

Prison System: Meaning and Classification of Prisoners, Major Problems of Prison in India

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Abstract

This paper examines the evolution of India's jail administration, focusing on the development of structure and prisoner care. Prisons are intended to be leveling institutions, with durations based on criminal history and behavior. However, colonial-era legislation in India rejects the idea of incarceration as a leveling tool. The research examines the prison system, including trends, reformation, population, mortality, and costs. India faces challenges in jail administration, such as healthcare, sanitation, food, and torture. Reforms in the criminal justice system are needed to address issues like loss of civil and fundamental rights, spiritual dehumanization, physical brutality, status degradation, sexual perversions, and secondary criminalization. The Indian prison system is divided into three levels, and overcrowding leads to poor living conditions, increased violence, mental health struggles, inadequate healthcare, and lack of education and rehabilitation programs. To ensure fair treatment of offenders, political reforms, decriminalization, and increased accountability are needed.

Keywords: Prison, Prison system, Prisoner, Programs.

INTRODUCTION

The Asian country faces significant challenges in jail administration, including issues with healthcare, sanitation, food, and torture. This highlights the need for reform in the criminal justice system, as jails are a crucial component of the criminal justice system. The prison population is significantly influenced by the criminal justice system's handling of offenders, which affects the management of prisons. The prison system is influenced by government policies and political climate, which are largely determined by the public who elect their governments. The effectiveness and compassionate conditions of jails are not solely attributed to the actions of prison administrators.

Penal systems need to be accountable to the community, especially in democratic countries where power can be easily abused. Reform programs should address the need to increase public awareness about the long-term consequences of harsh penal policies that do not help build safer societies. Balancing security goals with social reintegration objectives while responding to conflicting priorities of politicians and the public is fraught with difficulty, especially when structures are old and resources are limited.

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Numerous international standards designed to give the protection of prisoners' human rights and treatment top priority must guide national policy and regulations. The effectiveness of a jail system depends on factors such as recruitment and training of staff responsible for daily prison administration.

MEANING OF PRISON -

Prisons in India have been a vital part of the criminal justice system since ancient times, but their administration and management have been neglected. Indian prisons are associated with loss of civil and fundamental rights, spiritual dehumanization, physical brutality, status degradation, sexual perversions, and secondary criminalization. Because there is no vertical mobility across caste lines and no shared primary goals, the prison system is distinct, consisting of a ruling caste and a subordinate caste. Inmates are restrained in toolproof steel cells, experiencing inflexible restraint. The prison system is characterized by regimentation, depersonalization, and the everpresent eye of authority. The authoritarian nature of the prison system maintains its unique position in society.

MEANING OF PRISONER -

A prisoner is an individual who is deprived of their freedom and kept in confinement due to legal, military, or psychological situations. They can be categorized into pretrial detainees, convicted prisoners, and political prisoners. In the military, prisoners of war (POWs) are combatants captured by the enemy during armed conflict and held in camps according to international laws. POWs are entitled to humane treatment, access to food and medical care, and protection from torture. The term prisoner is often used metaphorically to describe someone who feels trapped or restricted in a situation, such as those in abusive relationships, struggling with depression or anxiety, or stuck in an unhappy life situation. The concept of being a prisoner revolves around the idea of lost freedom and lack of control over one's circumstances.

CLASSIFICATION OF PRISONER -

The Indian prison system categorizes inmates into convicts and undertrials, with convicts being those found guilty of a crime and sentenced by a court, and undertrials being accused individuals kept in judicial custody during court proceedings. The Prisons Act 1894 provides guidelines on the treatment and classification of prisoners, including convict officers, who are considered public servants under the Indian Penal Code 1860. The Act also requires separation of prisoners, including females, males, and those under 21. To avoid adverse impacts, civil and criminal convicts must be kept separate. Convicted criminal prisoners can be confined in association, individual cells, or solitary confinement. The Act aims to manage and segregate prisoners according to their category and specific needs, reducing risks of corruption, violence, and social issues.

