comes the age group of 18 to 25 years. This includes 27.12 per cent of the inmates. Under the age group of 31 to 35 there are 17.63 per cent of inmates. The age of 36 to 40 years come 12.54 per cent. Between 41 to 45 years of age are 6.78 per cent of inmates. The age group of 46 to 50 years is 3.39 per cent of the prisoners. In the age group of 51 and above, only 2.3 per cent of prisoners come.

(b) Sex

TABLE – 3:2

Sex group	Number	Percentage
Male	269	91.19
Female	26	8.81
TOTAL	295	100.00

From the above table, it is found that 91.19 per cent of prisoners are male and 8.81 percent are female prisoners.

(c) Marital Status

TABLE – 3:3

Marital Status group	No.	Percentage
Married	109	36.95
Unmarried	186	63.05
TOTAL	295	100.00

The above table shows that 63.05 per cent of inmates are unmarried and 36.95 per cent are married.

(d) Caste

TABLE – 3:4

Caste Group	No.	Percentage
Schedule Tribe (Mizo)	287	97.29
Others (non-Mizo)	8	2.71
TOTAL	295	100.00

The distribution of respondents on the basis of caste reveals that schedule tribe prisoners constitute 97.29 per cent whereas the others prisoner are non- mizo, constitute 2.71 per cent of the total number.

(e) Religion

TABLE – 3:5

Name of the Religion	No.	Percentage
Christian	290	98.30
Hindu	3	1.02
Muslim	2	0.68
TOTAL	295	100.00

Among the respondents, 98.3 per cent of inmates are Christians. Only 1.02 per cent and 0.68 per cent of inmates are Hindus and Muslims respectively. This shows that the overwhelming majority of Jail inmates are Christian. Unlike in other States, the Christian community forms the highest percentage of inmates in Central Jail, Aizawl.

(f) Occupation

TABLE – 3:6

Name of Occupation	No.	Percentage
Agriculture Labour	23	7.8
Cultivation	30	10.17
Hiring Labour	74	25.08
Business	34	11.53

Govt. Service	8	2.71
Private/ Company Service	22	7.46
Unemployed	104	35.25
TOTAL	295	100.00

While investigating about the occupation of the respondents it is found that 35.25 per cent of the respondents are without any occupation. The rest 64.75 per cent of the respondents are adopting some kind of occupations. Out of the total, 25.08 per cent are hiring labourers, 11.53 per cent are businessmen, 10.17 per cent are cultivators, 7.8 per cent are agricultural labourers, 7.46 per cent are private/ company servants and 2.71 per cent are serving in government office.

(g) Educational Background

TABLE –3: 7

Educational level	No.	Percentage
Illiterate	5	1.7
Lower Primary	61	20.68
Higher Primary	124	42.03
Matriculation	70	23.73
Intermediate	29	9.83
Graduate	6	2.03
Post-graduate	NIL	NIL
TOTAL	295	100.00

Literacy percentage among the prisoners is high. Only 1.7 per cent of the respondents are illiterate prisoners. One of the prominent features of the inmates is their poor educational background. Poverty is the main reason for their involvement in crimes. Among the literate prisoners, 20.68 per cent have read up to Lower Primary, 42.03 per cent have completed Higher Primary, 23.73 per cent are Matriculates, 9.83 per cent are educated up to intermediate,

2.03 per cent are Graduates and Post-Graduates prisoners are not there in the prison.

(h) Rural-Urban Residential Background

TABLE – 3:8

Residence	No.	Percentage
Urban	158	53.56
Rural	137	46.44
TOTAL	295	100.00

The residential status of the respondents, the study reveals that 53.56 per cent of the respondents belong to urban area whereas 46.44 per cent of the respondents belong to the urban area. However, the percentage of urban population in Mizoram is only 27.89 per cent according to 2001 Census.

(B) Reasons for Committing Crimes by Central Jail Inmates

(a) Causes leading to crime

TABLE – 3:9

Name of Cause	Number	Percentage
Poverty and absence of basic needs of life	184	62.37
Illiteracy	15	5.08
Broken Home	27	9.15
Corruption in Public Life	19	6.45
Maladministration and patronage system in Government	33	11.19
Instigation by friends	17	5.76
TOTAL	295	100.00

Sutherland and Cressey have said, “Crime is a product of a large number and great variety of factors and these factors cannot now and perhaps never be organized into general propositions which have no exceptions.” The causes of crime are mention in the above table, it is concluded that Poverty and

Unemployment is the principal cause of crime. Out of the total 62.37 of the respondents come under this category. From the respondents, 5.08 per cent of inmates have committed the crime owing to their illiteracy, 9.15 per cent of inmates give clear picture of disturbed family background due to the death, desertion, separation or divorce of the parents. Corruption is rampant in a developing country like India, it is find that 6.45 per cent of the prisoners opine that they are victims of the present corruption and degenerated society and have committed crime. The present study finds that 11.19 percent of the respondents come under maladministration and patronage system of the government and 5.76 per cent of the inmates have committed crimes due to instigation by their friends and companions.

(b) Types of Offences

TABLE – 3:10

Type of Offence	Number	Percentage
Theft	90	30.51
Murder	30	10.17
Dacoity	14	4.75
Sex Crime	33	11.19
Rioting	51	17.29
Corruption	8	2.71
Others (Drugs, Alcoholic etc.)	69	23.38
TOTAL	295	100.00

While analyzing the nature of offences committed by the prisoners, it is found that 30.51 per cent are connected with theft, 10.17 per cent are with dacoity, 4.75 per cent with murder, 11.19 per cent with sex crime, 17.29 per cent with Rioting, 2.17 per cent with corruption and 23.38 per cent of the prisoners are alleged of murder charges.

(C) Problems before Prisoners Prior to His/her Jail Term

(a) Frequency of Imprisonment

TABLE – 3:11

Times	Number	Percentage
One	122	41.36
Twice	64	21.69
More than Twice	109	36.95
TOTAL	295	100.00

From the above table, it is concluded that 41.36 per cent of the prisoners have come to the Jail for the first time, 21.69 per cent have visited the Jail twice and 36.95 per cent of them have visited the Jail more than twice.

(b) Police torture

TABLE – 3:12

Intensity of Torture	Number	Percentage
Excessive Torture	82	27.80
Mild Torture	73	24.74
No Torture	140	47.46
TOTAL	295	100.00

From the table, it is found that 27.8 per cent of the inmates were torture by the police before they came to Jail, these prisoners spoke that they had to undergo excessive torture by the police. The experience of undergoing mild torture by police was narrated by 24.74 per cent of prisoners. However, 47.46 percent of prisoners told that they did not experience by police torture before they came to Jail.

(c) Types of prisoners

TABLE – 3:13

Kind of Prisoners	Number	Percentage
Under-Trial	94	31.86
Convict	201	68.14
TOTAL	295	100.00

It is found that 31.86 per cent of prisoners are under-trial prisoners and the rest 68.14 belong to the category of convicts.

(d) Duration of Confinement

TABLE – 3:14

Duration of confinement	Number	Percentage
Less than 6 months	145	49.15
Less than one year	48	16.27
More than One year including the lifers	102	34.58
TOTAL	295	100.00

While a study as to the period the prisoners have spent in the Jail. From the table, 49.15 per cent of them have been imprisoned for less than six months. More than six months and less than one year come 16.27 per cent of them and 34.58 per cent of the prisoners are confined for more than one year including the lifers.

(D) Difficulties in their Day to Day Prison Life

(a) Accommodation

Central Jail has four walls of 800mtrs long with capacity of accommodation for Male 456 and Female 89, total 545 prisoners. This is the only Central Jail in Mizoram where life convicts and other long term and habitual convicts besides under trials are admitted. There is a separate women Jail annex in the Jail area under the same Superintendent but guarded and

looked after round the clock exclusively by female warders. Children up to 6yrs old with mothers are also admitted.

- (i) **Male Ward:** The Male ward consists of Medical Building (i.e. divided into five room), Hall-cum-Church, I Ward (i.e. divided into A and B wards), II Ward (i.e. divided into A and B wards), III Ward, Cell (classified into A and B cells, A cell has four rooms and B cell has also four rooms), Segregation Ward (Empty ward), VI Ward (classified into A, B and C wards), Library building, Industry Building, IV Ward(classified into A and B wards), V Ward (classified into A and B wards), Kitchen (classified into A and B kitchens), Ration Room (separation building), and one Play Ground.
- (ii) **Female Ward:** The female ward consists of Office Building (Assistant Jailor Room and Office staff room), M.I Room, Cell or Punishment Cell (classified into four cells), Library, Cell A (used for Duty Bedroom), Godown (Ration), Duty kitchen, Jail Kitchen, I Ward, III Ward, II Ward, Church, Industry (Industry properties are only four benches and three tailoring).

