

E-GOVERNANCE INNOVATIONS IN STATE ADMINISTRATION - A CASE STUDY OF JHARKHAND PRISONS

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ABSTRACT

Information and communications technology are entering public domain in a big way and have helped some Indian states decline better governance to their people. There are few states have applied e-governance to their people. There are few states that have applied e-governance effectively. While many states are lagging behind. Nevertheless, even some of the backward state has been able to improve certain systems and improve administration in selective areas. The state of Jharkhand is a case in point. Though it still lags behind Karnataka, Andhra, Tamil Nadu and Gujarat in e-governance implementation and yet in some selective areas it has done a commendable job. Prison administration is one such area where the state of Jharkhand has proved that it can make e-governance work. The present paper is a case study that showcases the attempt of this otherwise new and underdeveloped state to implement e-governance for increasing the effectiveness of certain systems. Prison management being one of the most sovereign functions of the Government the present paper offers insight into how a state has used ICT to improve functioning of this very important area of administration.

PROLOGUE:

Imprisonment as a mode of dealing with offenders has been in vogue since times immemorial. Not necessarily a punishment in itself, but rather a way to confine criminals till corporal or capital punishment could be administered. Prison systems are age old, probably as old as human civilizations. There were prisons used for detention in Jerusalem in old Testament times. Lord Krishna was born in the prison at Mathura. Emperor Aurangzeb imprisoned his father Shahjahan in Agra. The historic Cellular Prison at Portblair, Andaman Islands was specifically constructed by the Britishers where the revolutionaries were exiled for life. But prisons have been considered more as a means to reform the prisoners rather than punishing them.

About 100 years ago Mahatma Gandhi had said "**Crime is the outcome of a diseased mind and Prisons must have an environment of hospital for treatment and care**". Though the foundations of the contemporary prison administration in India were laid during the British period, the system has dramatically

changed over the years, specially since the dawn of independence. As early as in the year 1920, the Indian Prisons Committee had unequivocally declared that the reformation and rehabilitation of offender are the ultimate objective of prison administration. The International Covenant on Civil and Political Rights, propounded by United Nations in 1977, to which India is a party has clearly brought out that the penitentiary systems shall comprise treatment of prisoners and its essential aim shall be reformation and social rehabilitation.

Prison Management is one of the most important sovereign functions of Government and Cornerstone of Criminal jurisprudence of any country. Never before in its history, prison administration in India was subjected to such a critical review by the higher judiciary as in the last few decades. Discarding the erstwhile "hands off" doctrine towards prisons, the Supreme Court of India came strongly in favour of judicial scrutiny and intervention whenever the rights of prisoners in detention or custody were found to have been infringed upon. In Sunil Batra Vrs. Delhi

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Administration and others (1978), Mr. Justice V.R. Krishna Iyer pronounced : “Prisoners have enforceable liberties, devalued may be but not demonetized, and our basic scheme, prison power must bow before judge power, if fundamental freedom are in jeopardy.” Subsequently through a number of judgments on various aspects of prison administration, **the Supreme Court of India has laid down three broad principles :**

- (i) A person in prison does not become a non-person
- (ii) A person in prison is entitled to all human rights within the limitations of imprisonment
- (iii) There is no justification in aggravating the suffering already inherent in the prison of incarceration

Obviously, these principles have serious implications for prison administration. They call for a thorough restructuring of the prison system in terms of the humanization of prison conditions, minimum standard for institutional care, re-orientation of prisons staff, reorganization of prisons programmes and rationalization of prison rules and regulations.

The National Human Rights Commission set up in 1993 under the Protection of Human Rights Act 1993 as a statutory body, has also been actively

working to bring about improvements in the conditions of prisons. The problem of correctional administration has to be dealt with in three stages: (i) The pre-committal stage (ii) the administration of correctional institutions and (iii) probation and after care. The principle that no person should be considered an offender till he is found guilty should govern the treatment of accused and under- trial prisoners. The need to utilize prisons as agencies for the rehabilitation of prisoners is generally accepted. Modern Principles of penology requires that each prisoner is to be dealt with as an individual, and corrective handling should be so devised as to be in consonance with his abilities, aptitude, background and also with the paramount purpose of enabling him to earn his living honestly as a law abiding member of society.

