



The Present Legal Framework and the Karnataka Government Policy on Reformation and Rehabilitation of Women Prisoners.

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"Crime is the outcome of a diseased mind and Prison must have an environment of hospital for treatment and care." - Mahatma Gandhi.

4.1. Introduction

As women's role in the society change and women are more exposed to various opportunities associated with male role, the degree of increase in women criminal behaviour will be on par with male criminality. Women's participation in crimes will increase as their employment opportunities expand according to their interest, desire and definition of self-shift from traditional to a more liberal one, number of domestic violence are increasing which is found to be mainly due to the dowry system; by this the rebellion attitude is developed that has forced women to commit crime. Criminal is not born, but is a by-product of social factors. The main causes of crime may be broadly divided in five main categories viz; Social, Economic, Physical, Geographical and Political. Among the social causes i.e. Family, defective, education, Cinema, Newspaper, Absence of social control, use of alcohol, prohibition of widow remarriage, defects of marriage and dowry system etc, and the Economic causes i.e. poverty, unemployment, Industrialization, Urbanization, etc are found to be contributing a major part in the commission of the criminal act.

The Constitution of India guarantees equality to women and various laws have been enacted to protect and empower women. But the pathetic situation of women prisoners languishing in Prisons is a serious social problem. The problems faced by them are outcome of the general societal indifference towards them. The concept of human rights is totally alien to such women. Non availability of separate prisons for women and their sexual exploitation are one of the common problems of Indian prison system.

Although women remain a small percentage of the total number in prison, their numbers are growing, and there is increasing concern among penal reformers about the problems and how to work to improve their situation. Imprisonment is increasingly the main recourse of the criminal justice system and criminal justice policy worldwide. India is a signatory to various international instruments of human rights, like the Universal Declaration of Human Rights which states that: “No one shall be subject to torture or cruel, inhuman or degrading treatment or punishment”. Also important is the United Nations Covenant on Civil and Political Rights which states in part: “All persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person”. Therefore, both under national as well as international human rights law, the state are obliged to uphold and ensure observances of basic human rights.

Article 2 of the UN Declaration on the Elimination of Violence against Women mentions any Violence against women shall be understood to encompass, but not be limited to, the following i.e., Physical, sexual and psychological violence perpetrated or condoned by the State, wherever it occurs.

Further the convention mentions in Article 4 mentions that the State should pursue all appropriate means and without delay, a policy of eliminating violence against women and, to this end, should:

- Refrain from engaging in violence against women;
- Exercise due diligence to prevent, investigate and, in accordance with national legislation, punish acts of violence against women, whether those acts are perpetrated by the State or by private persons;
- Develop, in a comprehensive way, preventive approaches and all those measures of a legal, political, administrative and cultural nature that promote the protection of women against any form of violence, and ensure that the re victimization of women does not occur because of laws insensitive to gender considerations, enforcement practices or other interventions; Adopt measures directed towards the elimination of violence against women who are especially vulnerable to violence. Women in prisons all around the world are at risk of rape, sexual assault and torture. In some countries, gender-based violence is endemic in places of detention.¹

In the year 2018 Press Information Bureau released its report on ‘Women in Prisons’, the report aims at understanding the various entitlements of women in prisons, the various issues faced by them and possible methods for resolution of the same. This report contains 134 recommendations for improving the lives of women under incarceration, addressing a wide range of issues pertaining to pregnancy and childbirth in prison a separate accommodation for mothers in post-natal stage has been recommended mental health, legal aid, reintegration in society, grievance redressal mechanisms and their caregiving responsibilities among others. Further the report states that bail should be granted to those under-trial women who have spent one-third of their maximum possible sentence² and the Ministry released statistics in the same year that there is an increase of about 4.3% of women prisoners every year and the majority of women constituted in the age

¹ Article 4 of “UN Declaration on the Elimination of Violence against Women”, 1993.

² Ministry of Women and Child Development’s Report on ‘Women in Prisons’, 2018

group of 30-50 years are about 50.5% and followed by 18-30 years are 31.3%. Of the total 1,401 prisons in India, only 18 are exclusive for women. Thus, a majority of women inmates are housed in women's enclosures of general prisons.

In this chapter a detail analysis has been made on the legal framework and various other provisions enabled in protecting the women prisoners in Karnataka.

4.2 Prison Laws In India

Prison is a State subject under List-II of the Seventh Schedule in the Constitution. The management and administration of Prisons falls exclusively in the domain of the State Governments, and is governed by the Prisons Act, 1894 and the Prison Manuals of the respective State Governments. Thus, States have the primary role, responsibility and power to change the current prison laws, rules and regulations. Important statutes which have a bearing on the regulation and management of prisons in the country are:

- (i) The Indian Penal Code, 1860.
- (ii) The Prisons Act, 1894.
- (iii) The Prisoners Act, 1900.
- (iv) The Identification of Prisoners Act, 1920.
- (v) Constitution of India, 1950
- (vi) The Transfer of Prisoners Act, 1950.
- (vii) The Representation of People Act, 1951.
- (viii) The Prisoners (Attendance in Courts) Act, 1955.
- (ix) The Probation of Offenders Act, 1958.
- (x) The Code of Criminal Procedure, 1973.
- (xi) The Juvenile Justice (Care & Protection) Act, 2000.
- (xii) The Repatriation of Prisoners Act, 2003.
- (xiii) Model Prison Manual (2016).³

4.3. Provisions of Welfare Measures for Women Prisoners in Karnataka

Prisons in India were set up by the British regime and most of our prisons are more than one hundred years old. During the British days medical officers presided over the prisons and they took good care of the health of prisoners. Various Committees had made very progressive recommendations which unfortunately were never carried out or it was poorly implemented.

The Central Bureau of Correctional Services was set up under the Ministry of Home Affairs in 1961 to follow up the recommendations of the All India Prison Manual Committee, to collect information and statistics on a national basis, to exchange ideas with the various State Governments and with the U.N., and

³ Government of India's "PRISON REFORMS IN INDIA", Members Reference Service, No. 23 year 2017.

to undertake training, research, evaluation and encourage sound social defence policies and programmes within the country.⁴

Women's involvement in crime has shown a dramatic change. This situation has encouraged researchers to conduct studies on women criminal behaviour and women's involvement in the present social, cultural, economic and political milieu of India. In recent years women have been participating in various aspects of social life, which may be one of the factors for the increase in crime among women.

Karnataka is one of the progressive states where attempts have been made for reforming the Prison administration. The Prison department has made considerable strides towards achieving the objectives of Reformation, Correction and Rehabilitation of Prison inmates and transforming the prison into curative centres.

The draft norm of Karnataka State Policy for the Empowerment of Women, 2018 suggests that Prison reforms should be implemented to take care of needs and problems of women prisoners⁵

i. Acts and Rules applicable in Karnataka⁶

Table no 1:- Below table shows the Prison Institutions which are governed by the following Acts and Rules:

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Acts:

- 1) Karnataka Prisons Act, 1963.
- 2) Karnataka Prisoners Act, 1963.
- 3) Identification of Prisoners Act, 1920

Rules

- 1) The Karnataka Prisons Rules, 1974

Manual

- 1) Karnataka Prison Manual, 1978

⁴ Department of Prisons "Report on working of Prisons Department, Achievement and Innovations", 2008.

