

# APCA News

ACADEMY OF PRISONS & CORRECTIONAL ADMINISTRATION

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## DIRECTOR'S DESK



### **Judicial Interventions and Prison Reforms: An Overview of Supreme Court Directions in Writ Petition No. 406/2013: Re-Inhuman Conditions in 1382 Prisons**

Way back in 1980s, the Supreme Court of India in one of its earliest landmark judgments on prisoners' rights pronounced that whether inside prison or outside, a person shall not be deprived of his guaranteed freedom save by methods 'right, just and fair.' Further the apex court held that a prisoner wears the armour of basic rights even behind bars and if such rights are breached, the law will respond to his distress signals through 'writ' aid. The provision of writ petitions have, time and again, proved to be the most effective judicial method to bring about reforms in conditions and administration of prisons in our country. The recent notable intervention of the Supreme Court in prison related issues is the case of Writ Petition No. 406/2013: Re-Inhuman Conditions in 1382 Prisons. This writ petition has been originated out of letter written by former Chief Justice of India, Hon'ble Justice R.C. Lahoti to Hon'ble Chief Justice of India, on 13<sup>th</sup> June, 2013, describing the disturbing conditions in prisons as reflected in a graphic story appeared in Dainik Bhaskar newspaper of 24<sup>th</sup> March, 2013. The letter specifically pointed out the issues of inhuman conditions, overcrowding, unnatural deaths in prison and inadequate and untrained prison staff. Subsequently the letter was registered as Writ Petition (Civil) No.406/2013 by the Supreme Court. Since then a slew of directions were issued by the Hon'ble Court aimed at resolving aforementioned problems. This article is an attempt to provide a summated overview of some of those important directions with regard to prisoners and prison staff.

One of the key issues raised in the letter was the unjustifiably high percentage of under-trial prisoners in our prisons. To look into this issue the Hon'ble Court has directed to arrange meeting of the Under Trial Review Committee (UTRC) in every district once in every quarter. It was also ordered that the Secretary of the District Legal Services Committee to attend each such meeting and follow up the discussions with appropriate steps for the release of under-trial prisoners and convicts who have undergone their sentence or are entitled to release because of remission granted to them. The UTRC should also look into aspects pertaining to effective implementation of Sections 436 and 436A of the CrPC so that under-trial prisoners are released at the earliest. The Committee was also directed to look at the issue of implementation of the Probation of Offenders Act, 1958 particularly with regard to first time offenders so that they have a chance of being restored and rehabilitated in society.

The Court directed the Member Secretary of the State Legal

Services Authority of every State to ensure, in coordination with the Secretaries of the District Legal Services Committees, that an adequate number of competent lawyers are empanelled to assist under-trial prisoners and convicts, particularly the poor and indigent, and that legal aid for the poor does not become poor legal aid.

The SC further directed the Director General/Inspector General of Prisons to ensure that there is proper and effective utilization of available funds so that the living conditions of the prisoners is commensurate with human dignity. The SC observed that the Model Prison Manual, which was adopted in 2003, has to be reviewed and revised. Accordingly the BPR&D has constituted a Committee and revised the Manual and the Hon'ble Court further directed the MHA to conduct an annual review of the implementation of the Model Prison Manual-2016. The MHA also has to make sure that the Management Information System is in place at the earliest in all prisons so that there is better and effective management of the prison and prisoners.

The issue of poor and inadequate staffing in prisons was also pointed out in the petition. Taking a serious view of this, the Court has directed to take immediate steps to fill-up the exiting vacancies in prisons. Besides, considering the poor standards of training, the Court instructed to develop standardized training manuals for prison officers and warders. Accordingly the BPR&D has constituted a Committee to formulate such training manuals. The APCA also actively contributed to the Committee through the resources available to prepare the training manuals. The Committee framed the Model Training Manuals for Prison Officers and Warders and which were considered by the Court. Subsequently they were circulated among all States and UTs for further action.