PRISONS IN JHARKHAND:

State of Jharkhand came into existence on 15th November, 2000 and since then several initiatives were taken which included capacity enhancement of prisons to reduce overcrowding, use of technology to improve efficiency and effectiveness of prison management and correctional measures for reformation and rehabilitation. The present status of prisons in Jharkhand is as follows:

As on 31.12.2011

Sl.	Type of Prison	No. of Prison	Capacity			Prisoner's Population		
			Male	Female	Total	Male	Female	Total
1	Central Prison	05	7174	312	7486	7908	336	8244
2	District Prison	17	4193	239	4432	6972	334	7306
3	Sub Prison	04	874	56	930	966	48	1014
	Total	26	12241	607	12848	15846	718	16564

Since creation of state the capacity has increased from 5988 to 12848 which is 115%. This has been possible due to construction of two new Central Prisons at Ranchi (capacity 3425) and Jamshedpur (capacity 1447) and construction of 23 Additional Wards of 2250 capacity in existing Prisons. Further addition of capacity is being done through construction of four new Sub-Prisons (each having capacity of 300) and one Open Prison (capacity 100) and 24 Additional Wards (capacity 2400) which are in final stages.

TECHNOLOGY IN PRISONS:

Prison officials and staff in Indian prisons have dual role of custody as well as correction. Unlike

some of the developed countries the correctional staff is not separate from custodial staff in India. Custodial role requires them to perform regulatory functions, enforcement of prison laws, analysis of intelligence inputs etc. whereas correctional role requires them to identify the individual needs of prisoner, associate with them to understand prisoner's attitude, aptitude, background, family and occupational details. Therefore, many a times their training, attitude and delivery of results face inherent contradiction. In such a situation several custodial roles can be facilitated by technology resulting in saving of time and energy for correctional role. Technology also provides convenient means to keep record of details of individual and their

association with different correctional programs. Sharing of information of individual development with different departments of government and voluntary organizations help in proper rehabilitation of prisoners. Some such innovative uses of technology were tried in prisons of Jharkhand and are described in ongoing paragraphs..

VIDEO-CONFERENCING BETWEEN COURTS AND PRISONS:

All 26 prisons in Jharkhand are connected through State wide Area Network (SWAN) and Video-conferencing is used for remand production in all courts across the state. Jharkhand is the first and probably the only state which uses video-conferencing from any prison to any court in state using SWAN. Section 167 of Criminal Procedure Code (Cr. P.C.) has been suitably amended through state amendment to enable production through video-conferencing. Production through video-conferencing has reduced the costs and the risks associated with the physical production of the prisoners in the court. This also resulted in savings of time of police who used to accompany the prisoner for physical production in the court.

REMOTE VISUAL MONITORING SYSTEM:

Close Circuit Television (CCTV) has been installed in eight Prisons and is in process of being installed in the remaining 18. Remote Visual Monitoring system using IP based camera had been successful in keeping constant watch on activities in prisons from the prison headquarter. This proved to be effective deterrent not only for the prisoners but also for prison staff. Besides, it helps in investigation of any incidence inside a prison. It has also reduced the unproductive work of prison staff and made available their time for productive use.