(b) Food

TABLE- 3:15

Form of Food	Number	Percentage
Good	154	52.2
So-so	70	23.73
Poor	71	24.07
TOTAL	295	100.00

The subject of quality and quantity of prisoner's food is one aspect of prison administration in India. From the study, it is concluded that only 24.07 per cent of the prisoners complain that the food served to them is of inferior quality and insufficient quantity. However a large number of 52.2 are satisfying

their food and 23.73 per cent have a little well in their food. In the study we also found that the dinning space to be clean.

(c) Drinking water

TABLE – 3:16

Quality/quantity of Drinking water	Number	Percentage
Good/	43	14.58
SO-so	129	43.73
Poor	123	41.69
TOTAL	295	100.00

From the opinion of prisoners on drinking water, 41.69 per cent of them complain about the impurity of drinking water and also suffering from diarrhea by the drinking water in the Jail. From the table, 14.58 per cent of the respondents are satisfaction their drinking water and 43.73 per cent of the prisoners report that their drinking water is slightly better.

(d) Bathing and washing facilities

TABLE –3:17

Quality/quantity of bathing and washing facilities	Number	Percentage
Good	30	10.17
So-so	96	32.54
Poor	169	57.29
TOTAL	295	100.00

From collecting their opinion of the prisoners on bathing and washing facilities, 52.29 per cent face difficulties in bating and washing, 10.17 per cent did not face a problem on bathing and washing in the Jail and 32.54 per cent of prisoners says that it is slightly better.

(e) Lavatory

TABLE – 3:18

Quality of lavatory	Number	Percentage
Good lavatory	40	13.56
Ordinary lavatory	128	43.39
Old and out-dated lavatory	127	43.05
TOTAL	295	100.00

Kum Kum Chandha writes “to make things worse there are no proper conveniences in most prisons.” As regards latrine arrangement, 43.05 per cent of the prisoners report that they use old and out dated latrines in Jail, only 13.56 per cent are satisfaction in their lavatory and 43.39 per cent of the prisoners say that it is an ordinary lavatory.

(f) Quality of Mattress, Mosquito Net, Blanket etc.

TABLE – 3:19

Quality of Mattress, Mosquito Net, Blanket etc.	Number	Percentage
Good	14	4.74
So-so	53	17.97
Poor	228	77.29
TOTAL	295	100.00

In the study, 77.29 per cent of the prisoners found that each inmate was provided with insufficient mattress, blankets, mosquito nets etc., only 4.74 per cent are satisfaction for providing these facilities and 17.97 per cent are felt slightly well in these facilities. Especially during winter, the inmates were provided old and out dated materials and did not increases the materials.

(g) Ventilation and lightening

TABLE –3: 20

Types of the respond	Number	Percentage
Good	158	53.56
So-so	78	26.44
Poor	59	20.00
TOTAL	295	100.00

From the above table, only 20 per cent of the respondents complain that ventilation and lighting. Power supplies are adequate in Central Jail, Aizawl. Out of them 53.56 per cent of the prisoners reply that ventilation and lightening are provided in their satisfaction.

The poor living conditions includes overcrowding, Lack of ventilation and light etc. Each ward consists of 20 to 50 inmates. This is the present one of the difficulty of the prisoners.

(h) Facilities inside Prisons

TABLE – 3:21

Medical facilities

Quality and quantity of Medical facilities	Number	Percentage
Good	12	4.07
So-so	51	17.29
Poor	232	78.64
TOTAL	295	100.00

In this study, 78.64 per cent of the prisoners complain about the poor quality of medicines supplied in Jail. During their illness, they are getting unsatisfactory medical treatments. From the report of Sensitization Cum Training Workshop on HIV Prevention in prison settings in Mizoram, we found that 44 to 48 per cent of inmates are drug user patients and most of the drug user prisoners getting HIV positive. Prisoners are included people from

most at-risk populations (drug user and sex workers). From the respondent only 4.07 per cent of the prisoners reply that they are getting medical facilities during illness.

(i) Book

TABLE –3: 22

Quality and quantity of books in Jail	Number	Percentage
Good	65	22.03
So-so	150	50.85
Poor	80	27.12
TOTAL	295	100.00

In the table reveals that 22.03 per cent of the respondents get sufficient reading books, 50.85 per cent are not desired and get not enough a reading book in the Jail, and 27.12 per cent of them say that reading book are poorly provided for the prisoners.

(j) Newspaper

TABLE – 3:23

Condition of newspaper facilities	Number	Percentage
Good	Nil	Nil
So-so	72	24.41
Poor	223	75.59
TOTAL	295	100.00

The study finds that facilities for newspaper are no regular available in Jail. Out of the total number of prisoners, 24.41 per cent get only Gospel newspaper but it was not regularly and the rest 75.59 per cent did not get any kind of newspaper.

(k) Legal Advice (to consult Lawyer)

TABLE – 3:24

Legal adviser for prisoners	Number	Percentage
Good	22	7.46
So-so	34	11.52
poor	239	81.02
TOTAL	295	100.00

From the study, the facilities for legal advice are poor available to 81.02 per cent of the prisoners and complained that as they were poor, they were not in position to afford the lawyer's fee and as a result legal experts were not taking interest in them. A few prisoners have legal advisers.

Most of the prisoners are of the opinion that they have no scope to know about their rights and duties as they are written in English.

(l) Spiritual Education

TABLE –3:25

Spiritual Education for prisoners	Number	Percentage
Good	235	79.66
So-so	48	16.27
Poor	12	4.07
TOTAL	295	100.00

Out of the total numbers of respondents, 79.66 per cent get Christian religious instructions from outsiders who deliver their discourses on different occasions, 16.27 per cent says that they get spiritual education but it is not enough for them and 4.07 per cent responded that they did not get spiritual advisers, the reasons is that some of them are non-Christian prisoners and some of them are not interested in this education.

(E) The Pain and Pangs of Imprisonment

(a) Brutal and Dehumanized Treatment of Jail Staff

TABLE –3: 26

Treatment of Jail staff	Number	Percentage
Hard Brutal treatment	3	1.02
Slightly Brutal treatment	49	16.61
No brutal treatment	243	82.37
TOTAL	295	100.00

From the collected opinions of the respondents on brutal and dehumanized treatment of Jail staff; 82.37 per cent of the prisoners were behaved well by the Jail staff and the rest replied that the behaviour of the Jail staff was brutal; few Jail warders addicted alcohols so that they were physical attack to the prisoners.

(b) Brutal and dehumanization treatment of other prisoners

TABLE –3: 27

Treatment of other prisoners	Number	Percentage
Hard Brutal treatment	5	1.69
Slightly Brutal treatment	41	13.90
No brutal treatment	249	84.41
TOTAL	295	100.00

Out of the respondents, 84.41 per cent of them replied that they did not have any complain about the behaviour of the senior prisoners, and the rest of the respondents have complained on the treatment of the others. When they are getting punishment due to breaking a rule, the senior prisoners punished them.

(c) Discrimination on Caste consideration

TABLE – 3:28

Discrimination on caste	Number	Percentage
Greatly/regularly	4	1.36
Occasionally	20	6.78
Absent	271	91.86
TOTAL	295	100.00

There is a small number of non-Mizo in Central Jail. From the table 91.86 per cent of the prisoners responded that discrimination on caste is not available in the prison, 6.78 per cent replied that discrimination was practicing to non-mizo's prisoners in the prison occasionally and 1.36 per cent agree it was there in the prison.

(F) Entertainment Facilities in Prison

(a) Television

TABLE –3: 29

Types of the response	Number	Percentage
Yes	295	100.00
No	NIL	NIL
TOTAL	295	100.00

The study reveals that all the inmates get colour television set in the Jail in the convict ward. Aizawl Central Jail where often more than 400 prisoners are confined. There is only one Television set for in each ward.

(b) Games and Sports

TABLE – 3:30

Response about Games and Sport	Number	Percentage
Very much	94	31.86

Occasionally	182	61.70
Absence	19	6.44
TOTAL	295	100.00

Regarding games and sports, the prisoners say that they have the provision for entertainment programmes in the prison adequate. Out of the respondents 31.86 per cent have a time to play games in regularly, 61.7 per cent of the inmates enjoyed this programmes occasionally and the rest only 6.44 per cent are not interesting in sports and games.

(c) Celebrations of important festivals, Independence Day, Republic day etc.

TABLE – 3:31

Celebration of important days	Number	Percentage
Yes	295	100.00
No	Nil	Nil
TOTAL	295	100.00

Regarding celebration of important festivals (Mizo Kut), Christmas festival, Independence Day, Republic Day etc., It is found that the prisoners enjoyed the programme of festivals, Independent day, Republic day etc. and all the respondents say that is was celebrating at the time.

(G) Perception and Prisonalisation Impact on Jail Inmates

(a) Loss of Faith in Mankind

TABLE – 3:31

Loss of faith in mankind	Number	Percentage
Completely	85	28.81
To some extent	113	38.31

My faith is unshaken	97	37.88
TOTAL	295	100.00

The study finds that 28.81 per cent of the respondents opine that they have completely loss faith on mankind, 38.31 per cent have lost faith in mankind to some extent and 37.88 per cent reply that their faith in mankind is unshaken.