Prisoners under Sentence of Death - Prisoners sentenced to death are searched upon arrival, separated from other prisoners, and placed in separate cells. They are classified into convicts under trials and detainees, with factors like gender nationality and mental health influencing their treatment. Guards monitor them daily to maintain security.

Adolescent Prisoner - Adolescent prisoners are young adults who have been convicted of a punishable offense or ordered to provide security under Section 117 of the Code of Criminal Procedure 1973 but have failed to do so. They are at least 18 years old at the time of conviction or when they fail to meet the required security requirements. The justice system treats them as adults, but acknowledges their

emotional and mental maturation. Rehabilitation programs may be provided to help them grow and make better choices in the future.

Adult Prisoner - The age of 21 marks the legal recognition of full adulthood, granting individuals the same legal responsibilities and consequences as other adults in the criminal justice system, and affecting treatment and rehabilitation programs.

Convict Prisoner - A casual prisoner is a person convicted of a crime but not a repeat offender, typically incarcerated for their first conviction. They are detained in a correctional facility against their will, following a criminal or civil court ruling. Convict prisoners are those serving a sentence from a court with criminal jurisdiction or court martial.

Detenue Prisoner - Preventive laws restrict an individual's freedom to prevent potential harm or criminal activities before committing a crime. These laws protect the public by preventing potential harm or criminal actions. Authorities may imprison individuals based on reasonable grounds to believe they could cause harm, even if they have not yet broken the law.

Habitual Offender - A prisoner is someone held in custody or imprisoned by authorities due to a crime or preventive laws. A habitual offender is someone who has committed previous crimes and is now facing fresh charges. A repeat or chronic criminal offender is a person who has been convicted of a crime in the past and is now facing new accusations or charges, regardless of the specific crime.

Inmate - An inmate is a person who lives in a controlled environment, such as a prison or mental health facility, for various reasons such as punishment, safety, or medical treatment. They cannot leave the facility or move freely, and their freedom is limited due to legal, medical, or social circumstances. Inmates can be anyone in a restricted setting, even temporarily confined. The term "prisoner" is often used to describe incarcerated individuals.

Military Prisoner - Military prisoners, convicted by court martial, receive better treatment than civilians and are subjected to strict ethical rules. They are often held for military crimes, such as disobedience or insubordination, and enemy combatants, who are considered a threat to national security. International laws and conventions provide guidelines for their treatment, but violations can result in severe consequences for the country involved. Certain dangerous criminals may also be housed in military prisons.

HISTORY OF PRISON SYSTEM -

Vedic Period - Offence like theft, murder, and adultery were not directly governed and justice administration was not tightly managed by the state or the king. The history of the prison system can be divided into three phases: the first, which lasted until the mid-16th century, involved simple detention areas in cities or villages, the second, where imprisonment was experimented with as a punishment for certain offenders, especially juveniles, and the third, where imprisonment was universally adopted as a substitute for all capital punishments. In ancient India, prisons were seen as holding places for people until their trial or judgment, with guiding principles based on teachings from figures like Manu Yagnavalkya and Kautilya. The jail system was not as organized or regular as modern prison systems, and punishment, including imprisonment, was not as commonly used or structured as it is in present-day India.

Medieval India - The legal system of medieval India, particularly during the Mughal era, was heavily influenced by Islamic law and earlier Indian traditions. The Mughal rulers sought to integrate Islamic teachings with existing legal and cultural systems, resulting in a complex and multilayered system. The

legal system was divided into four major categories based on the gravity of the offense and the Islamic law framework. Hadd crimes, which involved offenses against God, were fixed harsh and governed by Islamic law, whereas Tazir offenses were up to the monarch or the authorities. Punishments for Tazir crimes varied widely, ranging from fines and imprisonment to corporal punishment or execution. In the Mughal system, imprisonment was not a primary form of punishment but was used as a temporary measure to keep individuals in custody until their punishment could be carried out. The Mughal empire was known for its fortresses and palaces, with three noble prisons becoming notorious.