⁵ Government of Karnataka's Draft norm on "State Policy for the Empowerment of Women", 2018

⁶ <http://home.karnataka.gov.in/en/Pages/Acts.aspx> retrieved on 25-02-2019.

ii. The Organizational Structure of Prison Department in Karnataka⁷

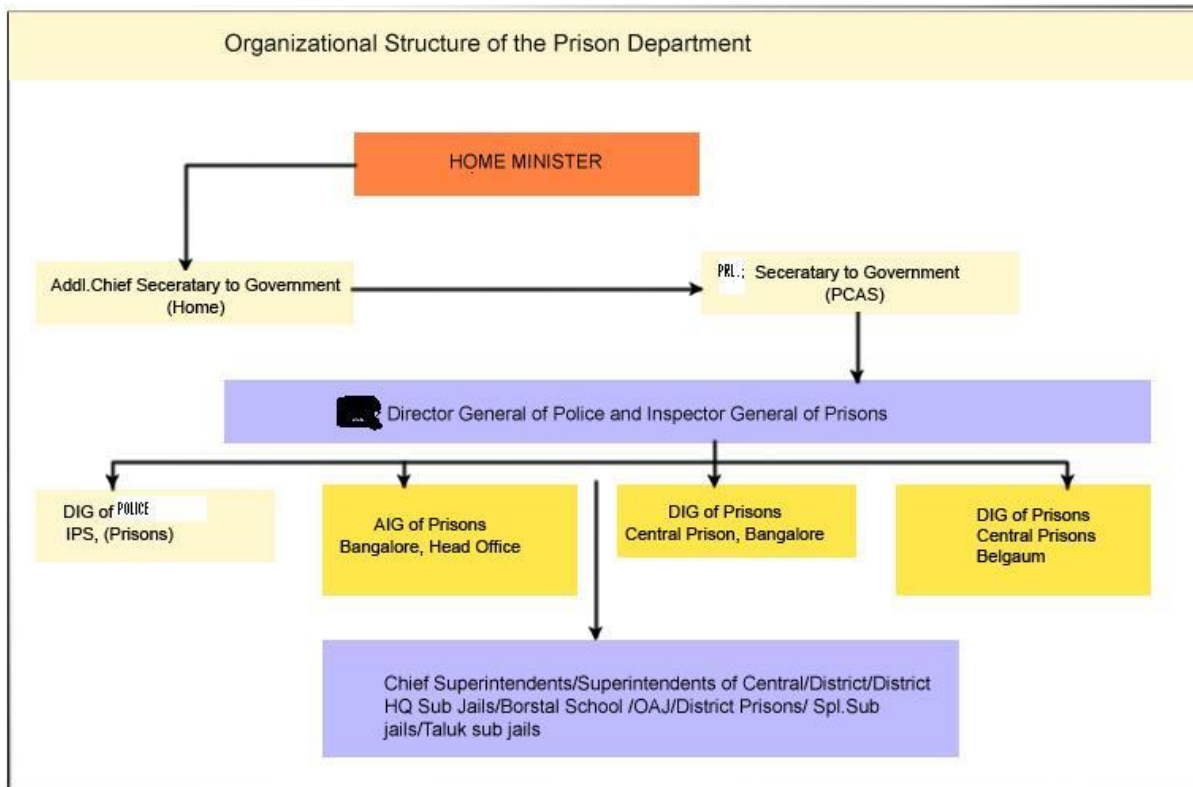


Fig 1 shows the pictorial representation of the organisational structure of the Prison administration in Karnataka and their categories. Prison Department is headed by the Addl. Director General of Police and Inspector General of Prisons and assisted by the Deputy Inspector General of Prisons (Hqrs), Deputy Inspector General of Police (Prisons) and Gazetted Managers at the Head Quarters. All the Prisons, District Head Quarters Sub-Prisons and Special Sub Prisons are being managed by the Departmental staff. Out of 70 Taluk sub Prisons, 30 are being managed by Departmental staff and 40 by the Revenue and Police Staff.

iii. Classification of Prisons in Karnataka

The names of various prisons under the different classes of Prisons shall be as follows: - The following are the Central Prisons; Belgaum Central Prison, Bengaluru Central Prison, and Bellary Central Prison.

⁷ <http://www.karnatakaprison.in/organizationandadministrationenglish.html> retrieved on 25-02-2019.

iv. Details of Prisons in state⁸

SL No	Type of the Prison	Name of the Prison
1		Central Prison BENGALURU
2		Central Prison BELGUAM
3		Central Prison BELLARY
4	CENTRAL PRISON	Central Prison BIJAPUR
5		Central Prison GULBARGA
6		Central Prison MYSORE
7		Central Prison DHARWAD
8		Central Prison Shivamogga (Women)
9		Prison Training Institute, Mysore
DISTRICT PRISONS		
1		District Prison TUMKUR
2		District Prison BIDAR
3		District Prison KARWAR
4		District Prison MADIKERI
5		District Prison MANGALORE
6		District Prison RAICHUR
7		District Prison SHIMOGA
8		District Prison CHITRADURGA
9		District Prison BAGALKOTE
10		District Prison CHAMARAJANAGAR
11		District Prison HAVERI
12		District Prison RAMANAGARAM
23		District Prison CHIICKBALLAPUR
		District Prison UDUPI
		District Prison KOPPAL
		District Prison CHICKAMAGLUR
		District Prison HASSAN
		District Prison KOLAR
		District Prison MANDYA
DISTRICT PRISONS		
1		SPL SUB PRISON DAVANGERE
2	Special sub Prison	SPL SUB PRISON K G F
1	OAJ KORAMANGALA	Koramangala-562116 Devanahalli Taluk
TALUK SUB PRISONS (under REV. DEPT CONTROL)		
1		ANKOLA
2		ATHANI
3		BHATKAL
4		BUNTWAL
5		CHICKKODI
6		CHINCHOLI
7		HANAGAL
8		HIREKERUR
9		HUKKERI

⁸<http://www.karnatakaprison.in/listofPrisonenglish.html> retrieved on 25-02-2019

10		HUNGUND
11		HONNAVAR
12		KARKALA
13	Taluk Sub Prisons	KUMTA
14		KUNDAPURA
15		KUNDGOLA
16		KUSTAGI
17		MADUGIRI
18		NAVALGUND
19		PUTTUR
20		RAIBAGH
21		RAMADURGA
22		RANEBENNUR
23		RONA
24		SAUNDATTI
25		SEDAM
26		SHIGOM
27		SHIRAHATTI
28		SIDDAPUR
TALUK SUB PRISONS (Under Department Control)⁹		
1		Aland
2		ARASIKERI
3		AURAD
4		BADAMI
5		BAILAHONGALA
6		CHINTHAMANI
7		DEV DURGA
8		GADAG
9		GANGAVATHI
10		GOKAK
11		HADAGLI
12		HOSPET
13	Taluk Sub Prisons	HUBLI
14		HUMANBAD
15		JAMKHANDI
16		KADUR
17		K.R.NAGAR
18		KOLLEGALA
19		LINGASUGUR
20		MANVI
21		NANJUNAGUD
22		NARASHIMARAJAPURA
23		SAGAR
24		SHORAPUR
25		TARIKERI
26		TIPTUR
27		VIRAJPET
28		YADGIR
29		YALLAPUR
30		SAKALESHAPUR

⁹ <http://www.karnatakaprison.in/listofPrisonenglish.html> retrieved on 25-02-2019

Table No 2:- shows the various categories of prison functioning in Karnataka. There are in total 102 prisons in the state, of which 8 Central Prisons (including one women central prison), 19 District Prisons, 2 Special Sub Prisons, 1 Open Air Prison, 1 Prison Training Institute, 1 Juvenile Prison, 1 Borstal School, 70 Taluka Sub Prisons (30 Taluka Sub Prisons are under the control of Department and 40 Taluka Sub Prisons are under the control of Revenue Department and manned by Police staff).

*Open Air Prison Kormangala*¹⁰: This Institution has been established with two fold objectives (i) Imparting training to the inmates in Agriculture and Horticulture as a reformatory measure with no heavy guards.

(ii) To rehabilitate them in their original Profession of Agriculture with training in modern methods. Only well behaved long term prisoners are kept in this Institution.

Police Department has taken an initiative to establish 3 more open air Prisons at Yadgir, Mandya and Kadur.

*Prison Training Institute, Mysore:*¹¹ This Institution imparts training to the Head Wardens and Wardens of the Department in correctional administration.

v. Following categories of prisoners confined in Central Prisons:

- Prisoners Sentenced to Death
- Prisoners sentenced to life imprisonment of all classes
- Prisoners sentenced to a term of imprisonment exceeding 10 years of all classes
- Civil prisoners
- Prisoners awaiting trial in local courts
- Women prisoners
- Military prisoners
- Juvenile prisoners

Following categories of prisoners confined in District Prisons:

- Prisoners of all classes sentenced to a term of imprisonment not exceeding or unexpired portion of sentence not exceeding 6 months
- Women prisoners
- Civil prisoners
- Prisoners awaiting trial before local courts

¹⁰ <http://www.karnatakaprison.in/openairPrisonenglish.html> retrieved on 25-03-2019.