(b) Objectives of Imprisonment

TABLE – 3:32

Kind of Objective	Number	Percentage
Prevention of crime	83	28.14
Custody of the prisoner	81	27.46
Correction, Cure, Reformation and Rehabilitation of the prisoner	116	39.32
Coercion of the prisoner	15	5.08
TOTAL	295	100.00

In the present study 28.14 per cent of the prisoners were of the view that imprisonment prevents crime, 27.46 per cent of the total respondents think that the objective of imprisonment is custodial, 39.32 per cent opine that correction and reformation is the objective of imprisonment and the rest are of the view that the objective of imprisonment is coercion.

The Central Jail, Aizawl stands at the apex of correctional institutions for adult offenders in Mizoram. This Jail has been functioning since the year 1986. It is located at 12kms distance from Aizawl Court, D.C Complex, between Tanhril and Sakawrtuichhun Villages, (now within City area). From the daily lock up report on 22nd October 2010, there are 588 prisoners of different classes as shown below:

Table I
Lock-up Report on 22nd Oct.2010

Classes	Male	Female	Total
Lifer	10	-	10
Rigorous Imprisonment Convict	51	2	53
Simple Imprisonment Convict	218	23	241
Under-trial Prisoners	213	59	272
Children	-	12	12
Total	492	96	588

Male prisoners outnumber female prisoner. Out of the inmates, 83.67 per cent are male and 16.33 per cent are female prisoners including their children. A child up to six years of age shall be admitted to Jail with its mother if it cannot be placed with relations or otherwise properly provided for.

CHAPTER-IV

WORKING CONDITION OF CENTRAL JAIL STAFF

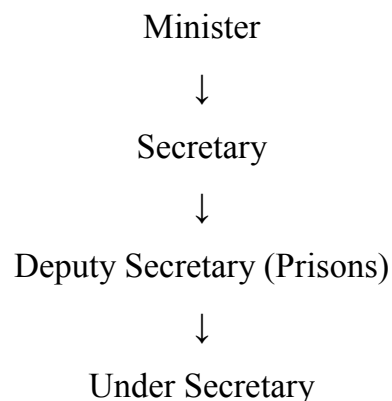
The Jail Manual's Committee, Government of India, recommends that every State should constitute an Advisory Board for Jail Administration. However, Government of Mizoram has not yet constituted the Board till today. The concerned Minister and his group of officials constituting Headquarters' Organisation perform the role of Jail Advisory Board in Mizoram. Hence, the working conditions of Central Jail Staff in Aizawl are very much dependent upon the quality of their relationship with the Headquarters' Organisation. Following are the authorities under which Central Jail Staff perform their administrative responsibilities.

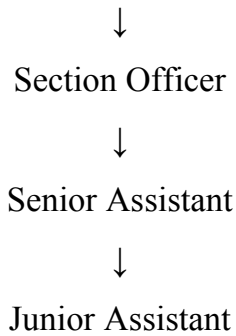
(A) Headquarters' Organisation

Central Jail Administration in Mizoram falls under the Home Department and the Minister in-charge of Home becomes *ipso facto* the political head of the Department. Accordingly, the Home Secretary automatically becomes the administrative head of the entire Jail Administration in general and administration of Central Jail in Aizawl in particular. The Home Minister exercises administrative, executive and financial control over the entire Department which is held responsible to safeguard the liberty of the people and protect them from anti-social elements. The organisational structure at the Department level is shown in following Chart-I:

CHART – I

Administrative Structure at the Department Level

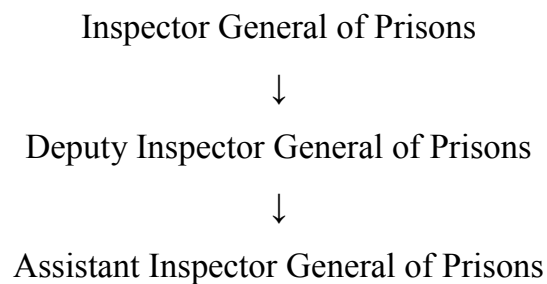




The concerned Minister is assisted by a number of civil servants in the Secretariat headed by the Home Secretary who is the Principal Adviser to the latter on all policy matters and administrative activities of the Department. As the Home Secretary has to attend to many other subjects like police, fire service, vigilance, etc., he usually delegates some of his powers to Deputy Secretary who looks after Jail Administration in the State as an independent charge. While performing his functions, the Deputy Secretary is assisted by Under Secretary, Section Officer, Senior Officer, Senior and Junior Assistants.

Under the Secretariat, there is a separate Directorate in-charge of Jail Administration. The Administrative structure at the Directorate of Prisons is given below:

CHART – II
Administrative Structure at Directorate Level



(1) Inspector General of Prisons

Under section 5 of the Prison act, 1894, every State Government shall appoint an Inspector General of Prisons for its territories who shall exercise, subject to the Order of the State Government, the general control and superintendence of all Prisons within its territory. The Inspector-General of Prisons is entrusted with the execution of the policy formulated by the Minister of Home Affairs. The post of Inspector-General of Prisons originates from the

Recommendations of the Indian Jails' Committee of 1838. In most of the States in India, Inspector-Generals of Prisons are generally appointed from I.A.S Cadre. However, in Mizoram State, this post is filled in by senior M.C.S (Mizoram Civil Service) officers. The incumbent Inspector-General of Prisons, Mr. K. Rohmingthanga is also drawn from MCS.

(2) Deputy Inspector General of Prisons

In Mizoram, the recruitment of Deputy Inspector-General of Prisons is made through the process of Departmental Promotion. However, door for promotion is open only to those of Prison Staff having the qualifying length of service. The Deputy Inspector-General of Prisons is to assist the Inspector-General of Prisons in all matters of Central Jail Administration.

(3) Assistant Inspector of Prisons

The recruitment of Assistant Inspector-General of Prisons is made through the process of Departmental Promotion. He looks after the construction of buildings, judicial matters, statistics, industries and training organization of the Directorate.

(B) Internal Organisational Structure of Central Jail, Aizawl.

Of all the six Jails in Mizoram, there is only one Central Jail headed by a whole-time Special Superintendent. The organisational structure of Central Jail, Aizawl, is shown in Chart III.

CHART III

Administrative Structure at the Field Level (Central Jail, Aizawl)

Special Superintendent



Jailor



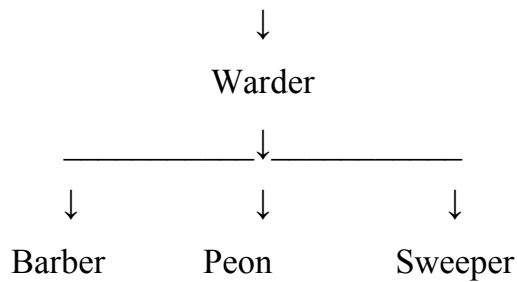
Assistant Jailor



Chief Head Warder



Head Warder



(1) Superintendent/ Special Superintendent

An appointment to the rank of Special Superintendent of Central Jail is made by promotion from Superintendent of District Jail.

Under section 6 of the Prisons Act, 1894, there shall be a Superintendent for every prison-whether Central or District Jail. Under section 11(1), the Superintendent shall manage the prison in all matters relating to discipline, labour, expenditure, punishment and control, subject to the Orders of the Inspector-General (IG).

The general duties of the Superintendent are defined in Section II of the Government of India Prisons Act, 1894. He is the head of the institution and subject to the orders of the Inspector General (IG), manages the prison in all matters relating to discipline, labour, expenditure, punishment and control.

The duties required to be performed by the Superintendent of prison in Mizoram State are laid down in the Assam Jail Manual. The powers and functions of the Superintendents are classified into four main categories as follows:

(i) Administrative

The Superintendent is the administrative head of the Jail. He is responsible for administration of all matters relating to economy, discipline, labour, expenditure, punishments and exercises overall control on the Jail administration. He visits the Jail at least once on every working day and also on Sundays and Holidays whenever special circumstances render it desirable that he should do so. He inspects all prisoners to hear and redress their grievances. He submits a detail report on the administration of the Jail to Inspector General.

(ii) **Executive**

The Superintendent has to be acquainted with the Act, and Rules, Regulations and Orders relating to prison, and is responsible for the due observance thereof and for execution of all sentences of prisoners committed to his charge.⁵⁸ He has a power of appointments, suspension and punishment. In the case of serious misconduct on the part of any officer appointed by Inspector General of Prisons or by the Inspector General of Civil Hospitals, the Superintendent may suspend the officer, reporting his action at once to Inspector General. All other officers of Jail shall be appointed and may be suspended, reduced and dismissed by him.