The Hon'ble Court took into account the issue of unnatural deaths in prisons also. The Court noted with displeasure that NCRB data provided insufficient explanation about the nature and causes of deaths in prisons and directed the NCRB to explain and clarify the distinction between unnatural and natural deaths in prisons and also explain the sub-categorization 'others' within the category of unnatural deaths. It further requested the Chief Justice of every High Court to register a suo motu public interest petition with a view to identifying the next of kin of the prisoners who have admittedly died an unnatural death as revealed by the NCRB during the period between 2012 and 2015 and even thereafter, and award suitable compensation.

Referring to the matter of functioning of open prisons, the Court directed the States/UTs to increase the capacity of existing open prisons and also to consider establishment of new open prisons. The Court also directed to frame model rules for administration of open prisons.

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The petition still remains unconcluded in the Social Justice Bench of the Court. In its latest direction, the Court has ordered to constitute a Supreme Court Committee on Prison Reforms consisting of Hon'ble Mr. Justice Amitava Roy, former Judge of the Supreme Court as its Chair and Director General (Prisons), Tihar Jail, New Delhi and Inspector General of Police, BPR&D as its Members. The key terms of reference, inter alia, of the Committee includes (1). Review the implementation of the guidelines in the Model Prison Manual 2016 by States and Union Territories (UT's); (2). Review the implementation by the States and UTs of the recommendations made by the Parliamentary Committee in its report titled 'Women in Detention and Access to Justice'; (3). Review the Training Manuals of Basic Course for Prison Officers and Warders, 2017; (4). Review the status of the implementation of the guidelines and advisories issued by MHA to the States and UTs; (5). Examine the extent of overcrowding in prisons and recommend remedial measures, including an examination of the functioning of UTRCs, availability of legal aid and advice, grant of remission, parole and furlough; (6). Examine violence in prisons and recommend measures to prevent unnatural deaths and assess the availability of medical facilities in prisons and make recommendations in this regard; (7). Assess the availability and inadequacy of staff in prisons and recommend remedial measures; (8). Suggest training and educational modules for the staff in prisons with a view to implement the suggestions; and (9). Recommend steps for the psycho-social well-being of minor children of women prisoners, including their education and health.

To conclude, it is anticipated that the above directions and also the expected recommendations of the Supreme Court Committee would bring about considerable progress and improvement in prison conditions across the country.

## Special Events

### Director attended NHRC Meeting to finalize Amendments to Prisons Act

Sri. V.S. Raja, Director and Member of Committee for Amendment to the Prisons Act, 1894, attended the meeting on 27.07.2018 held at NHRC, New Delhi to finalize Amendment to Prison Act.

### Meeting of the APCA Award Selection Committee



Sri. V.S. Raja, Director and Member-Convener briefing the Committee Members about the award selection process. Other members (from L to R): Sri. M. Somashekar, Prof. B.C. Mylarappa, Sri. R. Kanagaraj, Sri. B. Saidaiah, Sri. S. Santhosh, and Dr. M. Jayanthi.

The meeting of the Selection Committee for first-ever APCA Awards for 'Innovations in Corrections' (for prison officials) and 'Best Institution of the Year' (for prison institutions) was held on 11.09.2018 at the Academy.

Sri. B. Saidaiah, DIG of Prisons, Hyderabad; Sri. R. Kanagaraj, DIG of Prisons, Madurai Range, Madurai; Sri. S. Santhosh, DIG of Prisons, North Zone, Kozhikkod; Sri. M. Somashekar, Chief Superintendent, Central Prison, Bengaluru; Prof. B.C. Mylarappa, Chairman of Department of Sociology, Bengaluru University; Dr. M. Jayanthi, Psychologist, Central Prison, Palayamkottai; Dr. Martin Payyappilly, Counsellor & Educator, Kerala; and Sri.V.S. Raja, Director & Member-Convener attended the meeting.