¹¹ <http://www.karnatakaprison.in/prisontrainingenglish.html> retrieved on 25-03-2019.

- Military prisoners
- Juvenile prisoners

Following categories of prisoners confined in District Hq Sub Prisons: Special Sub Prisons: Taluka Sub Prisons:

- Prisoners sentenced to a term of imprisonment up to 3 months in case of headquarters sub Prisons and up to 15days in case of Taluka Sub – Prisons.
- Women prisoners
- Prisoners awaiting trial before the local courts
- Civil prisoners

Following categories of prisoners confined in Juvenile Prison, Dharwad:

- All Juvenile prisoners convicted by the Courts in the State whose term of imprisonment exceed 3 months shall be confined at the Juvenile Prison Dharwad.

vi. The authorized accommodation of prisoners in Karnataka:¹² (As on 2016-2017 Annual report)

Prisons	Authorized Accommodation		
	Male	Women	Total
8 Central Prisons	6788	694	7482
19 District Prisons	3552	309	3861
2 Special Sub Prisons	184	12	196
1 Open Prison	80	00	80
1 Juvenile Prison	0	0	0
Taluka Sub Prisons	2059	181	2297
Total	12663	1196	13916

Table no 3 :- As per the Annual report (2016-2017) from the Ministry of Home Department it show that there are about 102 Prisons in Karnataka accommodating 12663 male prisoners and 1196 women prisoners in the various categories in prisons respectively and these prisons are mainly designed for men where it is leading women prisoners to accommodate along with them, usually many central Prisons are having a separate cells or separate walls from men where women are confined in a smaller place where they are do not have provisions to move around freely inside the Prison premises unlike men. Many women prisoners

¹² “Department of Prisons “Annual Report “- Government of Karnataka, year 2016-17.

opines that the prisons are overcrowded and they cannot change clothes freely and there is specified timings for them to come out of their parapets.

vii. List of inmates population in Karnataka (As on 2018-19 report)

Prisons	Male	Women	Total
8 Central Prisons	9437	437	9874
19 District Prisons	4099	146	4245
1 Open Prison	34	0	34
Talukas Sub Prisons	1333	23	1356
Total	14903	606	15509

Table No 4: - As per the report (2018-19) of Prison Department of Karnataka, it shows that there are about 9437 Male prisoners and about 437 women prisoners totally consisting of 9874 prisoners in the Central Prisons. In the District Prisons there are about 4099 Male prisoners and 146 women Prisoners and totally consisting of 4245 prisoners. There are about 34 only male prisoners in Open Prison and in the Taluka Sub Prisons there are about 1333 male prisoners and about 23 women prisoners and totally consisting of 1356 In Taluka sub Prisons.

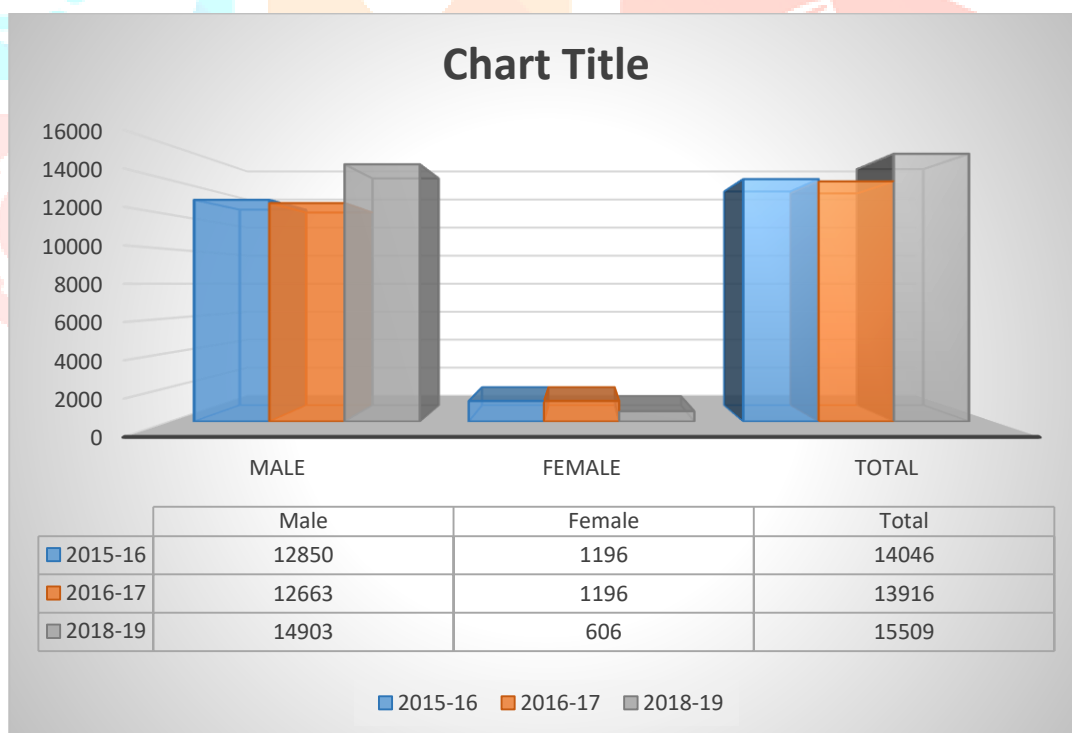


Fig 2:- In the above bar graph, the graph is depicting the total inmate population from three years i.e., 2015-16, 2016-17 and 2018-19 respectively; the blue line describes the 2015-16 year population, and orange describes 2016-17 year population, grey colour depicts 2018-19. It is understood that the population of women prisoners has gradually declined in the year 2018-19 which is about 606 total women prisoners in Karnataka.

viii. Table no 5 - List of inmate population in Central Prison in Karnataka

Jail Name	Civil		Convict		Detenue		Undertrail		Total	Total Female P
	Male	Female	Male	Female	Male	Female	Male	Female		
C.P. Bangalore	2	0	1298	67	13	0	3726	107	5213	174
C.P. Belagavi	2	0	387	22	0	0	487	16	914	38
C.P. Bellari	0	0	400	16	0	0	191	8	615	24
C.P. Dharwad	0	0	347	10	0	0	207	19	583	29
C.P. Kalburgi	0	0	384	10	0	0	482	22	898	32
C.P. Vijayapura	2	0	277	13	0	0	342	9	643	22
C.P. Women- Shiva	0	0	0	39	0	0	0	26	65	65
C.P. Mysuru	0	0	570	27	0	0	320	26	943	53

Source: - report from Prison department

ix. Table no 6 - List of inmates Population in District Prison in Karnataka

Jail Name	Civil		Convict		Detenue		Undertrail		Total	Total Female P
	Male	Female	Male	Female	Male	Female	Male	Female		
D.P. Bagalkot	0	0	1	0	0	0	143	6	150	6
D.P. Bidar	0	0	0	0	0	0	165	5	170	5
D.P. Chamarajnaga	2	0	0	0	0	0	138	0	140	0
D.P. Chikkaballapur	0	0	0	0	0	0	154	0	154	0
D.P. Chitradurga	2	0	12	0	0	0	205	8	227	8
D.P. Haveri	0	0	5	0	0	0	151	12	168	12
D.P. Karwar	1	0	0	0	0	0	134	2	137	2
D.P. Koppal	0	0	1	0	0	0	203	26	230	26
D.P. Madikeri	0	0	4	0	0	0	119	3	126	3
D.P. Mangalore	1	0	9	0	0	0	307	9	326	9
D.P. Raichur	1	0	28	0	0	0	138	11	178	11
D.P. Ramanagara	0	0	1	0	0	0	241	0	242	0
D.P. Shivamogga	1	0	213	0	0	0	364	0	578	0
D.P. Tumakuru	0	0	9	0	0	0	262	19	290	19
D.P. Udipi	0	0	3	0	0	0	141	6	150	6
D.P. Chickamagalur	0	0	0	0	0	0	217	11	228	11
D.P. Hassan	0	0	9	0	0	0	277	9	295	9
D.P. Kolar	0	0	0	0	0	0	157	10	167	10
D.P. Mandya	2	0	6	0	0	0	272	9	289	9