Modern India - Modern India - The Indian jail system, founded during British control, was designed to instill fear in wrongdoers while also serving colonial objectives. In 1784, the British Parliament granted the East India Company control over India's prison network, which included 143 civil, 75 criminal, and 68 mixed jails. In 1835, Lord Macaulay recommended a commission to gather data on prison conditions and develop a better strategy for prison discipline. The committee's report in 1838 exposed shortcomings, such as corruption, lack of discipline, and manual labor on public roads. After the construction of the first Central Prison in 1846, others were constructed at Bombay, Alipore, Banaras Fatehgarh, and Lucknow. The Prison Act of 1894 addressed these issues, and a joint commission in 1919 emphasized rehabilitation as a critical component of the prison system. The Indian government appointed the first Inspector General of Prisons in 1884, and made it permanent in 1850. The Prison Act of 1870 outlined responsibilities for prison guards and separated male and female inmates. In 1919 the British government created a combined commission for rehabilitation and jail administration for jail administration and rehabilitation. Under the Indian Constitution, prison management is primarily the responsibility of state governments, with each state having its own system.

SYSTEM OF PRISON SYSTEM

Prisons in India are a place of accommodation for individuals awaiting trial or convicted. However, prison and prisoners laws have been neglected, leading to inhumane conditions and lack of respect for prisoners. The state government has exclusive power to manage and administer prisons, while the central government assists states in improving security, medical facilities, vocational training, modernization of prison industries, and creating high-security enclosures. The Supreme Court of India has established rules related to prison administration, including the right to personal liberty, human rights, and ensuring fairness. The court has paid attention to issues such as poor healthcare, overcrowding, and the provision of free legal aid. Detainees continue to enjoy their principal privileges, including the right to life, even while in prison.

TYPES OF PRISON IN INDIA -

India's prison system is divided into three levels: Taluka district and central jails. As one moves from sub to central jail, infrastructure, security, medical services, and educational facilities improve. Central jails offer advanced facilities for inmate wellbeing, education, and reformation. India also has specialized types of prisons, such as women's jails, Borstal schools, open jails, and special jails, designed for specific needs. The quality of infrastructure and services at each level reflects the seriousness of offenses and the type of prisoner being held. The objective is to ensure public safety and facilitate inmate rehabilitation and reintegration into society.

Central Jail - Central jails in India house lifers and heinous criminals sentenced to over two years in prison. They aim to reestablish morality and integrity, providing additional facilities for rehabilitation

education and vocational training. Delhi has the most, followed by Madhya Pradesh, Maharashtra, Rajasthan, Tamil Nadu, Karnataka, and Gujarat among 134 central prisons spread over India.

Jail in the District - India has 379 district jails, spread across different states and union territories. Central jails are larger, larger facilities for serious crimes or long sentences, while district jails are more common and accommodate all types of inmates. Uttar Pradesh leads with 57 district jails, followed by Madhya Pradesh, Bihar, Maharashtra, Rajasthan, Assam, Jharkhand, Haryana, Gujarat, Kerala, West Bengal, Chhattisgarh, Jammu and Kashmir, and Nagaland. District prisons are crucial components of India's penal system.

Sub Jails - Sub jails in India are smaller correctional facilities at the sub divisional level, serving as local detention centers. Nine states have the highest number, with Maharashtra leading with 100. Seven states and union territories lack sub jails, relying on higher-level facilities.

Open Jails - Open jails in India, introduced in 1962, provide a relaxed, open environment for prisoners with good behavior. Rajasthan currently has the largest number of 63 open jails across 17 states. They aim to promote self-discipline and rehabilitation.