(iii) **Financial**

The Superintendent is responsible for the economical working of his Jail and for the satisfactory conduct of the manufacturing department, the punctual execution of Orders, the collection of all outstandings. No article for Jail use can be purchased without his permission and if any article is lost or damaged due to the negligence of any official, he refers the matter to the Inspector General of Prisons who, on his advice, takes necessary action for recovery of the cost.⁵⁹

(iv) **Others functions**

The superintendent has to submit to the Inspector General of Prisons such periodical and other returns, statements, bills and vouchers as are required by the latter. He accompanies the Inspector General of Prisons during his inspection of the Jail and also official visitors, if necessary.⁶⁰

(2) **Jailor**

Jailor next to the Superintendent, the Jailor plays a vital role in prison organization. All Jailors are recruited by promotion from the post of Assistant Jailors. There are two Jailors in Central Jail, Aizawl viz. Mr. Zosangliana and Mr. R. Vanlalhruaia in present time. The Jailor post has been a specially

⁵⁸ R.N. Datir, *"Prison as a Social system"*, Popular Prakashan, Bombay, 1978, p. 124.

⁵⁹ Amarendra Mohanty and Narayan Hazary, *"Indian Prison System"*, Ashish Publishing House, New Delhi, 1990, p. 64.

⁶⁰ Amarendra Mohanty and Narayan Hazary, *Op. cit.*, p.64.

declared gazette post by the Government of Mizoram. The duties required to be performed by the Jailor are given in Chapter XI of Assam Jail Manual, these are as follows:

(i) The Jailor is the chief executive officer of the Jail and is immediately subordinate to the Superintendent; he is responsible for the observance of all prescribed rules and orders and for the supervision of the subordinate staff.

(ii) He maintains discipline among prisoners and subordinates. For this purpose he always present at the Jail during the day except when he leaves it for his meals, to attend a Court of Justice, or on permission from the Superintendent.

(iii) He visits every part of the Jail daily, and sees every prisoner at least once in every 24 hours.

(iv) He is responsible for the execution of all orders regarding the labour of prisoners.

(v) He supervises the working of the warder guard, the cultivation of the garden, the Jail farm, all others outside operations and responsible for the adequacy of the supply of vegetables.

(vi) That all barracks and cells have been inspected daily during the week and found in order.

(vii) When any prisoner dies, he sends immediate notice of the death to the superintendent and the Medical Officer, also to the Medical Subordinate, if he is not already acquainted with the fact.

(viii) He keeps a Report Book, in which he duly record the hour of unlocking and by what officers they were performed; the number of prisoners admitted, discharged and locked up; all reports made against upper subordinates, all serious breaches of discipline on the part of subordinates and prisoners, the offence with which charged, the time of its occurrence and other circumstances connected with it.

(3) Assistant Jailor

According to Assam Jail Manual, the Assistant Jailor is the Jailor's immediate assistant, whose duty is to take the Jailor's place whenever he is absent and to undertake whatever portions of the Jailor's duties may be delegated to him under proper authority. On every occasion on which he officiates for the Jailor, or is in charge of Jail, he shall possess all the powers and responsibilities of that officer. In Mizoram, The post of Assistant Jailor should be filled up by direct recruitment. The newly recruited Assistant Jailors are to undergo training at R.I.C.A (Regional Institution and Correctional Administration), Vellore. At present, there are five Assistant Jailors in Central Jail, Aizawl.

(4) Chief Head Warder, Head Warders and Warders

All Warders-both male and female-shall be recruited in a Circle Jail through the Selection Committee constituted for the purpose with the following:

Inspector-General of Prisons	- as a Chairman
Special Officer (Jail Reforms)	- as a member
Circle Superintendent) concerned	- as a member-Convenor

(5) Chief Head Warder

Appointments to the posts of Chief Head Warder are made by the Superintendent of the Circle Jail concerned from among the Head Warders attached to the Jails in his Circle.⁶¹ The Chief Head Warder shall assist the Jailor at unlocking and lock-up. He shall visit the guards and sentries frequently by day and at least twice a week at night, and shall make an entry of the hour of these visits, and of any irregularities he may discover, in his report book, which he shall maintain in a form similar to that of the Jailor and shall submit it daily to the Superintendent. He keeps the attendance duty and other

⁶¹ Vidya Bhusan, "Prison administration in India", S. Chand, Delhi, 1970, p. 39.

rosters and the registers of the warder establishment.⁶² He looks after all the duties and functions of Warders and Head warders.

(6) Head Warder

Appointments to the post of Head Warder are made from amongst the Warders on the basis of seniority. As a rule no warder shall be promoted to Head Warder unless he satisfies the Superintendent that he possesses a fair knowledge of drill, with ability to put a squad through the manual, firing and bayonet of the Chief Head Warder requires the previous approval of the Inspector General. He is in charge of the whole of the arms, ammunition, uniform and equipment of every description of warder establishment and of the accounts relating thereto. He supervises the drill and practice in musketry of the men, the attendance of the standing guard, the mounting of sentries, reliefs, etc. he is responsible for the smartness and cleanliness of the warders and for their being at all times properly dressed.

(7) Warder

The minimum educational qualification for that warder staff is matriculation, this system was started from the year of 2008. The minimum height for warders shall be 5 feet 3 inches and the minimum girth of chest 32 inches, but men of better physique should, if possible, be obtained. According to the Assam Jail Manual which is being by Mizoram Government, the duties of all warders are the following:

1. To see that all convicts sentenced to labour in their charge are steadily at work, and to report to higher authority all cases of idleness, short work, or breaches of Jail rules.
2. To prevent all unnecessary talking, all laughing, singing, playing, quarrelling and other unseemly behaviour and to report the offender.

⁶² Dr. B.P. Saraf and Ashok K, Saraf, Op. cit., p. 216.

3. To see that the prisoners keep order in moving about, and do not loiter about the Jail.
4. To see that no prisoner leaves his own enclosure or communicates in any way with any prisoner in a different enclosure, or with any person outside the Jail.
5. To abstain from all familiarities and unnecessary communication with prisoners.
6. To see that there is no drill or litter in any part of the Jail of which they are in charge, and that the drains are kept properly clean.
7. To see to the cleanliness of the persons and clothes of the prisoners in their gangs; that the prisoners bathe as often and at such hours as may be ordered; and that the bedding and clothing are well aired according to order.
8. To bring at once to the notice of the Jailor any signs of sickness or any prisoner complaining of sickness.
9. To prevent any breaking up of the gang of prisoners entrusted to their special charge, except only when necessary; to make over to a convict officer any prisoner desiring to go to the latrine, and to see that he is not too long away from his work and is not permitted to go to any place hidden from view hence he may effect his escape; to report any prisoner urinating in or otherwise befouling any drain or any part of the Jail not set apart for the purpose.
10. To report any case of wilful injury to clothing or materials for work or to other Government property.
11. To prepare the prisoners for morning and evening muster by the Jailor, to report at once to that officer any prisoners who may be absent, to see that each prisoner comes to his proper place in proper order, and behaves well and keeps silent during meals.

12. To examine the wards, cells, bedding and clothing directly the prisoners have turned out, and to report at once any prohibited articles found.
13. To see that the cooks supply each prisoner with a proper amount of food, and that no food is secreted by the prisoners; to report the cooks whenever they neglect their work.

At the present in Central Jail, there are one Chief Head Warder, fourteen Head Warders and eighty-seven Warders including all female Warders. Central Jail has also two barbers, one peon and four sweepers.

(C) Medical Service

The medical care of the prison is in the hand of a medical officer. The structure of medical service at the Central Jail, Aizawl is given below:

CHART – IV

The Administrative Structure of Medical Staffs

Medical Officer



Medical Subordinates



Head Pharmacist

Section 37 of the Prisons Act, 1894, requires that the names of sick prisoners shall be reported without delay to the Jailer, and by him to the Medical Subordinates. The Jailer shall carry into effect all written directions given by the Medical Officer or Medical Subordinate respecting the treatment of any such prisoner. Under section 38, directions of this nature shall be entered day by day in the prisoner's history-ticket or in such other record as the Government may direct, and the Jailer shall record the action he has taken upon them.

(1) Medical Officer

Medical care of the prison is in the hands of a medical officer. This officer comes on deputation, for certain period, from the Medical Department.

He is reputed by Director, Medical and Health Services, to the Jail department, from the state cadre. During the period of deputation they are directly under the Inspector General of Prisons. The Inspector General of Prisons exercises over them control in respect of discipline, leave, transfer, etc. However, the power to punish by suspension, removal and dismissal cannot be exercised by the Inspector General of Prisons. If in the opinion of the Inspector General the conduct of a medical officer is such as requires to be punished with suspension, removal or dismissal, he may report to director, Health, who shall depute another officer to replace the medical officer at fault and shall take necessary actions against him. The Jail department pays the salaries of the medical officers.⁶³ Under section 6 of the Prisons Act, 1894, there shall be a Medical Officer for every prison. The medical officer remains in charge of the sanitary administration of the prison. The duty of the medical officer is to visit the Jails at least once a day or more so if necessary. His duty embraces every matter affecting the health of the prisoners and the general hygiene of the Jail.