The Committee has nominated **Dr. M. Varaprasad**, (the then Superintendent, Central Prison, Rajamahendravaram and now in the rank of DIG), Andhra Pradesh for the APCA Award for Innovation in Corrections for the Year 2016.

The Committee also nominated **Central Prison, Hyderabad, Telangana** in the category of Central Prison; **Prisoners' Agricultural Colony, Cherlapally, Telangana** in the category of Open Prison; **Women Prison and CH, Thiruvananthapuram, Kerala** in the category of Women Prison and **District Prison, Chitradurga, Karnataka** in the category of District Prison for the Award of Best Institution for the year 2016.

## Courses and Programmes Conducted During July– September 2018

### 3-Day Training/Sensitization Programme against Drug Abuse for Prison and Correctional Officers



Sri. V.S. Raja, Director inaugurating the course. Sri.K. Radhakrishnan, Deputy Director is also seen.

The Academy has organized a '3-Day Training / Sensitization programme against Drug Abuse for Prison and Correctional Officers' from 17.07.2018 to 19.07.2018.

The programme was sponsored by National Institute of Social Defence, Ministry of Social Justice & Empowerment, Government of India, New Delhi. Sri. V.S. Raja, Director inaugurated the course and Sri.K. Radhakrishnan, Deputy Director gave the welcome address. Prof. (Dr.) A. Mathan Raj, Course coordinator, introduced the course objectives. Sessions and resource persons of the course were as follows: 'Meaning and concept of drug abuse and types of drugs, effects of drug abuse' and 'Addiction as a disease: what are psychoactive substances, classification of psychoactive substances and methods' -Dr. Annie Vijaya IPS, Superintendent of Police, Narcotics Intelligence Bureau, Chennai, Tamil Nadu; 'Constitutional and legislations to combat the issues' and 'Role of NCB in control of drug supply' - Sri. A. Bruno, Zonal Director,



Narcotics Control Bureau, South Zone, Chennai; 'Addiction and the reward circuit and brain communication and drugs and detoxification: process of detoxification withdrawal management' and 'Treatment plan: counseling process, planning for counseling sessions, cases etc.' - Dr. Priya G, Assistant Professor, CMC, Vellore; 'Relapse management and follow up, counseling issue related to follow-up of relapse'- Dr. Santhosh C, Clinical Psychologist, Dept. of Psychiatry, CMC, Vellore; 'Governmental programmes to curb the menace of drug abuse (RRTC Drug Treatment Centres etc.) and toll free helpline' - Ms. Jaqueline David, Senior Counselor, TT Ranganathan Clinical Research Foundation, Chennai and open session on 'Role of prison officials on drug abuse prevention'-Dr. I. Srinivasa Rao, DIG of Prisons, Andhra Pradesh, Sri. V. S. Raja, Director and Sri. K. Radhakrishnan, Deputy Director, APCA.

As part of the programme, the course participants visited the De-addiction Centre at Thirumalai Charity Trust Hospital, Ranipet. A total of 40 officers from the rank of Assistant Jailors to Superintendents from the states of Andhra Pradesh, Karnataka, Kerala, Tamil Nadu and Telangana attended the course. Dr. I. Srinivasa Rao, DIG of Prisons, Andhra Pradesh delivered the valedictory address and distributed the certificates to course participants.

### Badakhana and Cultural Night



Sri.V.S.Raja, Director, Sri.K.Radhakrishnan, Dy. Director & Dr.I.Srinivasa Rao, DIG of Prisons, AP, jointly lighting the camp fire.



A dance performance by trainee officers during the function.

On 18.08.2018 a badakhana and cultural night was organized by the Academy. Sri. V.S. Raja, Director, Sri.K. Radhakrishnan, Deputy Director, Smt. K. Jayabharati, DIG of Prisons, Vellore Range, Dr. I. Srinivasa Rao, DIG of Prisons, Andhra Pradesh, Professors, staff members and their families, guest faculty members, and trainee officers have attended the function.