PRISONERS MANAGEMENT SYSTEM:

Complete electronic database of prisoners and visitors are maintained through Integrated Prison Management System. The Prisoner Management System captures personal details, family details, educational, health and occupational details besides the bio-metric features like photograph & fingerprints. Case related details, categorization (convict or under-trial, first timer or habitual etc), date of next production in court, date of release from prison are also recorded at the time of entry. This not only ensures automatic detection of duplication and avoids impersonation but also helps in segregation of prisoners in housing them in different wards. Education, health, occupation and

income related details help in planning of appropriate correctional services, and training/skill development for proper rehabilitation. Records of Prisoner's work, their attendance in correctional programme, their achievement and punishments in prisons are used as history ticket and result in automatic calculation of remission to be granted to a convict prisoner for good behavior, discipline etc.

VISITORS MANAGEMENT SYSTEM:

Visitors Management System capture details including the photograph of every visitor coming to meet a prisoner and a meeting pass is generated through the system. It updates the prisoners' database regarding who met, at what date and time, at what interval. The system automatically refuses a visitor meeting a prisoner at intervals less than prescribed in the prison manual. It also helps in preventing meeting by the people with changed identify. The visitor's informations are very useful for police in detecting crime as who met a prisoner at what frequency is available real time.

COMPUTER TRAINING CENTRE:

Under Skill development program, a modern Computer Training Centre with thirty (30) Computers was started. Proper Certification Mechanism through National Council of Vocational Training (NCVT) was worked out. This generated huge interest among prisoners and even prisoners with low educational qualification, are learning computers. As large number of Prisoners is registering to learn, training programs are being run in more than one shifts. Till September 2012, 2678 prisoners have been trained and provided certificates for vocation.

The integrated Prison Management System ensured availability of data in digital form for preservation, analysis and reporting. MIS reports helped top officials for better planning, timely and informed decision making. Adherence to provisions of prison manual and prison discipline could be better ensured besides improving the efficiency of prison staff increasing effectiveness of prison management. The system was rated highly successful and won several awards like National e-Governance award, Web-Ratan Award and CSI-Nihilent e-Governance award. This is a significant achievement for a new and underdeveloped state like Jharkhand.

Besides, art school for painting, drawing & sculpture, education through Sarva Siksha Abhiyan, NIOS and IGNOU, vocational training for skill development, Yoga and Meditation were used for

reformation of prisoners whereas books, school bags & scholarships were given to children of inmates for social rehabilitation. Long-term MoU was signed for Art of Living Course to ensure sustainability. Computer data-base and data analysis of above correctional and rehabilitation activities helped in their proper planning and management. Area specific and need based development of prison industry like Soap making, Silk rearing, Blanket manufacturing, Flyleaf making etc. ensured proper involvement of prisoners in constructive activities and these were managed using Cost-benefit analysis and proper management of information.

VIDEO-VISITATION OR E-MULAKAT:

As connectivity of State Wide Area Network

(SWAN) was available in all prisons and also up to the block level, the idea of Video-Visitation was conceptualized. However, to make it sustainable and work on business model Common Service Centre (CSC) under the department of Information Technology located at block headquarters were involved. They were provided with a node of SWAN and user charges were fixed for providing the services of Video-Visitation. However, it was taking time to address the security concern of prison and procurement of scheduling software. It was started as pilot project in Dhanbad prison which became successful enough to be replicated in all prisons. The table that follow give the details of video visitation records of Dhanbad district prison and the state as a whole respectively.

Name of Block	Oct.11	Nov.11	Dec.11	Jan.12	Feb.12	Mar.12	Apr.12	May.12
Dhanbad	11	4	6	13	11	29	42	32
Jharia	9	17	55	52	77	132	191	220
Govindpur	13	19	3	5	1	0	3	21
Nirsa	4	7	4	4	14	17	56	75
Baliapur	0	14	18	24	30	44	40	79
Topchanchi	3	7	12	30	31	15	16	39
Baghmara	22	89	161	65	40	0	3	6
Tundi/ P. TTTTundi	0	3	5	3	1	0	0	5
Total:	62	160	264	196	205	237	351	477