(2) The Medical Subordinates

The Medical Officer is assisted by Medical Subordinates. Clause (8) of Section 3 of the Prisons Act, 1894, defines “Medical Subordinate” as Assistant Surgeon, Apothecary or qualified Hospital Assistant, now styled as Assistant Surgeon II. Under Section 6 of the Prisons Act, 1894, there shall be a Medical Subordinate for every prison. The appointment of Medical Subordinates for Jail-work will be made by the Director of Health Services, Government of Mizoram.

The duties of an Assistant Surgeon II are generally to attend to the health and cleanliness of the prisoners, the treatment of the sick, the sanitation of the Jail, the fortnightly weighments, the supervision of the food, and all other matters connected directly or indirectly with the health of the staff and inmates of the Jail.

⁶³ Vidya Bhusan, op. cit., p. 76.

At present, there are one medical officer, two staff nurses and one head pharmacist. The head pharmacist belongs to the Jail warder who had experience in medical services.

(D) Other Staff of the Office of the Superintendent of Central Jail, Aizawl

The Office of the Superintendent of Central Jail, Aizawl is composed of one Upper Divisional Clerk (UDC), two Lower Divisional Clerks (LDCs) and forty-eight Master Roll's workers.

Appointment of the Upper Divisional Clerk (UDC) post is made by promotion from amongst the personnel in the next lower cadre, that is, Lower Divisional Clerks (LDCs) and appointment of the Lower Divisional Clerk (LDC) post shall be made by nomination of the candidates who have passed H.S.L.C. Examination or an equivalent examination. All the posts of master rolls shall be made by direct recruitment (from outside).

The Assam Jail Manual is silent on the composition of the Central Jail staff. The present study of Central Jail, Aizawl, has found that the Office of the Superintendent of Central Jail is composed of one Special Superintendent, two Jailors, five Assistants Jailors, one Upper Divisional Clerk, two Lower Divisional Clerks, one Chief Head Warder, twelve Male Head Warders, two Female Head Warders, seventy- three Male Warders, twelve Female Warders, one peon, one driver, two barbers, four sweepers, one Doctor (Medical Officer), two Staff Nurses, one Head Pharmacists and thirty-six Master Roll's workers.

In Central Jail, Aizawl, there is a problem on the size of staff which tremendously affects the services and working conditions of Jail staff. A more serious defect in the organization of Jail department is the absence of any staff agencies.

(E) Basic Facilities of Central Jail Staff

Following are the basic facilities provided to Central Jail Staff

(1) Uniforms for Jail Officers

All officers subordinate to the Superintendent shall, when on duty, always appear in the uniform provided for them. According to Rule 124 substituted vide Notification No. MMB. 483/82/16, dt. 1.7.83 published in Assam Gazette, Part IIA Dt. 20.7.83 p. 927 mentioned the uniform of Jailors, Assistant Jailors Chief Head Warders, Head Warders and Warders which are given below:

(a) Uniform for Jailors in working

The following uniform is prescribed for Jailors:

(i) Jacket- Khaki Jacket with rolled collar, shoulder straps of the same material fastened each with a small button, two pockets on each side with pointed flaps and buttons, five buttons bearing the letters 'Mizoram Jail' of white metal to be used down the front.

(ii) Shoulder badge- There nickel plated five pronged plain stars with navy blue ribbon and nickel plated crest 'Mizoram Jail' on each of the shoulder straps.

(iii) Lanyard and whistle- Khaki lanyard with whistle carried in left breast pocket of the jacket.

(iv) Belt- Same Brown belt with a cross strap.

(v) Head- Dress khaki woollen peak cap.

(vi) Head badge- Nickel plated head badge with State emblem and wreath and inscription 'Mizoram Jail' in the middle.

(vii) Shirt- Khaki shirt with two breast pockets with pointed flaps and buttons.

(viii) Tie – khaki slacks.

(ix) Boots- Brown derby pattern boots khaki socks.

(x) Name tab - Name tab made of block plastic material, engraved with personal name, to be pinned up above right breast pocket.

(b) Uniform of Assistant Jailor in ceremonial/ working

The uniform of Assistant Jailor is similar to that of a Jailor, but different in shoulder badge, shirt and belt.

(i) Shoulder badge- Two nickel plated five pronged plain stars with navy blue ribbon and nickel plated crest on each of the shoulder traps.

(ii) Shirt and belt – khaki shirt with sleeves rolled up, shoulder straps of the same material fastened each with a small button, two breast pockets with pointed flaps and buttons, to be used with brown leather belt (without cross straps) with plate type buckle embossed with state emblem and wreath and inscription in the middle.

(c) Uniform of Head Warders

The uniform of a Chief Head Warder/s Head Warders are as follows:

(i) Tunic – Khaki drill piped blue and Khaki serge in winter, with stand-up collar one inch high one pocket on each breast, shoulder straps with “Jails” in white metal, five half-ball white metal buttons (inscribe M.R.J) down the front two for shoulder straps and two for pockets.

(ii) Shirts- Khaki drill

(iii) Put dress- Khaki

(iv) Head-dress – Khaki beret cap

(v) Badge – As prescribed (to be worn when on duty)

(vi) Waist belt – Brown leather, 2 inches wide with a silver plated badge with the words “Mizoram Jails Head Warder” For Chief Head Warders a same brown belt with one cross strap and without sword attachment.

(vii) Great coat – Khaki serge, police pattern without cape.

(viii) Jersey – Woollen

(ix) Baton frogs – To be slipped on to the Waist belt

(d) The Uniform of a Chief Head Warder

The uniform of a Chief Head Warder as same as the uniform of a Head Warder except from the following:

(i) Shoulder badge – One nickel plated five pronged plain star with navy blue ribbon and nickel plated crest on each of the shoulder straps.

(ii) Head-dress- Khaki woollen peak cap with black peak.

(iii) Head- badge – Nickel plated head badge with state emblem and wreath and inscription in the middle.

(e) Uniform of Warders

Ordinarily Warder wears the same uniform as Head Warder, except that the belts have brass badges with the words “Assam Jails Warder” inscribed thereon; cap and shoulder badges and buttons shall be of brass; and there is no chevron on the sleeve.

According to Assam Jail Manual, the Uniform for Jail Officers shall be furnished at Government expense as follows:

TERMS OF SUPPLY	ITEMS
Annually	<ol style="list-style-type: none">1. One pair of boots2. One pair of Khaki woollen putties3. One beret cap (khaki)4. Two suits of khaki cotton uniform clothing5. Two khaki cotton pants6. One pair of woollen socks
Once in eighteen months	<ol style="list-style-type: none">1. One woollen jersey2. Two khaki cotton coats and two short-sleeved khaki twill shirts with shoulder straps and two breast pockets.
Once in two years	<ol style="list-style-type: none">1. One set of chevrons for each Head warder2. One chevron for each Gate keeper3. One woollen jersey4. One khaki cotton trouser
Once in three years	<ol style="list-style-type: none">1. One woollen trouser2. One woollen tunic (for Chief Head warder & Head Warders only)3. One full-sleeved khaki cotton shirt with shoulder straps and two breast pockets (for warders only)4. One single-sized mosquito net for unmarried Warders and Head Warders for married Warders and Head Warders and Head Warders(in malarias district only)

Once in five years	<ol style="list-style-type: none"> 1. One set of fourteen button 2. One Great Cotton with cloth lining 3. One cap badge and one pair of shoulder badges.
Once in ten years	<ol style="list-style-type: none"> 1. One belt and badge; the badges for the Head Warders may, if necessary, be replaced in interval.
Once only	<ol style="list-style-type: none"> 1. A Charpoy 2. A box in which to keep Government uniform.

From the opinion of the staffs, the total numbers of 77 per cent of the Jail staffs are satisfied with the uniforms what they have received from the State Government. It has been found that each Jail officer has been provided with sufficient number of uniforms.

(F) Duty Detainment

In Central Jail, prisoners are classified on the basis of sex that is male prisoners and female prisoners. Male prisons and female prisons are also functioned separately under the supervisor of a Jailor and an Assistant Jailor respectively. The duty detainment of male warders and female warders are given below:

Male Ward: In the day shift, duty is started from 6:00 AM to 12:00 PM in each ward and next shift is started from 12:00 PM to 5:00 PM. In next night shift, it is started from 5:00 PM to 9:00 PM; the next is 9:00 PM to 12:00 AM, 12:00 AM to 3:00 AM is the next shift and 3:00 AM to till 6:00 AM. Only male warders are duty inside the male ward. Each warder has to get one duty shift in a day and to look after a ward. On Sunday, they are to detain for two shift duties in a ward. Gate duty is also in the hands of warders. A gate duty shift is same as a ward duty shift.