Various fun-filled games and cultural programmes were organized during the occasion and prizes were distributed to the winners. The function concluded with a sumptuous badakhana.

### South India Study Tour of 21<sup>st</sup> Batch Basic Course

A one-week long south India study tour was organized from 22.07.2018 to 30.07.2018 for the trainee officers of the 21<sup>st</sup> Batch Basic Course. The trainee officers visited central prisons, female prisons, open prisons and state training institutes at Hyderabad and Thiruvananthapuram and central prison and open prison at Bangalore. They have also called on ADGP & IG Prisons of Karnataka during the tour. Prof. (Dr.) A. Mathan Raj, Professor in Criminology and Prof. R. Kanagaraj, Professor in Psychology led the officers.

### Independence Day Celebration



Sri.V.S.Raja, Director receiving salute from the trainee officers during the occasion. Sri.K. Radhakrishnan, Deputy Director is also seen.

The Academy celebrated 71<sup>st</sup> Independence Day of the nation on 15.08.2018. Sri. V.S. Raja, Director, hoisted the National Flag and delivered the Independence Day message. Sri. K. Radhakrishnan, Deputy Director was also present during the occasion.

### Convocation of 20<sup>th</sup> Batch Basic Course



Sri. A. Narasimha, IG of Prisons and CS, Telangana distributing certificate to a trainee officer during the convocation. Sri.V.S. Raja, Director, Sri. K. Radhakrishnan, Deputy Director and Dr. I. Srinivasa Rao, DIG of Prisons, Andhra Pradesh are also seen.

The convocation of 20<sup>th</sup> Batch Basic Course was held on 30.08.2018. Sri. A. Narasimha, IG of Prisons and CS, Telangana was chief guest during the occasion. The chief guest distributed certificates to the trainee officers and delivered



convocation address. Sri. V.S. Raja, Director welcomed the gathering and presented the course report. Dr. I. Srinivasa Rao, DIG of Prisons, Andhra Pradesh was guest of honour. The batch comprised of two Deputy Superintendents from Telangana and 18 Deputy Jailors (including two women officers) from Andhra Pradesh. Sri. P. Anilkumar Reddy, Deputy Jailor, Andhra Pradesh bagged the medals for best in subjects and best all-rounder. Sri. D. Gangadhar, Deputy Jailor, Andhra Pradesh received the medal for best in outdoor and Sri.T.Duryodhana, Deputy Jailor, Andhra Pradesh received the medal for best in Prison and Correctional Administration paper.

### Commencement of 23<sup>rd</sup> Batch of Basic Course

The 23<sup>rd</sup> Batch of Basic Course was commenced on 01.09.2018. The batch has a total of 36 trainee officers, comprising 32 Jailors (including 10 women officers) from Karnataka, one Assistant Jailor from Tamil Nadu, two Asst. Superintendents from Kerala and one Deputy Superintendent from Gujarat.

### 3-Day Training / Sensitization Programme against Drug Abuse for Prison and Correctional Officers



Hon'ble N.Pari, M.A. M.L., Chief Judicial Magistrate, Vellore, inaugurating the course. Sri. V.S. Raja, Director and Sri. K. Radhakrishnan, Deputy Director are also seen in the picture.

The Academy has organized a '3-Day Training / Sensitization programme against Drug Abuse for Prison and Correctional Officers' from 04.09.2018 to 06.09.2018. The programme was sponsored by National Institute of Social Defence, Ministry of Social Justice & Empowerment, Government of India, New Delhi.

Hon'ble N. Pari, Chief Judicial Magistrate, Vellore, inaugurated the Course. Sri. V.S. Raja, Director delivered the welcome address and Sri. K. Radhakrishnan, Deputy Director proposed vote of thanks. Prof. (Dr.) A. Mathan Raj, Course coordinator introduced the course objectives.