Source: - report from Prison department

x. Table no 7 - List of inmates population in Taluka Sub Prisons in Karnataka

Jail Name	Civil		Convict		Detenue		Undertrail		Total	Total Female P
	Male	Female	Male	Female	Male	Female	Male	Female		
Taluk Sub Jail KGF	0	0	0	0	0	0	48	0	48	0
Taluk Sub Jail Davangere	0	0	4	0	0	0	239	0	243	0
Taluk Sub Jail Aurad	0	0	0	0	0	0	24	0	24	0
Taluk Sub Jail Chintamani	1	0	0	0	0	0	34	10	45	10
Taluk Sub Jail Gadag	0	0	10	0	0	0	177	1	188	1
Taluk Sub Jail Gokak	0	0	1	0	0	0	59	0	60	0
Takul Sub Jail Hadagali	0	0	0	0	0	0	29	0	29	0
Taluk Sub Jail Hospet	0	0	0	0	0	0	39	4	43	4
Taluk Sub Jail Hubli	0	0	4	0	0	0	141	0	145	0
Taluk Sub Jial Humnabad	0	0	0	0	0	0	64	0	64	0
Taluk Sub Jail Jamkhandi	0	0	0	0	0	0	89	8	97	8
Taluk Sub Jail K.R.Nagar	0	0	1	0	0	0	89	0	90	0
Taluk Sub Jail Lingasugar	0	0	0	0	0	0	28	0	28	0
Taluk Sub Jail Manvi	0	0	0	0	0	0	36	0	36	0
Taluk Sub Jail Nanjangud	0	0	0	0	0	0	89	0	89	0
Taluk Sub Jail Yadgir	0	0	1	0	0	0	105	0	106	0
Taluk Sub Jail Shorapur	0	0	0	0	0	0	21	0	21	0

Source: - report from Prison department

xi. List of Women Under trials and convicts in Karnataka

Prisons	Convicts	Under-trial	Total
8 Central Prisons	204	233	437
19 District Prisons	0	146	146
1 Open Air Prison	0	0	0
17 Talukas Sub Prisons	0	23	23
Total	204	402	606

Table no 8: The above table clearly shows the list of under-trial and convicts women prisoners in Karnataka, there are about 204 convicts as well as 233 under trial prisoners in the central prison of Karnataka. In respect of District Prisons there are about 146 under trial prisoners and there are no convicts held. There are no women prisoners in Open prison and in the Taluka Sub Prisons there are about 23 under trial and totally consisting of 606 women prisoners in Karnataka, which is consistently less when compared to the 2015-16, 2016-17 years respectively.

xii. Authorized Holding Capacity of Women Prisoners in Karnataka

Sl No	Jail Name	Total Female Prisoners	Authorised Holding Capacity of Women prisoners
1	C.P. Bangalore	174	100
2	C.P.Belagavi	38	77
3	C.P. Bellari	24	30
4	C.P.Dharwad	29	162
5	C.P.Kalburgi	32	15
6	C.P.Vijayapura	22	20
7	C.P Women- Shivamogga	65	100
8	D.P. Bagalkot	6	20
9	D.P.Bidar	5	4
10	D.P.Chamarajnagar	0	5
11	D.P.Chikkabalapura	0	0
12	D.P.Chitradurga	8	25
13	D.P.Haveri	12	10
14	D.P. Karwar	2	62
15	D.P.Koppal	26	10
16	D.P.Madikeri	3	25
17	D.P.Mangalore	9	4
18	D.P.Raichur	11	20
19	D.P. Ramanagara	0	25
20	D.P.Shivamogga	0	0
21	D.P.Tumakuru	19	25
22	D.P.Udupi	6	10
23	D.P.Chickamagalur	11	25
24	D.P.Hassan	9	9
25	D.P.Kolar	10	10
26	D.P.Mandya	9	8
27	C.P. Mysuru	53	40
28	Open Air Jail	0	0
29	Taluk Sub Jail KGF	0	8
30	Taluk Sub Jail Davangere	0	
31	Taluk Sub Jail Aurad	0	15
32	Taluk Sub Jail Chintamani	10	10
33	Taluk Sub Jail Gadag	1	
34	Taluk Sub Jail Gokak	0	8
35	Takul Sub Jail Hadagali	0	
36	Taluk Sub Jail Hospet	4	
37	Taluk Sub Jail Hubli	0	
38	Taluk Sub Jial Humnabad	0	
39	Taluk Sub Jail Jamkhandi	8	
40	Taluk Sub Jail K.R.Nagar	0	
41	Taluk Sub Jail Lingasugar	0	
42	Taluk Sub Jail Manvi	0	
43	Taluk Sub Jail Nanjangud	0	
44	Taluk Sub Jail Yadgir	0	
45	Taluk Sub Jail Shorapur	0	
	Total	606	

Source: - report from Prison department

Table No 9: The above table clearly shows the authorized Holding capacity of Women Prisoners in Karnataka, the table briefs us on the overcrowding of women prisoners in some prisons like in Bengaluru Central Prison there are about 174 women prisoners with holding capacity of 100, Bengaluru Prison holds the highest number of women Prisoners' in Karnataka. The Next Central Prison which holds the highest number is in Kalburgi about 32 women Prisoners are held in Prison where the holding capacity of Prison is just 15, Kalburgi being a Central Prison can accommodate only 15 Women Prisoners, Mysuru too stands on the same footing where the authorized holding capacity for women prisoners is about 40 whereas the data

shows there are about 53 women prisoners. In the above data the holding capacity in District Prisons varies, the highest stands is Koppal, Haveri, Mangalore, Bidar too has very less holding capacity of women Prisoners whereas the women Prisoners number is more.

4.4. Reformative and other Measures in Karnataka Prison¹³

The prison system is also expected to make life disagreeable for people who, by their crimes, have made others' lives unpleasant. The prison system in our country has now been improved much. Generally, in earlier times imprisonment was a matter of harsh punishments which drastically changed into reforming the prisoners and even prisoners are taken care aftermath of the release, the reason being is that they should not be habitual offenders. Enormous investment of time, energy and money for reformative or rehabilitative prison model has been successful in preventing and controlling recidivism among prisoners which is appreciable. But in previous time the prison condition was not so good, but now the well-being of prisoners is important aspect, where in Indian prison, the caring of the prisoners are better and even improved as compared to ancient time. Improving women conditions in the prison is one of the important objective of the prison department in Karnataka as well as all over the world, the condition can only be improved only when there is a successful delivery of reformative measures, these measures help women prisoners to live a dignified life in the society, so that they do not become habitual offenders. The Reformative and other activities includes all such schemes like Parole and Furlough, Remission system, Emergency Parole, Premature Release, Panchayat System, Educational and Library Facilities, Vocational Training to Prisoners, Wage Earning Scheme, Interviews and Communication with Prisoners and Sports and Cultural Activities.

As far the reformative measures are concerned there is no special provisions relating to women prisoners and they are confined to the provisions which are provided to men at large.

1.	Vocational Training in various crafts of their choice.
2.	Training in modern techniques of Agriculture, Horticulture, Sericulture, Sheep rearing and Dairy farming
3.	Wage earning scheme
4.	Sports and cultural activities
5.	Reading room and library facilities
6.	Interview, letter correspondence and remission system
7.	Canteen facilities
8.	Prison Panchayat system
9.	Temporary release facilities on Parole, Furlough and Emergency Parole
10.	Premature release

¹³ "Department of Prisons "Annual Report "- Government of Karnataka, year 2016-17.

Table no 10:- Above is the various measures incorporated in the routine activities of the Prisons to facilitate the inmates to correct reform and thereafter rehabilitate themselves as good citizens after their release.

There are certain other reformatory measures adopted by the department where Non-Governmental Organisations (NGO) and Yoga centres conducts regular programs / courses and yoga classes include meditation and various other asana's for prisoners to release the mental stress and to some extent it is been made compulsory in many central prisons in Karnataka.

NGO conducts various counselling for men and women prisoners and NGO throw some light on the rights of the prisoners'.