Female ward: Female warders have more duty comparing to male warders. In a day shift, the duty of warders is started from 8:00 AM to 3:00 PM. Only five female warders are detained to duty in a day. In a night shift, duty is started from 3:00 PM to till the next morning at 8:00 AM. But the

female warders has one day gap, it means that they has to get one shift duty in a ward within two days.

Post Duty: Outside the wall of central Jail attached to fourteen duty posts. It is in the hand of post guards (i.e. Home Guards). They occupied only twelve duty posts with arms, because unserviceable in this purpose.

The above result shows that the duty detainment for warders is more comparing other Jail, because the allotted strength of staffs has not been filled up.

(G) Condition in Scales of Pay

An undercurrent of discontentment among the Prison staff has now come to the surface. Their duties are of an arduous nature and confined to a monotonous area. The scales of pay of Central Jail Staff are lower than their counterparts in the Police Organisation. In order to address their grievances, it is necessary on the part of the State Government to equalise their scales of pay should with those of their corresponding Police Cadres.⁶⁴

Table – 2

Condition of Central Jail Staff in term of Scale of Pay

Condition in terms of Salary	Number	Percentage
Excellent condition	-	-
Mild condition	35	38.89
Poor condition	55	61.11
	90	100

Most of the Jail Staff complained that they are poorly paid in comparison to their respective counterparts in the State Police Organisation. There is a case for equalisation of their pay scales with those in the police.

⁶⁴ Orissa Jail Reforms Committee Report, 1995 (Chairman- Lal Mohan Patnaik), Orissa Government Press, Cuttack, p. 48.

(H) Welfare Associations in Prison

Central Jail has an important permanent welfare's association for inmates and staffs. There are three group of welfare/ association i.e. Prisoners welfare committee, Mizoram Jail Employees Association and Mizoram Prisons Officer Association.

(1) Prisoners Welfare Committee

The Prisoners welfare committee is very important committee for prisoners. The main aims of the committee are to promote, to help, to consider and to protect each and every prisoner in various fields and to create a moral, a physical and a spiritual development for inmates.

Composition

This committee composes of one chairman who is a present superintendent of Jail, one treasurer who is a senior Jailor and the others post of General Secretary, Assistant General Secretary, all disciplines in charge and Financial Secretary are take up by the inmates representatives. At present, prisoner's welfare committee is functioning in Central Jail. The present office bearer of this committee is mentioned below:

Sl.no.	Status as Office-bearers	Name of Office-bearers
1.	Chairman	Mr. K. Lawmthanga (Spl. Superintendent)
2.	Treasurer	Mr. Zosangliana (Jailor)
3.	General Secretary	R.C Lalmaka (Inmate)
4.	Asst. General Secretary	R.K Thangfala (Inmate)
5.	All Disciplines in charge	L.T Ruala (Inmate)
6.	Fin. Secretary	Rongura (Inmate)

Other Committee members are drawn from different responsibilities as follows:

- (i) All leaders of Wards
- (ii) Medical in-charge

- (iii) Market/ Bazaar in-charge
- (iv) Games and Sports in-charge
- (v) Chairman of Evangelical Church
- (vi) Sanitation in-charge
- (vii) Water in-charge
- (viii) Library in-charge

There are no terms and no election for this post. The superintendent and the Jailor have responsible of appointment for this committee. They selected a person who has good performance and good character inside the imprisonment.

(2) Mizoram Jail Employee Association (MJEA)

Mizoram Jail Employee Association was established on 20th January 1984 for the goodness of all the Mizoram Jail Employees. Now there are 360 members in this association. The office bearers are elected from the members for two years term. In every year this association has organized general conference. The main Office is located in Directorate of Inspector General. The present Office-bearers of the Association in the Headquarter are the following:

Sl.no.	Status as Office-bearers	Name of the Office-bearers
1.	President	Mr. Chawngsailova Warder (C.J)
2.	Vice President	Mr. H. Zakima Warder (C.J)
3.	Secretary	Mr. Thanghluna Warder (C.J)
4.	Asst. Secretary	Mr. Vanlalruata Warder (Dist. Jail, Aizawl)
5.	Treasurer	Mrs. Lalhuthangi Warder (C.J)
6.	Fin. Secretary	Mr. Pakunga Warder (C.J)

Other Executive Members are appointed by the Office-bearers. Under this association, there are numbers of branches namely-

Name of the Branch	Date of Establishment
District Jail, Aizawl	13.4.1984
District Jail, Lunglei	5.9.1984
District Jail, Saiha	10.9.1984
Central Jail, Aizawl	11.4.1987

District Jail, Kolasib	18.1.1991
District Jail, Champhai	15.5.1991

Central Jail Branch:

Only 14 members of Central Jail staffs set up a new branch of MJEA on 11th April 1987. They are functioning effectively for this association purposes and have good cooperation among the association. They play crucial role for the benefits for the Jail employees. On August 1996, a Monthly Newspaper was totally functioned in this branch till today. At the present, it composes of 6 Office bearers and 18 committee members. The office bearers of Central Jail branch are:

Sl.no.	Status as Office-bearers	Name of the Office-bearers
1.	President	Mr. R. Lalsangliana Warder
2.	Vice President	Mr. Vanlalhruaia Warder
3.	Secretary	Mr. R. Lalawmpuia Warder
4.	Asst. Secretary	Mr. Lalengmawia Warder
5.	Treasurer	Mr. C. Lalengmawia Warder
6.	Fin. Secretary	Mr. Lalsawma Warder

(3) Mizoram Prisons Officers Association

The Mizoram Prisons Officers Association was established in 1998, only executive officers shall be a member of this association. The Motto of MPOA is building loyal citizens (i.e. Prisons Officers and Prisoners). The office of MPOA is hold by the office bearers and seven committee members. They hold their office for only two years. The present office-bearers of MPOA are:

Sl.no.	Status as Office-bearers	Name of the Office-bearers
1.	President	Mr. C. Lalthianghlina DIG
2.	Vice President	Mr. Kapchhawthanga AIG

3.	Secretary	Mr. K. Lawmthanga Spl. Superintendent
4.	Asst. Secretary	Mr. T. Ramzauva Jailor (Dist Jail, Aizawl)
5.	Treasurer	Mr. Zosangliana Jailor (C.J)
6.	Fin. Secretary	Mr. L.T Ropuia Asst. Jailor (C.J)

(I) MONTHLY EXPENDITURE REPORT

Months	Salary (Rs.)	Wages (Rs.)	Medical Treatment (Rs.)	Travelling Expenditure (Rs.)	Office Expenditure (Rs.)	Other Charges (Rs.)	Total
January	60,26,000	8,29,196	4,62,684	39,532	25,000	18,53,231	92,35,643
February	25,54,000	3,36,595	-	-	-	-	28,90,595
March & April	42,83,248	3,36,595	1,81,292	25,400	45,000	18,30,933	67,02,468
May	64,52,000	-	85,102	-	-	9,05,170	74,42,272
June	85,57,000	6,96,010	7,75,905	65,649	20,000	15,14,770	1,16,29,334
July	6,50,00,000	4,83,940	-	-	25,000	18,71,262	6,73,80,202
August	4,83,940	-	2,13,728	2,560	25,000	1,51,190	8,76,418
September	70,50,000	5,23,808	-	-	-	35,500	76,09,308
October	66,00,000	5,24,860	3,85,640	-	-	15,23,368	90,33,868
TOTAL							12,28,00,108

CHAPTER – V

CONCLUSION

Jail Administration is one of the three important elements of Criminal Justice System, the other two elements being the Police and the Judiciary. Efficient Jail Administration can protect the citizens against social evils as well as reform the morals of the prisoners and hence plays an important role in Central and State Administration.

Jail Administration, in the real sense of the term, has emerged only after the elevation of Mizoram from its status as one of the districts of Assam to the Union Territory status. As long as Prison is the state subject, Jail Administration was, thereafter, under the control of the Union Home Department which dealt with Law and Order in Union Territories. Until the elevation of Mizoram into a full-fledged state of the Indian Union, Jail Administration, in the initial stage of development, was under the Administration of the Central Government. In those days, Jail Administration was mainly concentrated on security custody and confinement of prisoners.

The whole work is divided into five chapters:

The **first chapter** has briefly introduced the land and the people, and then dealt with the concept of Jail Administration with a view to understanding the purpose for which Central Jail has been established in Aizawl.

The **second chapter** has investigated the origin of Jail Administration in Mizoram in general and then focussed on Central Jail Administration, Aizawl.

In the **third chapter**, the researcher has made an assessment of the quality of life of inmates of Central Jail, Aizawl.

In the **fourth chapter**, the researcher has assessed the working conditions of different kinds of Central Jail Staff

The **fifth chapter** is the final chapter which has brought out the summary and findings of this work.