Sessions and resource persons of the course were as follows: 'Meaning and concept of drug abuse and types of drugs, effects of drug abuse' and 'Addiction as a disease: what are psychoactive substances, classification of psychoactive substances and methods'- Dr.A. Kapilan, Senior Medical Officer, Ms. B. ThivyaPriya, Counsellor, Ms. K. Yasodha, Nursing Superintendent, De-addiction & Rehab Centre, Thirumalai Mission Hospital, Thirumalai Charity Trust, Ranipet; 'Constitutional and legislations to combat the issues' and 'Role of NCB in control of drug supply'- Sri. A. Bruno, Zonal Director, Narcotics Control Bureau, South Zone, Chennai; 'Addiction and the reward circuit and brain communication and drugs and detoxification: process of detoxification withdrawal

management' and 'Treatment plan: counseling process, planning for counseling sessions, cases etc.' Dr. Priya. G, Assistant Professor, CMC, Vellore; 'Relapse management and follow up, counseling issue related to follow-up of relapse'- Dr. Santhosh C, Clinical Psychologist, Dept. of Psychiatry, CMC, Vellore; 'Governmental programmes to curb the menace of drug abuse (RRTC Drug Treatment Centres etc.) and toll free helpline' - Ms. Jaqueline David, Senior Counselor, TT Ranganathan Clinical Research Foundation, Chennai. There was an open session on 'Role of prison officials on drug abuse prevention' panelled by Smt. K. Jayabharathi, DIG of Prisons, Tamil Nadu, Sri. V. S. Raja, Director and Sri. K. Radhakrishnan, Deputy Director, APCA.

As part of the programme, the course participants visited the De-addiction Centre at Thirumalai Charity Trust Hospital, Ranipet. A total of 46 officers from the rank of Assistant Jailors to Superintendents from the states of Andhra Pradesh, Karnataka, Kerala and Tamil Nadu attended the course. Smt. K. Jayabharathi, DIG of Prisons, Tamil Nadu, delivered the valedictory address and distributed the certificates to course participants.

### Teachers' Day Celebration



Sri. V.S. Raja, Director; Prof. Beulah Emmanuel, Prof. (Dr.) A. Mathan Raj, Dr. T.H. Ansar, and guest faculty members cutting a cake during the teachers' day celebration.

The Academy celebrated 'Teachers' Day' on 05.09.2018. Sri. V.S. Raja, Director, delivered the teachers' day message on the occasion. Prof. Beulah Emmanuel, Professor in Social Work; Prof. (Dr.) A. Mathan Raj, Professor in Criminology, Dr. T.H. Ansar, Research Officer, Outdoor Instructors, and guest faculty members also spoke on the occasion. Trainee officers organized fun-filled games and they also presented gifts to Director and faculty members.

### 3-Day Training on Life Style Management for Prison and Correctional Officers



Dr. Sr. Regina Mary, Principal, Auxilium College, Vellore inaugurating the course. Sri.V.S. Raja, Director is also seen.



A 3-day 'Training on Life Style Management for Prison and Correctional Officers' was organized in collaboration with Auxilium College, Vellore from 18.09.2018 to 20.09.2018 at the Academy. Dr. Sr. Regina Mary, Principal, Auxilium College inaugurated the course.

Sessions and resource persons for the course were:

Health Management & Nutrition Management - Dr. Priscilla Snahalatha, Senior Medical Officer, Drug Resistant TB Centre, Govt. Vellore Medical College, Vellore; Relationship Management- Dr. Amudha, Asst. Professor, Dept. of English, Auxilium College; Problem Solving & Decision Making-Sri. Dinseh Gajendran, Catalyst & Director, Audacious Dreams Foundation, Gudiyatham; Personality Development & Stress Management-Dr. Beulah Suresh, Asst. Professor & Head, Dept. of Business Administration, Auxilium College; Conflict Management & Negotiation Skills-Dr. Selvam M., Deputy General Manager, HR, BHEL, Ranipet; Emotional Management-Dr. Indradevi, Associate Professor, VIT Business School, VIT University, Vellore; Work-Life Balance - Dr. Jayaprakash Jala, Asst. Professor (Senior), Academic Staff College VIT University, Vellore; and Time Management & Creativity Management- Ms. Preethi, Asst. Professor, Dept. of Business Administration, Auxilium College, Vellore.