1. Parole and Furlough

There are two kinds of parole followed the prison department i.e., Emergency parole and General Parole. Emergency Parole is that of where prisoners are released for 15 days in case of emergency in the family like in case of death of a husband, wife, parents only 15 days shall be granted in case of close relatives and it includes and medical issues too whereas 3-5 days shall be awarded where death or any medical issues are not of immediate family members and the prisoners are released with certain conditions. General Parole is where prisoners are released for minimum 30 days maximum to 90 days based on severity of the case.

The inmates of Prison institution are allowed to avail parole and furlough system to meet and to specially bond with their kith and kin and to sort out their family problems if any and to rebuild a favourable atmosphere post prison life this helps women prisoners to get along with the family and friends and to face the society with the ease. Parole system for women also helps to bond with their children outside the Prison premises and make sure that women prisoner can ruminate about the children education and career.¹⁴

Year	No. of Prisoners released on Parole	No. of Prisoners released on Furlough
2014-15	1318	—
2015-16	1029	—
2016-17	571	—

Table no 11 :- provides the details of prisoners released on Parole for the year 2014 – 15 were 1318 prisoners, in the year 2015-16 were about 1029 and in the year 2016-17, about 571 prisoners were released.

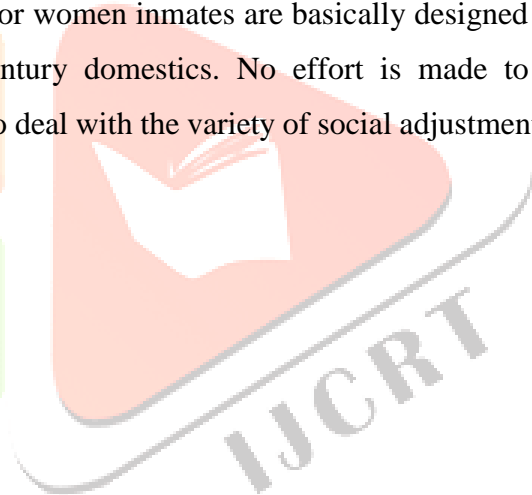
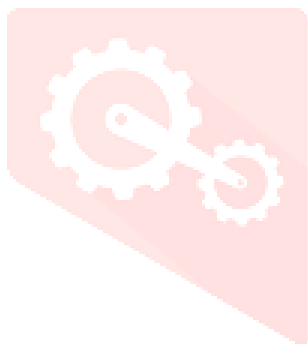
¹⁴ "Department of Prisons "Annual Report "- Government of Karnataka, year 2016-17.

Karnataka released 108 prisoners in 2017 among them 98 were men and only 10 women prisoners were released and 50 prisoners were from Bengaluru and of them were about 45 were men and 5 were women.¹⁵

In the year 2018 there were about 20 women prisoners were released in the emergency Parole and in case of the General parole about 13 women Prisoners were released. Very less number of Prisoners opt for General Parole and why it is so is a question mark for all.

In the year 2017 an amendment has been brought to Parole by reducing Parole Security Deposit amount from Rs.6, 000 to Rs.1, 000 and one surety instead of Two Sureties.

The programmes and facilities in correctional institutions for women offenders do not vary widely from one state to another. Most of the Women Reformatories are in poor condition as compared to institutions for male offenders. The social experiences encountered by women inmates are decidedly negative ones, with the rules of conduct being more restrictive in women's prisons than in men's prisons. Treatment programmes for women prisoners are either non-existent or markedly inadequate. Women prisoners are often exclude from training programmes and parole facilities. The training programmes (mainly cleaning food grains, cutting vegetables, cooking and sewing) for women inmates are basically designed to prepare women to re-enter the community as nineteenth-century domestics. No effort is made to introduce programmes that would adequately equip the women to deal with the variety of social adjustment problems they are likely to encounter in modern society.



¹⁵ <https://Bengalurumirror.indiatimes.com/Bengaluru/others/karnataka-government-releases-108-prison-inmates-announces-several-welfare-measures/articleshow/62059058.cms> retrieved on 26-03-2019.

2. Vocational Training¹⁶

The inmates of the Prisons are being given training in the following areas: -

1.	Power loom and handlooms
2.	Tailoring
3.	Carpentry
4.	Carpet making
5.	Printing
6.	Foot wear making
7.	Tent Making
8.	Soap and Phenyl Manufacture
9.	Black smithy and steel furniture making.
10.	Laundry
11.	Training in preparation of Bakery items
12.	Knitting, Basket making, Dress Designing, Fabric Painting, Candle making, Agar Bhatti manufacturing, Soft Toy making.
13.	First Aid, Midwife and Home Nursing training.
14.	Sanitary Napkins making.
15.	Training in Animal Husbandry
16.	Wheel Chair refurbishing
17.	Training in painting works

Table No 12:- The above table shows the various list of vocational training conducted in the prison department. There are only few training which has been imparted in few prisons and most of the Vocational Training is happening in the Central prisons like candle Making, Knitting, printing, Tailoring and only few more can be named. In the year 2017 the M/S M/s Asian Paints have given training to inmates in painting works in all central prisons.

¹⁶ “Department of Prisons “Annual Report “- Government of Karnataka, year 2016-17.

3. Industries Established in Different Central Prisons

Prison	Name of The Industry
Central Prison, Bengaluru	Power loom and Handloom, Soap and Phenyl making, Carpentry, Laundry & Dying, tailoring, Carpet Making, Bakery products making, tailoring.
Central Prison, Belagavi	Power loom and Handloom, Soap making, carpentry, Black smithy, Laundry & Dying, Foot wear making.
Central Prison, Vijayapura	Handloom, Carpentry, Smithy, Dying, Tailoring and carpet making.
Central Prison, Bellary	Weaving, Tailoring, Soap making, Carpentry, carpet making
Central Prison, Kalburgi	Weaving, Carpentry, Dying, Tailoring, Tent and shamiyana making
Central Prison, Mysuru	Power loom and Handloom, Weaving, Soap making, Carpentry, smithy, dying, tailoring, Bakery
Central Prison, Dharwad	Tailoring
Central Prison, Shivamogga	Bakery ¹⁷ , tailoring.

Table no 13:- Shows the various industries established in the Prisons and bakery unit is one of the successful unit for women prisoners apart from the tailoring, candle making, knitting etc.

As a step to provide vocational training in the baking industry, Department has established Bakery units across various central prisons and district prisons. These units are equipped with modern equipment like flour and Maida kneading machines, automatic electric ovens, bread slicers, warming units, plastic sealing machines, refrigerator and freezer. The Bakery units running at Central Prison Bengaluru, Belagavi and Mysuru successfully produce products like Bread, Bun, Biscuits, cakes, and savouries in the trade name 'Parivarthana Products' and sold to inmates, staff and general public. This initiative has got a good response both from the inmates and general public. The Bakery unit at Bengaluru produce laddu, Mysuru pak, Dil pasand, savouries –khara boondi and mixture.

Bakery unit was established in the earlier Central Prison for Women, Tumakuru under the Corporate Social Responsibility Project (CSR) of M/s BHEL, Bengaluru – a Government of India enterprise, during the year under report. Even in the Mysore a unit has been established under the CSR project where more than 200 buns, 150 units of breads, small biscuits are prepared by women prisoners In the Mysore Prison alone.

¹⁷ "Department of Prisons "Annual Report "- Government of Karnataka, year 2016-17.

The production of bakery units at the following prisons during 2016-17 is as under:¹⁸

Bakery unit at	Production Rs. In lakhs
Central Prison, Mysuru	11.90
Central Prison ,Belagavi	8.17
Central Prison , Kalburgi	18.74
Central Prison, Bengaluru	50.33
Central Prison , Dharwad	2.69

Table no 14: shows the production of the bakery unit and the total production cost in the year 2016-2017 is about 91.83 lakhs, in the annual year 2015-16 the production cost was 92.19 lakhs.