Summary and Findings

The Jail administration in Mizoram is the legacy of the British rule. Unlike its other sister departments of the criminal justice system such as the Police and Judiciary, Jail administration in Mizoram has not been evolved as an independent and separate entity and is yet to establish its identity. There has been a very slow growth of prison administrative system. Accordingly to the record of Prison Department, Aizawl, the first Police Station was established in 1896. After three years, the first Mizoram Jail was started at Jail Veng, Dawrpui (now, Millennium centre) on 25th June 1899. This institution was introduced by the British Rulers and was known as District Jail, Aizawl. In the real sense of the term, Jail Administration had emerged only after the elevation of Mizoram from its status as one of the districts of Assam to the Union Territory status in 1972. The Prison Directorate was started in the next year 1973. As Mizoram Jail Administration deals with Law and Order, it has been put under the control of the Home Department. All Jails in the State are classified into five Jails –

- (i) District Jail at Aizawl (1990)
- (ii) District Jail at Lunglei (1977)
- (iii) District Jail at Saiha (1977)
- (iv) District Jail at Champhai (1990)
- (vi) District Jail at Kolasib (1990)
- (vii) Central Jail at Aizawl (1986)

Central Jail, Aizawl, which is under study, was established on 15th September 1986. It is located at a place between Tanhril and Sakawrtuichhun Village (now within Aizawl City area) which is 12 Kms distance away from the Complex of the Deputy Commissioner's Court, Aizawl. This is the only Central Jail in the State where life convicts and other long term and habitual convicts besides under trials are admitted. There is a separate women Jail Annex in the Jail area under the same Superintendent but guarded and look after round the clock exclusively by female warders. Central Jail, Aizawl, is directly looked after by the Special Superintendent.

In the view of the Central Jail staffs, they received sufficient clothing (uniform). The duty detailment of warders is more comparing other Jails. It is difficult to lessen duty hour because the allotted strength of staff has not been fully filled up.

There is always undercurrent dissatisfaction among the prison staff. Most of them complain that they have less promotional facilities. They are poorly paid in comparison to the police. There is a case for equalization of their pay scales with the police department.

Most of the staffs live in quarters closer to the Jail compound. At present, staff's quarter buildings have become old and outdated and needed to be reconstructed. Water supply is also poor in quarter area.

In connection with the welfare of both the Staff and Inmates of Central Jail, the study has found that Central Jail has an important permanent welfare/association for inmates and staffs. There are three groups of welfare/association i.e. Prisoners Welfare Committee, Mizoram Jail Employees Association and Mizoram Prisons Officer Association. Each association has been established for the benefits of the inmates and staffs. At present, these associations play an important role in various fields.

The study finds that 26-30 years of age is the most vulnerable for crime. Approximately 60 per cent of the prisoners are unmarried. The study finds that scheduled tribe (Mizo) constitute most of the population. Christians constitute a large majority of prison population not like other states.

The study reveals that predominant section of prisoners are engaged in occupations like agriculture labour, cultivation, hiring labour, business, government service, private service and unemployed. It is found that 35.25 per cent of the prisoners are unemployed, 25.08 per cent are hiring labourers, 11.53 per cent are businessmen, 10.17 per cent are cultivators, 7.8 per cent are agricultural labourers, 7.46 per cent are private servant and 2.71 per cent are government servants.

One of the prominent features of the prisoners is their educational attainment. Only 1.7 per cent of the prisoners are illiterate. Among the literate

prisoners, 42.03 per cent have completed higher primary, 23.73 per cent are matriculates, 20.68 per cent have read up to lower primary, 9.83 per cent are educated up to intermediate and 2.03 per cent are graduates, while post graduate prisoners are absent in Jail at the present.

The study reveals that 53.56 per cent of the prisoners belong to the urban area and the rest to the rural area.

The researcher has come to the conclusion that, poverty and absence of basic needs of life are the common causes of crime. The other important causes of crime in order of importance are maladministration and patronage system in government and broken home. The minor causes of crime are corruption in public life, illiteracy and instigation by friends.

From a study of the nature of offences committed by the prisoners, it is found that 30.51 per cent of prisoners are charged with theft, 23.38 per cent are charged with Mizoram Liquor Total Prohibition Case (abusing drugs and alcohols) and the remainders are charged with murder, dacoity, sex crime, rioting and corruption.

The study reveals while examining the frequency of imprisonment, 41.36 per cent of the prisoners have come to Jail for the first time, 21.69 per cent have come for the second time and the remaining have come more than twice. This shows that four-tenths of the criminals are not hardened criminals.

The study has also revealed that 47.46 per cent of the prisoners are not tortured by the police before coming to the Jail, 27.80 per cent of the prisoners have confessed that they underwent excessive torture through police action and the remaining 24.74 per cent disclosed that they have been subjected to mild torture.

The study finds that 31.86 per cent of prisoners are under trial prisoners and the rest 68.14 belongs to the category of convicts.

The enquiry finds that 34.58 per cent of the prisoners are incarcerated for more than one year including the lifers, 49.15 per cent lived in Jail for a period of less than six months and the remaining 16.27 per cent are confined between six months and one year.

From an investigation into the living conditions of prisoners, it has been proved that the standards of food and drinking water conditions, physical, moral and spiritual conditions, medical conditions, for achieving the objectives of imprisonment (i.e. correction, cure, reformation and rehabilitation of the prisoner), etc. are dependent upon the quality of Prison Administration.

It has also been found that 24.07 per cent of the prisoners complain that food is insufficient in quantity and inferior in quality, 23.73 per cent comments the food served to be slightly better and 52.2 per cent of the prisoners are satisfied with the supply of foods. In the study we also find the dining space to be neat and clean.

Regarding drinking water 41.69 per cent of them are unhappy with the purity of water provided. 57.29 per cent of the prisoners are not satisfied with bathing and washing facilities. 43.05 per cent express their resentment over the old and outdated latrines in use.

The overwhelming majority of inmates are not satisfied with the living conditions in terms of clothing etc. Each inmate is insufficiently provided with mattresses, mosquito net, blanket etc. Overcrowding is not taken by them as a serious problem. Ventilation is all right. It is found that fans are conspicuous by their absence. The authorities justify this on the ground that if fans are provided, the possibility of committing suicide by hanging from the fans is there.

Majority of the prisoners have complaint regarding medical facilities. They have only one medical officer, two staff nurses and one head pharmacist. The main problems confronting the prisoners are the less supply of medicines and poor medical treatment.

Regarding reading facilities, the prisoners have one library. Nearly one-fourths of prisoners get books for reading, about half of them are getting undesirable books for reading and the rest complaint against reading facilities. They do not receive daily newspapers, weekly newspapers and monthly newspaper regularly. Majority of the prisoners has complaint regarding the supply of newspapers.

A facility for legal advice is availed by nearly one-fifths of prisoners and most of the prisoners do not seek legal advice as they are resigned to their fate.

There is a provision for spiritual education. Spiritual education has a magic effect on the prisoner and results in transformation of their character.

In the opinion of prisoners, majority mentioned the prison staffs to have good behaviours in the treatment of their prisoners. Most prisoners consider prison staffs not as a police men or master but as friends. Similarly, there is a good relation between the prisoners and prisoners. But a few prisoners have complaint on the treatment of the others.

Though caste is an important basis of social stratification, the overwhelming majority of the prisoners are of the view that there is no discrimination based on caste.

Regarding entertainment facilities, there is one colour television set in each ward for prisoners. Concerning games and sports, majority of the prisoners says that they have the provision for entertainment programmes in the prison. The prison authorities state that there is provision for outdoor games and indoor games. Though playing cards is prohibited as it might lead to gambling, but it is played secretly. The study also finds that they celebrate important festivals like Mizo festival (Mizo Kut), Christmas festival, Independence Day, Republic Day etc., they enjoy the programme of these.

Nearly two-fifths of the prisoners are very much hopeful for their acceptance by the family and society after they are released and do not feel shaken and repose faith in mankind, nearly two-fifths of them have lost faith in mankind to some extent and one-fifth feel that every thing is lost.

From the investigation, nearly two-sevenths of the prisoners are of the view that imprisonment prevent crime, nearly two-sevenths think that the objective of imprisonment is custodial, nearly three-sevenths of them say that correction and reformation is the objective of imprisonment and fifteen prisoners are of the view that the objective of imprisonment is coercion.

This work has proved that Central Jail staffs, though their number is less than the prescribed norm, perform their official functions with sincerity. The treatment meted out to the inmates by the Jail staff is also up to the mark. However, the main cause of poor performance of duties by the staff is due to the absence proper attention to Central Jail Administration by the State Government. It is, therefore suggested that the State Government of Mizoram should pay proper attention to prisons department to improve Central Jail Administration.

