

1. PRISON REFORMS – POLITY

The Supreme Court of India has directed all States and Union Territories to submit updated and comprehensive data on prison conditions, in a suo motu case on inhuman conditions in prisons. "Prisons/persons detained therein" is a 'State-list' subject as per Entry 4 of List II of the Seventh Schedule to the Constitution of India.

1.Introduction

1. The Supreme Court's recent directives on prison conditions highlight systemic deficiencies in India's correctional framework, particularly overcrowding, undertrial detention, and inadequate welfare measures.
2. Prisons in India are not merely punitive institutions but are expected to function as correctional and rehabilitative spaces.
3. However, structural and administrative challenges continue to undermine the constitutional mandate of ensuring dignity and human rights for prisoners.

2.Supreme Court Directives on Prison Reforms

Focus on Decongestion and Transparency

1. The Court has directed states to outline both ongoing and proposed measures to address overcrowding in prisons.
2. It has emphasized the need for data-driven accountability, including details on sanctioned staff strength, vacancies, and recruitment efforts.
3. These directions aim to ensure institutional transparency and improve administrative efficiency.

Protection of Vulnerable Groups

1. The Court has highlighted the need to safeguard the rights of children living with incarcerated mothers.
2. It has stressed ensuring access to education, healthcare, and welfare services for such children.
3. This reflects a rights-based approach to prison administration.

3.Existing Issues in Indian Prisons

Overcrowding and Capacity Constraints

1. Indian prisons operate at an average occupancy rate of over 120 percent, indicating severe overcrowding.
2. Overcrowding leads to poor living conditions, increased violence, and strain on resources.

Undertrial Crisis and Judicial Delays

1. A large proportion of prisoners are undertrials, reflecting delays in investigation and trial processes.
2. This violates the principle of presumption of innocence and the right to speedy trial under Article 21.
3. It also contributes significantly to prison overcrowding.

Poor Infrastructure and Living Conditions

1. Many prisons lack adequate ventilation, sanitation, and healthcare facilities.
2. These conditions fall short of international human rights standards.
3. Poor prison conditions have also been cited as grounds for denial of extradition by foreign courts.

Lack of Classification and Segregation

1. There is inadequate classification of prisoners based on offence, risk profile, or special categories.
2. Economic offenders, foreign nationals, and high-risk prisoners are often housed together.
3. This increases security risks and hampers effective prison management.

Human Rights Concerns

1. Reports by bodies such as the National Human Rights Commission have highlighted instances of custodial violence and delayed medical care.
2. Limited access to legal aid further exacerbates injustice.
3. These issues weaken India's credibility in upholding human rights standards.

4.Committees on Prison Reforms

A. N. Mulla Committee

1. Recommended separation of undertrials from convicts to prevent negative influence.
2. Emphasized improvement in prison conditions, including nutrition and sanitation.
3. Advocated a shift from punitive to reformatory approach.

Justice Amitava Roy Committee

1. Focused on decongestion of prisons through speedy trials and legal aid reforms.
2. Recommended the use of technology for better prison management.
3. Highlighted the need for systemic improvements in judicial processes.

Krishna Iyer Committee

1. Advocated for separate prison facilities for women.
2. Highlighted the need to prevent exploitation and ensure dignity of female prisoners.
3. Emphasized gender-sensitive prison reforms.

5. Judicial Interventions

Right to Speedy Trial

1. In the Hussainara Khatoon case, the Supreme Court recognised the right to a speedy trial as a fundamental right under Article 21.
2. This judgment addressed the plight of undertrial prisoners languishing in jails.

Principle of Bail

1. In State of Rajasthan versus Balchand, the Court established that bail is the rule and jail is the exception.
2. This principle reinforces personal liberty and aims to reduce unnecessary detention.

6. Measures Taken for Prison Reforms

Legal Aid and Access to Justice

1. Legal Services Authorities have established legal aid clinics in prisons to provide free legal assistance.
2. This helps undertrial prisoners access timely legal representation.

Model Prisons and Correctional Services Act, 2023

1. The Act introduces provisions for reformation, rehabilitation, and reintegration of prisoners.
2. It includes welfare programmes and after-care services as part of institutional care.
3. It aims to modernize prison administration and align it with human rights standards.

7. Key Challenges in Implementation

Administrative and Financial Constraints

1. Many states lack adequate funding and infrastructure to implement reforms.
2. Shortage of staff further affects prison management.

Coordination Issues

1. Effective prison reform requires coordination between judiciary, police, and prison authorities.
2. Lack of coordination leads to delays and inefficiencies.

Societal Attitudes and Stigma

1. Social stigma against prisoners hinders their reintegration into society.
2. This reduces the effectiveness of rehabilitation efforts.

8. Way Forward

Technology Integration and Digital Governance

1. Implementation of digital prison management systems can improve record-keeping and transparency.
2. Expansion of video conferencing can reduce delays in court proceedings and ease prison congestion.

Strengthening Legal Aid and Judicial Efficiency

1. Legal aid mechanisms must be strengthened to ensure timely representation for undertrials.

2. Fast-track courts and procedural reforms can reduce pendency.

Focus on Rehabilitation and Reintegration

1. Vocational training and skill development programmes should be expanded.
2. These initiatives can improve employability and reduce recidivism.

Improving Infrastructure and Human Resources

1. Investment in prison infrastructure and recruitment of staff is essential.
2. Better living conditions can ensure dignity and human rights.

9. Conclusion

Prison reforms are essential for ensuring a humane and effective criminal justice system in India. The Supreme Court's directives provide a strong impetus for addressing systemic deficiencies. A holistic approach combining legal, administrative, and social measures is necessary to transform prisons into institutions of reform and rehabilitation.

Source: <https://www.thehindu.com/news/national/supreme-court-directs-states-uts-to-furnish-updated-details-on-prisons-including-overcrowding/article70771721>