A total of 35 prison officers in the cadre of Assistant Jailor, Deputy Jailor, Jailor, and Assistant Superintendent Gr.I from the states of Andhra Pradesh, Karnataka, Kerala and Tamil Nadu attended the course.

### Retirement of Staff



Sri. S. Sekar, Office Attender retired from service on 31.08.2018. He has joined the Academy in 1984 and served for 34 years. Sri. V.S.Raja, Director, honoured him and presented him a memento on behalf of the Academy and the staff in a farewell function organized at the Academy. APCA wishes him a healthy and happy retirement life.

### Special Lectures/Training Sessions

1. **Sri.D.Pazhani, DIG of Prisons, Madurai Range** - 'Prison Industries and Prison Bazar in Tamil Nadu', 16.07.2018.
2. **Sri.Jayabalan, Superintendent of Police (Rtd), Chennai** - 'Vigilance and Anti-corruption', 09.08.2018.
3. **Sri.R.Kanagaraj, DIG of Prisons (HQ), Chennai** - 'Important Legal Issues in Prisons', 31.08.2018.
4. **Smt.Rukmani P., Superintendent of Prisons, Chennai** - 'Legal Issues in dealing with Women Prisoners and their Children', 07.09.2018.
5. **Sri. Senthamaraikannan, Superintendent of Prisons, Chennai** - 'Dealing with Hardcore Criminals and High Security Prisoners', 12.09.2018.
6. **Dr. Reginald Alex and team, CMC, Vellore** -Special Training Session on 'First aid and CPR', 15.09.2018.
7. **Sri.M.R.Ravikiran, Superintendent of Prisons, Nellore** - 'Daily Routine in Prisons and dealing with Sensitive, Old Age and Young Inmates', 22.09.2018.
8. **Sri. B. Saidaiah, DIG of Prisons, Telangana** - 24.09.2018.

### Photo feature

#### Best Performers of 20<sup>th</sup> Batch Basic Course



From L to R.: Sri.T.Duryodhana, Deputy Jailor, Andhra Pradesh-Best in Prison and Correctional Administration Medal; Sri. P. Anilkumar Reddy, Deputy Jailor, Andhra Pradesh-Best in Subjects Medal and Best All-Rounder Medal and Sri. D. Gangadhar, Deputy Jailor, Andhra Pradesh -Best in Outdoor Medal.



Participants of 3-Day 'Training on Life Style Management for Prison and Correctional Officers' with Dr. Sr. Regina Mary, Principal, Auxilium College, Vellore; Sri. V. S. Raja; Director, Prof. Beulah Emmanuel, Professor in Social Work, Prof. (Dr.) A. Mathan Raj, Professor in Criminology and other faculty members on 18.09.2018.



## Photo feature



Participants of 3-Day 'Training / Sensitization Programme against Drug Abuse for Prison and Correctional Officers' along with Sri. V. S. Raja; Director; Sri. K. Radhakrishnan, Deputy Director, APCA and other dignitaries on 17.07.2018.



Trainee officers of 20<sup>th</sup> Batch Basic Course along with Sri. A. Narasimha, IG of Prisons and CS, Telangana; Sri. V. S. Raja; Director; Sri. K. Radhakrishnan, Deputy Director; other faculty members and instructors, after their convocation on 30.08.2018.



Participants of 3-Day 'Training / Sensitization programme against Drug Abuse for Prison and Correctional Officers' along with Hon'ble N.Pari, M.A. M.L., Chief Judicial Magistrate, Vellore; Sri. V. S. Raja; Director, APCA, and other dignitaries on 04.09.2018.

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**Editorial Board Members:** The Deputy Director, Professor in Social Work, Professor in Criminology and Professor in Psychology

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