Suggestions

- (1) At present, in Mizoram, like many other States, the top positions in the Prison Directorate are occupied by non-professionals. The post of Inspector General of Prisons (I.G.P) is filled in by the senior Mizoram Civil Service (M.C.S) officer who is not a professional on the lone. It is, therefore, suggested that the top post in Jail Administration should be filled by a senior I.P.S officer.
- (2) There is a need for a special unit for research, consultancy and advice for the improvement of Central Jail Administration. This Staff agency would be called Prison Research Bureau and would be assigned the responsibility of collecting up-to-date data relating to Prisons and to explore the possibility of suggesting correctional measures.
- (3) It has been found that there are Regional Training Institutes at Lucknow, Vellore and Bombay for Northern, Southern and Western Regions of India respectively. Most of the High Prison Officials of Mizoram have participated in the orientation and other training programme organised by these institutes. There is a need for Regional Training Institute for the North Eastern Region of India. This will facilitate the training and orientation of the Superintendents and others Prisons Officials of Mizoram.
- (4) The Warder is the lowest prisons in Mizoram. The warders of prisons do not have a separate training institution. Police Training Centre (P.T.C) at Lungverh and Central Training Institution (C.T.I) at Sesawng are the most

popular training institutions for the warders. It is, further, suggested that a separate training institution for warders should be set up by the Government.

(5) It is necessary to increase the post of medical officer and medical subordinates. At present, there is only one medical officer and three medical subordinates who look after around 500 inmates.

(6) Most of the prisoners have been complaining that medical facilities and treatments inside the Jail are poor and unsatisfactory. The Jail hospital, however, does not have X-ray facilities or a modern operational theatre and does not have a specialist; the patients have been suffering from serious types of diseases. In the view of this, it is suggested that the Jail should have X-ray facilities or a modern operational theatre and a person who are expert in medical works.

(7) A Jail Manual is a digest of the rules and regulations governing prisons and prisoners. Nearly, every States has a Jail manual of its own. Every Jail is governed by it; every prisoner is bound by it. The pattern of the present administration of prisons in Mizoram is reflected in the Assam Jail Manual which was compiled in 1871. It is suggested that Mizoram should has a Jail manual of its own.

(8) Regarding legal awareness, most of the prisoners are not in position to afford the lawyer's fee and as a result legal experts were not taking interest in them. It is needed to provide them legal awareness from the government.

(9) Regarding clothing, large numbers of the prisoners are not receiving sufficient mattress, blankets, mosquito nets etc., especially during winter. In this view, it is suggested that sufficient clothing may be provided to every prisoners.

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APPENDIX
QUESTIONNAIRE

PART – A

BIO-DATA OF THE RESPONDENTS-JAIL INMATES

1. Name of the prisoner:
2. Age:
3. Sex (Male/ Female):
4. Marital Status:
5. Caste/ Tribe:
6. Religion:
7. Occupation:
8. Educational Qualifications:
9. Residence:

PART – B

REASONS FOR COMMITTING CRIMES BY CENTRAL JAIL INMATES

(Choose answer of your liking or agreement a good self-searching)

10. What is the cause leading to crime?
 - (i) Poverty and absences of basic needs of life
 - (ii) Illiteracy
 - (iii) Broken Home
 - (iv) Corruption in Public Life
 - (v) Maladministration and patronage system in Government
 - (vi) Instigation by friends
11. In what type of offence you are involved?
 - (i) Theft
 - (ii) Murder
 - (iii) Dacoity
 - (iv) Sex Crime
 - (v) Rioting
 - (vi) Corruption
 - (vii) MLTP Case (Drugs, Alcoholic etc.)

PART – C

PROBLEMS BEFORE PRISONERS PRIOR TO HIS/HER JAIL TERM

12. How many times you have been visited the Jail?

- (i) One
- (ii) Twice
- (iii) More than twice

13. Had you undergone any torture by police?

- (i) Excessive Torture
- (ii) Mild Torture
- (iii) No Torture

14. Have you ever been convicted by the Court

- (i) Yes
- (ii) No

15. What is the duration of your confinement?

- (i) Less than six months
- (ii) Less than one year
- (iii) More than one year including the lifers

PART- D

DIFFICULTIES IN DAY TO DAY PRISON LIFE

16. What is the condition of food that you had received?

- (i) Good
- (ii) So-so
- (iii) Poor

17. What is the condition of your drinking water?

- (i) Good
- (ii) So-so
- (iii) Poor

18. What is the condition of bathing and washing facilities?

- (i) Good
- (ii) So-so
- (iii) Poor

19. What is the quality of lavatory?
- (i) Good lavatory
 - (ii) Ordinary lavatory
 - (iii) Old and Outdated lavatory
20. What is condition of Mattress, Mosquito Net, Blanket, etc.?
- (i) Good
 - (ii) So-so
 - (iii) Poor
21. What is your opinion about the ventilation and lighting?
- (i) Good
 - (ii) So-so
 - (iii) Poor

PART - E
FACILITIES IN PRISONS

22. What is the condition of medical facilities?
- (i) Good
 - (ii) So-so
 - (iii) Poor
23. What is the condition of reading books provided?
- (i) Good
 - (ii) So-so
 - (iii) Poor
24. What is the condition of reading newspaper provided?
- (i) Good
 - (ii) So-so
 - (iii) Poor
25. Do you have any legal adviser (to consult Lawyer)?
- (i) Good Legal Adviser
 - (ii) Occasionally
 - (iii) No Legal Adviser
26. How is the provision of spiritual guidance?
- (i) Good
 - (ii) So-so
 - (iii) Poor

PART – F

THE PAINS AND PANGS OF IMPRISONMENT

27. Had you undergone brutal treatment from the staff?
- (i) Hard brutal treatment
 - (ii) Slightly brutal treatment
 - (iii) No brutal treatment
28. Had you undergone brutal treatment from others prisoner?
- (i) Hard brutal treatment
 - (ii) Slightly brutal treatment
 - (iii) No brutal treatment
29. Is there practice of discrimination on the basis of caste?
- (i) Greatly
 - (ii) Occasionally
 - (iii) Absence

PART – G

ENTERTAINMENT IN PRISON

30. Is there any television set provided?
- (i) Yes
 - (ii) No
31. Do you have any programme for games and sports?
- (i) Regularly
 - (ii) Occasionally
 - (iii) Not at all
32. Do you celebrate important festival, Independence Day, Republic Day, etc.?
- (i) Yes
 - (ii) No

PART – H

PERCEPTION OF PRISONIZATION IMPACT ON INMATES

33. Have you loss faith in mankind after imprisonment?
- (i) Completely
 - (ii) To some extent
 - (iii) My faith is unshaken

34. In your opinion, what is the objective of imprisonment?
- (i) Prevention of crime
 - (ii) Custody of the prisoner
 - (iii) Correction, cure, reformation, rehabilitation of the prisoner
 - (iv) Coercion of the prisoner

ABREVIATIONS

A.I.G Prisons	:	Assistant Inspector General of Prisons
C.R.P.F	:	Central Reserve Police Force
C.T.I	:	Central Training Institution
D.I.G Prisons	:	Deputy Inspector General of Prisons
I.A.S	:	Indian Administrative Service
I.G. Prisons	:	Inspector general of Prisons
M.C.S	:	Mizoram Civil Service
M.I Room	:	Medical Intensive Room
M.I.P	:	Mizoram Intodelh Project
M.J.E.A	:	Mizoram Jail Employee Association
M.L.T.P	:	Mizoram Liquor Total Prohibition
M.N.F	:	Mizo National Front
M.P.O.A	:	Mizoram Prisons Officers Association
M.R.J	:	Mizoram Jail
N.L.U.P	:	New Land Use Policy
P.T.C	:	Police Training Centre
P.W.C	:	Prisoners Welfare Committee
R.I.C.A	:	Regional Institution and Correctional Administration
U.T.P	:	Under-Trial Prisoners
W.T	:	Wireless Telegraphy

Glossary

Lushai, Ralte, Hmar, Paite,
Pawi, Khawlhiring, Khiangte,
Chawngthu, Pachuau, Pautu,
Hrahsel, Tochwawng, Vangchhia,
Chhakchhuak, Zawngte, Fanai,
Renthlei, and Lakher.

Mizo tribe or sub tribe

Khampat	:	Name of Village
Zawn	:	Carrying a person
Lal	:	Village Chief
Upa	:	Mizo Council of Village Elders
Salam	:	Imposing of fine in terms of money which varied from Re. 1 to Rs. 5
Bawi	:	Slave/ Dependent
Dawrpui	:	Name of a locality in Aizawl City
Veng	:	Locality
Babutlang	:	Name of a locality in Aizawl City
Tuirial Air Field	:	First Air-field in Mizoram which is located at the village of Tuirial. This village is so called because of the river “Tuirial” that passed through the village.
Sazaikawn	:	It is a village that passed through the road of Lunglei and Tlabung
Tanhril	:	Name of Village
Sakawrtuichhun	:	Name of Village
Aizawl	:	Capital of Mizoram
Mizo Tawng	:	Mizo Language
Zawlbuk	:	A kind of institution where young and old Mizo men learnt the values of living.