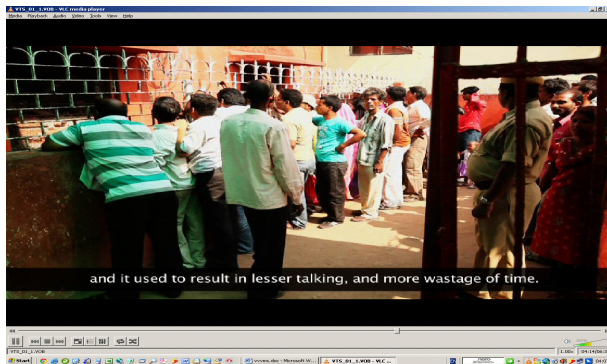
Source: Dhanbad Prison Superintendent Official Video-Visitation Records

Report regarding Video-visitation in Jharkhand Prisons

Sl. No.	Name of Prison	Date of Commencement	No. of Interview till date
1	Hazaribagh	24-05-2012	292
2	Ranchi	17-05-2012	21
3	Dumka	18-07-2012	32
4	Giridih	10-05-2012	07
5	Daltonganj	16-08-2012	05
6	Koderma	16-07-2012	10
7	Dhanbad	October, 2011	2971
8	Jamshedpur	06-06-2012	3
9	Tenughat	30-05-2012	30

Source: Office of Inspector-General of Prisons record.

Video Visitation is the use of videoconferencing systems and software to allow inmates of a prison and visitors (family members, friends, relatives etc.) to interact without physically meeting or travelling to prison campus. It allows inmates to meet their family members and friends from anywhere in Jharkhand at lower cost, at higher frequency for longer duration with more privacy. Higher bandwidth of connectivity provides clarity of voice and video. The system substitutes traditional system of physical meeting reducing the earlier requirement of prison staff thereby increasing their productivity in prison management. As there is no physical meeting there is no risk of transfer of prohibited items improving the security of prisons. It has improved the productivity of prison and its staff as well as security of prisons. Further, it provided inmates and their families a psychological security as they could interact with ease, convenience, clarity,



Visitors at visitation area in Prison

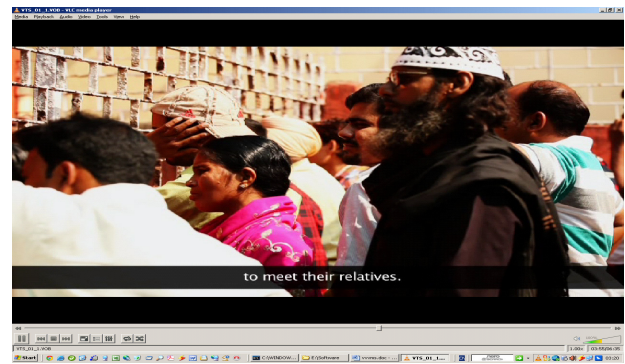
The communication also lacked clarity as several inmates and their relatives were talking simultaneously. In limited time available for meeting, several inmates and their family members had to meet causing crowding in visitation area. Further as the visitors had to travel long distances to come to prison, they could not come at regular interval. From distant locations only adult male members could come whereas old aged, women and minor children in the family could not meet the inmates for long time, causing emotional insecurity to both inmates and their family.

With video visitation, inmates use a video visitation station (two studio cells located inside Prison), while visitors can use computers with web-cam facility etc. at Pragya Kendra at Block Headquarter. This greatly reduces the amount of manpower needed to conduct visits by reducing the movement of Inmates

privacy and at lesser cost.