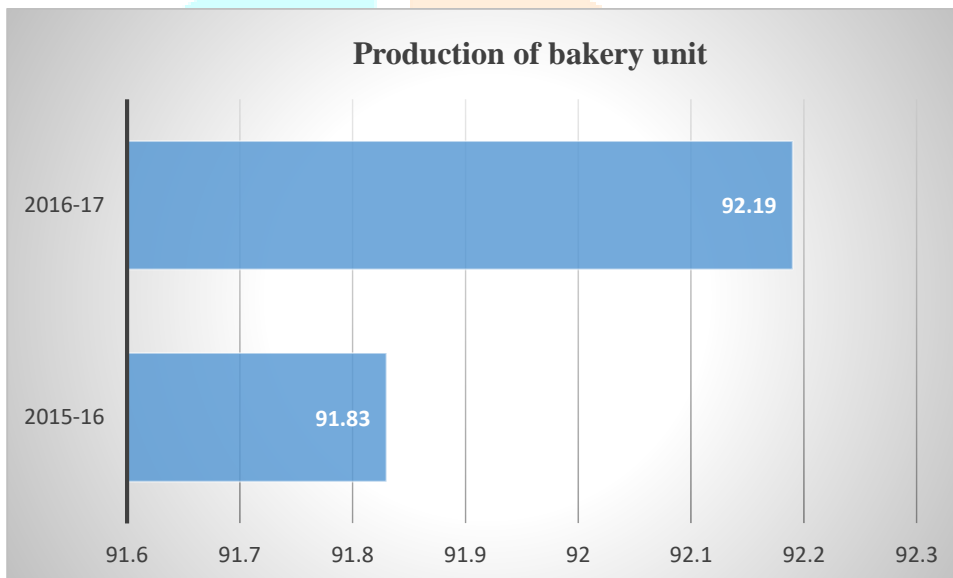


Fig 3 - The above horizontal bar graph depicts the 2 years production in the bakery unit and there is depreciation of 0.40 % in the productivity.

4. Gardening, Agriculture and Horticulture

The Prison in Bengaluru has their own kitchen garden and produce from the garden is consumed in the prison. With the help of NGOs like Bhim Rural Development Organisation (BRDO) and corporates like Mind tree, prisoners are trained in horticultural and agricultural techniques. Women inmates very much interested in gardening and it is one of the process to weed out negativity in inmates.¹⁹

¹⁸ “Department of Prisons “Annual Report “- Government of Karnataka, year 2016-17.

¹⁹ Rohit’s “Inside Parappana Agrahara: Striving to equip inmates for life on the outside”, “Times of India Article” 08-10-2018.

Agriculture and Horticulture is one of the occupational facilities for the prisoners in Karnataka but regrettably it can be noted that women in prisons are not allowed to take the major in charge in the Agriculture and the Horticulture activities due to various reasons stating that they are incapable to do hard works in the Prisons. The farming majorly takes place in the Open Prison, Kormangala, Devanahalli and it is prominent that women prisoners are not a part of Open Prison in Karnataka.

5. Garment and Carpentry²⁰

Few of the Central Prisons like Bengaluru, Mysore, Dharwad has their own garment unit too Which manufactures shirts and trousers under the brand name 'Karnataka Prison Product' and it is known for its quality.

The Carpentry unit manufactures Chairs and tables to many government offices in Karnataka and women are trained in the embroidery and tailoring activities.

6. Wages Scheme²¹

The Karnataka state has implemented payment of wages to the prisoners with objective of work done by prisoners should not be by force and also the wages paid for the work done should be encouraging and the wages given to the prisoners should be at least give little help to the family and children. Under trial prisoners who are willing to work are also paid. The wages paid has been credited to their personal account directly. 'Jan Dhan' scheme has been opened to prisoners where wages has been credited to their accounts and it is operational in Bengaluru and Gulbarga and the rest central prison has been working on. The prisoners can spend 50% of their earnings for their personal expenses like coffee/tea, snacks, postcards, through coupons issued in the canteen section of the prison and also they are allowed to send the amount to their close relatives through money order. The remaining 50% of the wages is kept in the personal account and paid to them at the time of their release.

Wages are paid at the mentioned below rates.

Classification	Amount of wage per day
Unskilled prisoner	Rs 70.00
Skilled Prisoner	Rs 80.00
Highly Skilled Prisoner	Rs 90.00

²⁰ Rohit's "Inside Parappana Agrahara: Striving to equip inmates for life on the outside", "Times of India Article" 08-10-2018.

²¹ "Department of Prisons "Annual Report "- Government of Karnataka, year 2016-17.

Table no 15:- In the above rates an amount of Rs 40/- will be deducted towards prisoners Food, Clothing and paid Rs 30/- Rs 40/- and 50 respectively.

Unskilled women and men prisoners are kept in Kitchen for cleaning the kitchen and the premises, Maintenance of Kitchen and the premises and the Prison surroundings. They are paid separate wages which is about 70 Rs per day.

7. Education and Library

Study in the previous chapter helped us to understand the reasons women commit crime, one of the main reason is illiteracy. Illiteracy being the main reason the Karnataka government as well as Prison department has started many programs for educating prisoner. In the state illiterate prisoners are being subjected to literacy drive under the Adult Education Scheme with the help of trained teachers. With the help of trained teachers Prisoners are allowed to continue their education through Open Universities like Mysore University and IGNOU. The Central Library has been functioning in many branches in Central Prisons at Bengaluru, Belagavi, Bellary, Vijayapura, Kalburgi, Mysuru and Open Air Prison, Kormangala.

Education is one of the effective rehabilitation measures for prisoners, since many crimes are happening because of illiteracy. 'Kousalya Abivrudhi' a scheme to uplift the traits and skills and to train prisoners in the various skill development certificate courses like IT, Management, Soft skills, Hospitality has been started and this courses has been offered for prisoners, 6 months training certificate shall also be issued for successfully completing the courses. About 60 lakhs has been invested in this programme by the Karnataka Government.

The inmates are being permitted to pursue their education through open universities and fees are paid by the Department towards their admission and exam. Couple of inmates were released in the year 2018 with Master's degree in hand, while several others both men and women have enrolled to the courses at various levels. The Prison provides facilities for the illiterate to learn the basics and those with some education to study further. The education department sends teachers on deputation to coach inmates. Kannada classes, taught through the 'Nali Kali' (Joyful learning) Scheme, are particularly popular among foreigners and who don't know the local language.²²

The Central Library has opened its branches in Central Prisons at Bengaluru, Belagavi, Ballari, Vijayapura, Kalburgi, Mysuru and Open Air Prison, Kormangala.

The details of number of inmates being permitted to pursue their education through open universities and fees paid by the Department towards their admission and exam during the year under report are as under:²³

²² <https://Bengalurumirror.indiatimes.com/Bengaluru/others/karnataka-government-releases-108-prison-inmates-announces-several-welfare-measures/articleshow/62059058.cms> retrieved on 26-03-2019.

²³ "Department of Prisons "Annual Report "- Government of Karnataka, year 2016-17.

SI No	Prison	Course	No. of Prisoners
1	Central Prison, Mysuru	B.A- II, III	06
2.	Central Prison, Ballari	B.A. II, III	04
3.	Central Prison, Belagavi	B.A II, III	06
		MCJ	01

Table No 16: The above table clearly shows the number of prisoners enrolled for the various courses in the year 2016-17 for pursuing education. The courses taken by the prisoners in Central Prisons of Mysuru, Ballari, as well as Belagavi is BA and only one prisoner has taken a Master's Degree which is upheaval. In these three Central Prisons there are only about 17 prisoners who are pursuing their education which is again upheaval. Women are hardly choosing education as a tool for their career aftermath their release. Women prisoners need to be motivated thoroughly to pursue their education which is lacking. Even though various scheme has been introduced there is lack of involvement for the education of the women prisoners. In the Year 2015-16 Central Prison, Mysuru had about 18 prisoners who were pursuing their education in various courses like Dip in E&T, C.A, KSAT, Dip in Computer Science and so on²⁴, but in the year 2016-17 the courses opted by the prisoner is only BA and the number has also reduced. It is the same case in Belagavi where the number of prisoners enrolled for many courses is about 15 in the year 2015-16 ²⁵and in the year 2016-17 the number of prisoners taken up BA is just 7²⁶. There is lack of Motivation for prisoners from the department to take up education, as education being one of the main source of rehabilitation.

