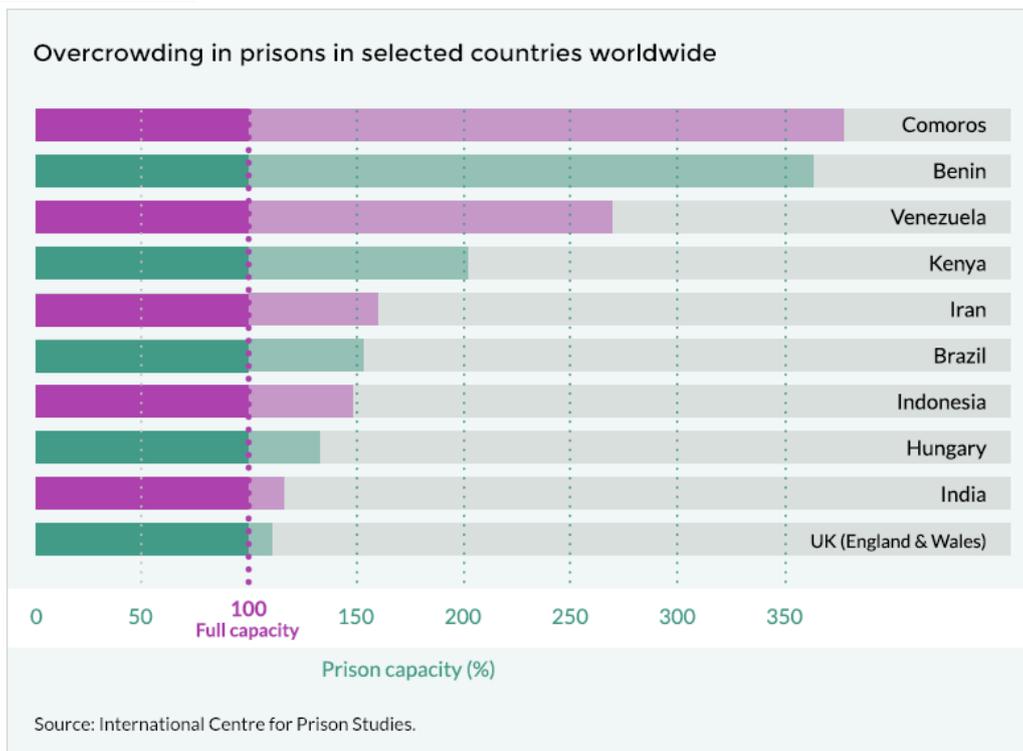


PRISON REFORMS

GS 2, MAINS: Government policies and interventions for development in various sectors and issues arising out of their design and implementation, Important aspects of governance, transparency and accountability.

IN NEWS: The Supreme Court has constituted a three-member committee to look into the problems of jails in India and suggest reform measures. The committee headed by former SC judge Justice Amitava Roy will look into the aspect of jail reforms across the country and suggest measures to deal with them.

PRISONS IN INDIA:



- Prisons in India is a state subject covered by item 4 under the State List in the Seventh Schedule of the Constitution of India. The management of prisons falls exclusively under the domain of the state government.
- According to the Prison Statistics India 2015 report by the National Crime Records Bureau (NCRB), India's prisons are overcrowded with an occupancy ratio of 14% more than the capacity.

- Sixty seven percent of the people in Indian jails are undertrials – those detained in prisons during trial, investigation or inquiry but not convicted of any crime in a court of law.
- While 33% of the total requirement of prison officials still lies vacant, almost 36% of vacancy for supervising officers is still unfulfilled. In the absence of adequate prison staff, overcrowding of prisons leads to rampant violence and other criminal activities inside the jails.

NECESSITY OF PRISON REFORMS:

- **Human rights considerations:** A sentence of imprisonment constitutes only a deprivation of the basic right to liberty. It does not entail the restriction of other human rights, with the exception of those which are naturally restricted by the very fact of being in prison. Prison reform is necessary to ensure that this principle is respected, the human rights of prisoners protected and their prospects for social reintegration increased, in compliance with relevant international standards and norms.
- **Imprisonment and poverty:** Imprisonment disproportionately affects individuals and families living in poverty. When an income generating member of the family is imprisoned the rest of the family must adjust to this loss of income. The impact can be especially severe in poor, developing countries where the state does not provide financial assistance to the indigent and where it is not unusual for one breadwinner to financially support an extended family network.
- **Public health consequences of imprisonment:** Prisons have very serious health implications. Prisoners are likely to have existing health problems on entry to prison, as they are predominantly from poorly educated and socio-economically deprived sectors of the general population, with minimal access to adequate health services. Their health conditions deteriorate in prisons which are overcrowded, where nutrition is poor, sanitation inadequate and access to fresh air and exercise often unavailable.
- **Detrimental social impact:** Imprisonment disrupts relationships and weakens social cohesion, since the maintenance of such cohesion is based on long-term relationships. When a member of a family is imprisoned, the disruption of the family structure affects relationships between spouses, as well as between parents and children, reshaping the family and community across generations.

PATH TO REFORMS:

- The state governments need to build separate prisons for the convicts and the under trial and detainee. The construction of more prisons definitely has to be considered as per population growth and the increase in the crime statistics. The government also has to employ more staff to make the functioning of these places more transparent and humane.



ACHIEVERS IAS ACADEMY

- Prisons should have reformatory approach rather than retributive one. Basic human rights of the prisoner should be protected and be given another chance to live a meaningful life.
- Qualified health professionals — independent of the prison administration — are essential to provide services to inmates.
- Inculcation of scientific method of investigation in Police force and curtailing the practice of third degree torture.

(Q) Examine the necessity of prison reforms in India highlighting the problems prevalent in the existing prisons.

PREVIOUS YEARS UPSC MAINS QUESTIONS:

- To enhance the quality of democracy of India the Election Commission of India has proposed electoral reforms in 2016. What are the suggested reforms and how far are they significant to make democracy successful? (2017)
- Initially Civil services in India were designed to achieve the goals of neutrality and effectiveness, which seems to be lacking in the present context. Do you agree with the view that drastic reforms are required in Civil Services? Comment. (2017)