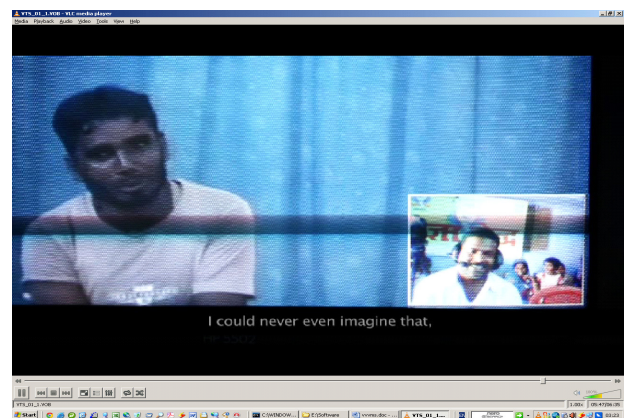
Dhanbad became the first district in India to implement the innovative idea of **Video visitation** using video conferencing facility between prison studio and Common Service Centre (Called Pragya Kendra in Jharkhand) at every block headquarter. This system allows the inmate inside the prison and their relatives outside to communicate via videoconferencing using State Wide Area Network i.e. SWAN (called JHARNET in Jharkhand).

Under the old method of face-to-face visitation, inmates were transferred from their housing area to the visitation area inside the prison, while visitors often had to walk to outer space earmarked for visitors to talk to inmates standing at netted/secured windows (visitation area) inside the prison premises for this purpose. Interaction between inmates and their relatives through netted windows lacked privacy besides being inconvenient.



Prisoners at visitation area in prison

and also completely stops the problem of transferring banned items like drugs, mobiles etc.



Visitor with one-to-one talk with inmate at prison.



Visitor at Block CSC alongwith his family members

Video-conferencing has offered the further possibility of allowing detention centers to reduce visitor traffic by enabling them to visit from their block head quarter. As video conferencing systems have now been incorporated into the design of new facilities, video visitation is seen as a means to not only cut down on the costs of construction of facility, staffing, but also to allow inmates to have more visits and more satisfaction overall.

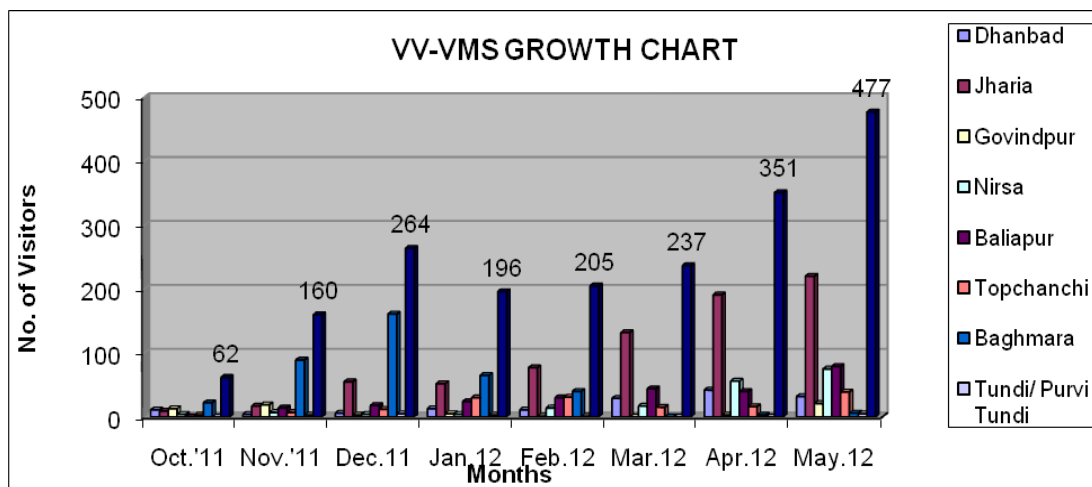
Video visitation by design eliminates the public from having direct contact with inmates. Video visitation studios are placed in all Pragma Kendras (CSC) at block headquarters, while inmates having two studios located within the Prison. By placing the video-conferencing studios in such a manner, inmate and visitor movement is reduced or even eliminated. Visitation through the CSC eliminates visitors' onsite. All of these systems also free up correctional officers'

time from traditional security duties, reduce the number of correctional officers required for the visitation process, eliminate infrastructure dedicated to the traditional visitation process, reduce contraband infiltration and reduce the possibility of inmate confrontation.