8. Legal Aids and Counselling

In *Sunil Batra v. Delhi Administration*²⁷, the Supreme Court has attempted to explain the scope of the right to have free legal aid and observed that the legal aid shall be available to the prisoners to seek justice from the prison authorities and to challenge the decision of such authorities in the court. Justice P.N. Bhagawathi observed that, the 'Right to Legal Aid' was held to be implicit in the procedural requirement of Article 21 of the Constitution.

In association with State Legal Services Authority and District Legal Services Authority free legal aid camps shall be organised to create legal awareness to the prisoners and to assist them in defending their own cases.

²⁴ "Department of Prisons "Annual Report "- Government of Karnataka, year 2015-16.

²⁵ ibid

²⁶ "Department of Prisons "Annual Report "- Government of Karnataka, year 2016-17.

²⁷ 1980 AIR 1597, 1980 SCR (2) 557.

To provide Legal Service to the prison inmates, Legal Service Centre has been started at Central Prisons in Karnataka in association with Karnataka State Legal Service Authority, District Legal Service Authority, and Advocates Association.

Many Law colleges, NGO's, Judiciary Personnel, and Lawyers conduct voluntary awareness programmes (free of cost) for the prison inmates and Women prisoners are given special attention on this. Legal awareness boards has been displayed in almost all the Prisons for prisoners understanding. These boards are easy to understand and mostly in picture format for the prisoners to grab information effortlessly.

Counselling is done by NGOs both individually and in groups, allowing prisoners to bring out their feeling of anger and hatred, enable them to accept the realities of their present situation in life, giving them hope and courage to face the challenges of future. Every 15 days NGO's are permitted to Counsel for Women Prisoners.

In Central Prison, Belagavi 4 under trial prisoners were released in the year 2016 from the process held by Lok Adalath. In the year 2017 various Legal Camps were held in Central and District Prisons like in Bengaluru, Madikeri, Chickmagalur, Tumakuru and Taluka Sub Prison Tiptur and many other prisons.

9. Recreational Facilities

The Inmates are provided with recreational facilities like meditation, indoor and outdoor games like volleyball, Kabaddi, chess, carom. Recreation is one of the important measures for prisoners to reform themselves. Spiritual Programmes are conducted by the Art of Living, and Various Bagadvad Gita Shlokas chanting are also conducted by them. Television facilities too has been provided in Central Prisons. On the Special Occasions like Ganesha Festival, Kannada Rajyotsava celebration various cultural programmes like singing, dancing, drama takes place in the prison. Prisoners are trained in all the cultural activities. Inter Prison Prisoners meet shall be organised by the department and various sports tournaments shall be conducted.

Youth Leadership Training Programmes for inmates was conducted in the year 2017, this programme has been initiated towards reforming and rehabilitating the prisoners churn out them as good citizens, Department of Prisons in coordination with Art of Living jointly has organised this programme which is a model programme conducted for the period of 60 days at Central Prison, Bengaluru this Programme focused on Personal Development and communication skills through stress reducing techniques, finding inner peace – incorporating Sudharsan Kriya a unique breathing technique which eliminates stress, fatigue and negative emotions. The 60 days Programme were attended by 1200 inmates were. Department is planning to extend the programme to other central prisons. This initiative has got good response from the inmates to get reformed.

10. Pre – Mature Release

In Remission to reduce the sentence, the Advisory Board have been constituted in all the central prisons and district prisons to consider the premature release of life term convicts and short term prisoners. The prisoners who have completed 2/3 of the sentence including remission are placed before the advisory board with the opinion before the advisory board with the opinion of District Magistrate and Superintendent of Police of the district. The advisory board examines the cases of the each prisoner either recommend for premature release or gives suitable instructions. The cases of prisoners for premature release recommended by the Advisory

Board are submitted to government along with the opinion of the Inspector General of Prisons for further orders. The Premature release is purely based on the good conduct of the Prisoners.

Year	No of Prisoners Released
2012-13	02
2015-16	627
2016-2017	428

28

Table no 17 : shows the number of prisoners released in the year 2012-13 were only 2 and there was an increase in premature release which was about 627 prisoners were released in the year 2015-16 and in the year 2016-17 about 428 prisoners were released, there is no data available with respect to premature release of women prisoners.

A new programme was launched in the year 2017 named “Roopantara: A journey of Transformation”. This initiative was launched by the Prisons Department in coordination with Peace Makers, a Non-Governmental Organisation. It is first of its kind in the country where in life convicts due to be released are prepared for their transition from behind the prison walls to the outside world. The process involves following:

- ✚ Individual Profiling
- ✚ Physical preparation for release
- ✚ Mental and Emotional preparation
- ✚ Social preparation for release
- ✚ Spiritual preparation for release
- ✚ Post release follow-up and assistance²⁹

²⁸ “Department of Prisons “Annual Report “- Government of Karnataka, year 2016-17.

²⁹ “Department of Prisons “Annual Report “- Government of Karnataka, year 2016-17.

11. Remission System.

The system of regulating award of marks to and to consequential shortening of sentence of prisoner in prisons in accordance with Rules made under section 63(2) (e) of Karnataka Prisons Act 1963. Remission is granted to prisoners by the State Government or Inspector General or Superintendent subject to withdrawal or forfeiture or Revocations. Remission is an incentive for good behaviour and good work and is not the matter of right for any prisoner. Based on the good conduct of the prisoner the sentence shall be reduced on the basis of one day in a month.

12. Panchayat System

Panchayat System creates a sense of responsibility among prisoners. Prisoner's Panchayat Board is constituted for each Prison. Panchayat Board of Central Prison consists of convicted prisoners only and with a term of six months and in case of District Prison Panchayat Board consists of convicts and under trials with a term of three months. Many women Prisoners are also made involved in the Prison Panchayat System, this system builds a sense of fairness among women prisoners and it is one of the unique reformatory method.

4.5. Rehabilitation for Women Prisoners

According to the All India Committee on Prison Reforms 1980-83 "The women offenders in India face peculiar problems of rehabilitation during their post release period. Indian social customs make women offenders more vulnerable. Rehabilitation can be in so many ways like releasing of women prisoners wherein they are set with lots of emotional or mental stigma by releasing them on good conduct could improve their self-confidence and lead to transformation in life. Various Correctional Measure like open prisons, concept of parole, probation, prison labour, Education has been provided by the Karnataka state government in association with many NGO's and Colleges and Prison Department.

❖ Open Prisons

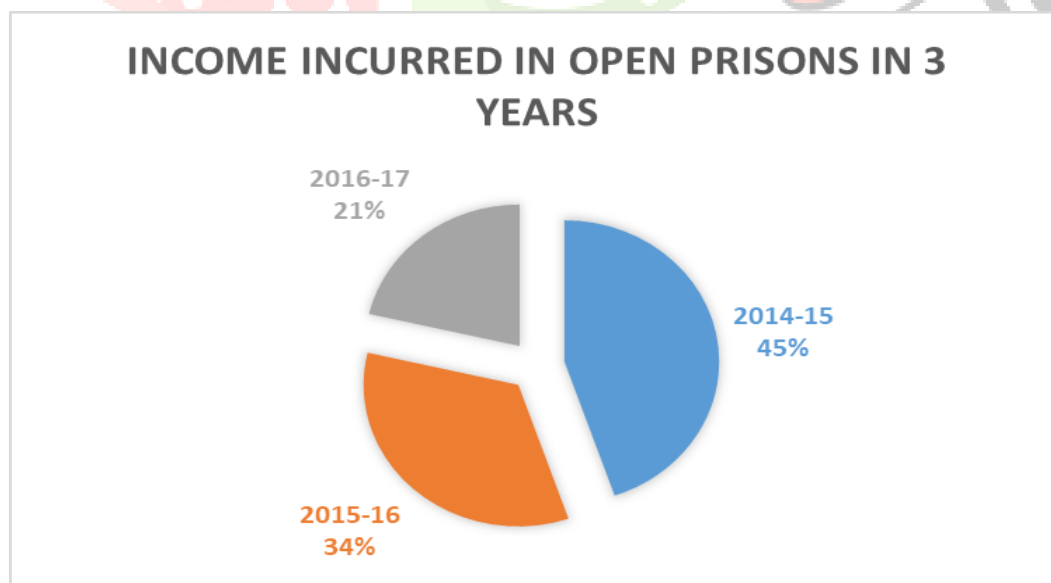
Play an important role in the reformation of prisoners. Besides being less costly open prisons provide an advantage to the Government to utilize the capabilities of the inmates to a great extent. The monetary returns are positive and once put into operation, the open Prisons acquire financial self-sufficiency. Open prisons are also helpful in reducing the overcrowding of the prisons which is urgently required in the case of Indian prisons. Appreciating the concept of open prisons in India the Supreme Court in the case of *Ramamurthy v. State of Karnataka* held that-"though open-air prisons, create their own problems which are basically of management, we are sure that these problems are not such which cannot be sorted out. For the greater good of the society, which consists in seeing that the inmates of a Prison come out, not as a hardened criminal but as a reformed person, no managerial problem is insuperable. So let more and more open air prisons be