Inmate video visitation systems help a lot while handling of short term incarcerations (under trials and convicted inmates) and the high visitation traffic due to the close proximity of family and friends to these facilities at Pragma Kendra. Additional benefits for inmates include a streamlined visitation process that results in additional visitation time for inmate visitations and a less restrictive visitor environment that allows for old aged, women, small children and even infants to participate in a visit. Video visitation allows other professionals to visit inmates as well. With such visitation, advocates, social workers and family/relatives do not need to subject themselves to the costs and inconvenience associated with travel and other requirements.

The cost for a video conference system include hardware, management/scheduling software, recording and servers/switches inherited in SWAN project is around Rs. 50,000/station . Video conference technology has been funded by Home Department and IT Department, Govt. of Jharkhand. Another end facility at Pragma Kendra is based on Public Private Partnership model by charging Rs. 10 for 15 minutes talk. This cost has been approved by government which Village level entrepreneur at Pragma Kendra can charge. In lieu of this he has to purchase and install the equipment and software for video conferencing at Pragma Kendra.

(1952)



This video visitation system offers a number of benefits to both the prison authority and the citizens of the district. The prison staff benefit from improved security, reduced drug and contraband infiltration and more productive use of time. The inmates benefit from more frequent and extended visitation time and from the opportunity for old aged and minors to visit. Overall cost of visitation gets reduced substantially due to savings of travel cost and undue expenditure at prison. Visitors benefit from a much simpler visitation process. Essentially, it's a lot simpler. The video-visitiation system got the Skoch Digital Inclusion Award, 2012 for Innovative use of technology.

This system of video-visitiation which started as pilot in Dhanbad, has been replicated in nine other prisons of Jharkhand with government taking decision to implement in all prisons covering about 300 Block Level CSC (Pragya Kendras). Both inter-district and intra-state video visitation takes place across the prisons throughout the state. The outcomes of video-visitiation for Dhanbad and for Jharkhand are shown in Tables. In some prisons video-visitiation are also being used to allow family members in other prison to meet inmates. *Online Karagar Sakshatkar Scheduling Software* is under the process of development and testing to monitor the whole video visitation processes.

Other applications for video visitation in terms of correctional facilities and courts are telemedicine for inmates, scheduling and conducting hearings more efficiently, mental health hearing, attorney consultations and inmate rehabilitation programmes. This facility of video visitation may be extended upto Panchayat level Pragya Kendra (CSC) to enable visitors to talk to inmates in prison from their own Panchayat Bhawan. Thus the project is both vertically and horizontally highly scalable.

This innovative use of video-conferencing facility between inmates of prison and their relatives at Pragya Kendra at block level is designed to reduce prisoner and visitor movement through a secure facility. Although traditional visitation is preferred means, incarcerated prisoners who take advantage of video visitation program show a decreased rate of recidivism after leaving prison.

CONCLUSION

Technology today has entered in every aspect of life in every segment of society. Prisoners were the one who were an excluded community. Further, the family members of a prisoner are another group of people who face the social stigma and are generally ostracized by the society for no fault of theirs. Children

of prisoners have strong sense of antipathy towards the system due to such treatment by society and may end up becoming another person in conflict with law. Technology can play a great role to reduce such bad feeling by bringing prisoners more close to their family and developing them into a productive citizen through individual need based correctional program. The innovative use of Technology was tried successfully in prisons of Jharkhand which has shown way to other prisons in India.

Though the status of e-governance in the state of Jharkhand is still not satisfactory yet there are some efforts taken by the state administration that prove that e-governance can work. This study of e-governance in prison administration proves that use of ICT can better delivery system, make the state more people friendly and provide fast and better services to the people. However, the major issues that come as hurdles are both infrastructure and attitude related and have to be handled without delay. If e-governance can improve prison administration, it can improve other system also. There is a need for more commitment.

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