opened. To start with, this may be done at all the District Headquarters of the country”.³⁰ But it is unfortunate that there is only one Open Prison in Kormangala, Devanahalli Taluka, where prisoners work under minimum security. The prisoners are being trained in modern methods of agriculture, horticulture, sericulture, sheep rearing, soil conservation and in drip irrigation system. Tractor, Power Tiller, Mini Truck, Jeep and Ambulance Van are provided under the scheme of Modernization of Prison Administration. The Prisoners look like farmers on agricultural lands.

The income from the industries set up in Open Prisons for the past 3 years is as under:³¹

Year	Production Rs. in lakhs
2014-15	7.06
2015-16	5.35
2016-17	3.37

Table No 18:- shows the income earned in the open prison in the three financial years. The Highest income earned was in the year 2014-15 and there is a gradual decline in the next presiding years. But it is unfortunate to know that there are no women prisoners in the open prison in Karnataka nor there is exclusive women Open Prison in Karnataka, Reason being is that in Open Prison there is a requirement of hard work and the work culture prefers male prisons rather than women prisoners and there is only provisions provided for male prisoners and not for women prisoners. There is no basic facilities for accommodating women prisoners in the open prison.



³⁰ LAWS (SC)-1996-12-150.

³¹ “Department of Prisons “Annual Report “- Government of Karnataka, year 2016-17.

Fig 4 - The above graph is a representation of income incurred in the three consecutive years in the open prisons. The income incurred in the year 2014-15 is 45 % whereas the income incurred in the year the other following years is about 21 % and 34% respectively, this shows the fall of production in the above mentioned years.

4.6. Medical Facilities in Prisons

A separate wings are existing in all Central Prisons and in some District Prisons. Medical officers are working in these hospitals, who are deputed from Department of Health and Family Welfare Services. Para Medical staff viz., Pharmacists, Male Nurses, Lab Technicians are assisting Medical Officers. Hospitals are being provided with required medical equipment's viz., X-ray machines, lab equipment's, ECG machines etc. The health problems of prisoners are being taken care of by medical officers. Inmates are being referred to District Hospitals for higher treatment/ investigation. In all District Hq. Sub Prisons and Taluka Sub Prisons health problems of prisoners are being taken care of by the visiting medical officer.

Medical Colleges, Rotary, Lions Club and other NGOs hold General Health Check-up camps, Eye, Skin and Dental Health Check-up Camps in the prisons. Medical camps shall be organized in various prisons in the State and conducts regular Blood check-up and frequently Blood donation camps are organized at Central Prison.

Central Prison has been provided with General Health Examination Kits which has thermometer, Sugar testing machine, Blood Pressure Machines, Small ECG Machines for the prisoners to voluntarily monitor themselves in the Prison.

Doctors has been appointed on contract and on permanent basis too. In the year 2017 there were about 27 vacant position for Assistant Surgeon, Psychiatrist, Pharmacist, Male Nurse, and Lab Technicians. Women Nurse are not available in any of the Central Prisons and District Prisons. There is no recruitment of women nurse in the department where women prisoners are detained.

The Prison Department in coordination with National Health Mission is providing additional health care services to the inmates at the Districts. In a circular dated: 20.12.2016, Commissioner, Health and Family Services Department has directed District Health Authorities to depute one medical officer to visit District or Taluka Prison once in a week between 2.30 pm to 4.30 pm and also to provide basic medical equipment's to prisons.

- **ICTC Centre:**

Integrated Counselling and Testing Centre is working at Central Prison, Bengaluru in coordination with Karnataka State AIDS Prevention Society. ICTC is equipped with all necessary HIV/AIDS detecting instruments viz., Centrifuge, Testing kit, Refrigerator and services of one counsellor and one lab technician are made available at this centre. All prisoners who are newly admitted to prison are counselled by the

ICTC's counsellor on Prevention, treatment and various aspects of HIV/AIDS. They are encouraged to get themselves tested at this ICT Centre for HIV/AIDS.

4.7. Custodial Provisions for Children and Women

R.D.Upadhyay V. State of Andhra Pradesh & Ors, stated that ³² had stated that children who grow up in prison with their mothers should be given food, shelter, medical care, clothing, education and leisure facilities as a matter of right. The fact about their taking birth in the prison shall not be recorded on the birth certificate. Women prisoners are permitted to keep their children with them until the age of six years. After this period they shall be sent to an appropriate organization by the social welfare department. The children shall be kept in crèches under the charge of a women supervisor (while their mothers are at work in Prisons). Pregnant prisoners shall be given full facility relating to medical and personal and can be freed on bail for the delivery. Even though there is a provision to open crèches in the Prisons the prison authorities has not taken measures to implement the same in all the Prisons.

In Karnataka there are about 29 children leaving with their mother, whereas, 15 are boys and 14 are girls. Various programmes has been formulated by the prison authorities for the children and mother which is limited and confined to Central Prisons. There are provisions for women prisoners to regular health check-ups, treatment, and safe delivery in the prisons.

The facilities for children and mother in the prison includes food, clothing, shelter, bedding health care, education, crèche facility, availability of playground and recreation. Special health care facilities in form of regular health check-up and providing preventive measures becomes necessities particularly when the children are required to live with their mothers in prisons in the same environment where other adult inmates also live. In such situation, the children are exposed to different diseases. There are no Playgrounds, in some prisons, even if it is there those grounds do not cater to the needs of infant children because they are not specially designed for them to suit their necessities. It was reported that Prisons have adequate facilities for health check-up and immunization of children against major diseases.

Children are provided with playing and educational kits and there are provisions for children to study in residential schools which is catered by the NGO's and again it's the discretion of mother to send the children to residential schools after the age of six.

4.8. Women Prison in Karnataka.

In the year 2017 Tumakuru women prison was shifted to Shivamogga on 6th December, the separate Women Prison is a full-fledged the only women prisoners in Karnataka. There are about 65 women prisoners in Shivamogga central women prison about 39 are convicted and 26 women prisoners are under trial prisoners.

³² AIR 2006 SC 1946.

Shivamogga central prison is well ventilated and structured, a separate hospital for women prisoners has been allotted, a well-equipped bakery unit where women prisoners are earning by producing various bakery items. The Prison has a separate kitchen with modular kitchen equipment's. If any women prisoners who are undergoing their sentence in different central prisons, on their willingness can be shifted to the Shivamogga. There is an information Kiosk located in Shivamogga for women prisoner to locate their case status in Prison only. Women in Prison has enrolled for wage earning schemes and various in-house industries like bakery and tailoring has been located in the prison which in a way is a one of the measures for reformative and rehabilitation for women prisoners.

4.9. Conclusion

To conclude, that even though many measures have been taken to improve the conditions of women prisoners in Karnataka, but the state lacks in implementing an efficient system for them. The data shows that there is a decrease in population of women prisoners but there upliftment still remains a drawback, there is lot of importance to be given, in necessitating the provisions which is made for them. There is a need for effective grievance redressal mechanism to help out reaching in the betterment of women prisoners to save them for tortures in the prisons. The Absence of backsliding shows the nature of impact of treatment programmes running in prisons for the reformation and rehabilitation of prisoners. There is also a need for after care of rehabilitation offenders which is an integral part of institutional care and treatment. The shortcomings found during the empirical study needs to be addressed very quickly in order to **Replicate, Reform and Reintegrate** between Women Prisoners as well as Prison System in Karnataka.