Special Jail - Special jails in India are high-security prisons for serious crimes, terrorism, violent offenses, and severe rule violations. Kerala has the largest concentration, housing 16 of these facilities. They also offer distinct facilities for female prisoners.

Womens jails - India has 20 womens jails, designed to provide a safer environment for female prisoners. These jails are staffed by female officers, ensuring their unique needs are met. However, due to limited space and infrastructure, many female prisoners are housed in overcrowded facilities designed for male prisoners. Despite offering programs for personal development, vocational training, and mental health support, the system still faces challenges in providing comprehensive care.

Borstal School - Designed for young offenders, Borstal Schools in India are youth detention facilities with an eye toward rehabilitation and personal development. They provide education, vocational training, and moral guidance to help them reintegrate into society as law-abiding citizens. Located in nine states, these institutions aim to address root causes of criminal behavior, instill moral values, and reduce the likelihood of future criminal activity. They play a critical role in India's juvenile justice system.

Other jails - India has a unique set of additional correctional facilities, including women's jails, which are relatively rare and not widely used. These facilities are spread throughout three states: Karnataka, Kerala, and Maharashtra. They serve various purposes, such as housing inmates who don't fit specialized criteria or managing overcrowding. These facilities are part of the broader correctional system but reflect a localized approach to prison management.

FUNCTIONS OF PRISON

The Indian legal system is based on principles of nonviolence, mutual respect, and the inherent dignity of all individuals, including those convicted of crimes. Article 21 guarantees the protection of personal liberty and life, ensuring that no person can be deprived of their freedom or life unfairly. This includes prisoners, who cannot be subjected to inhumane cruel or degrading treatment. Article 14 ensures equality before the law and protects the rights of all individuals, including prisoners. It prohibits discrimination and ensures equal treatment under the law. The Prison Act of 1894 also protects prisoners' rights, ensuring their safety, dignity, and provision of services. The Act focuses on the management and regulation of prisons, but also includes provisions for prisoners' safety and dignity.

Violations of these rights, such as torture or degrading treatment, are considered failures of the justice system and must be rectified. The Indian legal system believes in treating everyone with respect and dignity, even if they have committed a crime. The Prison Act of 1894 plays a role in protecting prisoners' rights, ensuring they are treated with care and respect, and providing opportunities for rehabilitation and reform.

MAJOR PROBLEMS IN PRISONS -

Overcrowding in Prisons - Overcrowding in jails leads to tight living conditions, limited access to beds, and financial strain, causing stress, increased violence, and challenges for prison officials to maintain control and safety.

Violence and Lack of Safety - Prisons are frequently the site of violence, such as fights, assaults, and torture, with gang activity being common. Many convicts find prisons to be stressful and dangerous because of this continual threat.

Mental Health Struggles - Prison can negatively impact mental health, leading to untreated pre-existing issues and resulting in depression, anxiety, and post-traumatic stress disorder, particularly in solitary confinement.

Inadequate Healthcare Services - The prison healthcare system is plagued by underfunding and understaffing, leading to long wait times, untreated chronic diseases, injuries, and infections, and inadequate treatment of basic health needs.

Poor Living Conditions - Prison living conditions are frequently unclean, with convicts confronting poor sanitation, little food, and restricted access to clean water, resulting in poor physical and mental health results.

Lack of Education and Rehabilitation Programs - Inmates struggle to rehabilitate themselves and prepare for a productive life after release owing to a lack of resources in prisons for rehabilitation programs, vocational training, and therapy sessions.

Post-Release Challenges - Inmates struggle to improve themselves and prepare for a productive life after release due to limited resources in prisons for rehabilitation programs, vocational training, and therapy sessions.

CONCLUSION

India's prisons are entitled to all their fundamental rights, including voting rights, as per the Prisons Act 1894. The Supreme Court has ruled that prisoners are natural persons and subject to prison administration's control. The government should focus on political reforms, decriminalization, and increased accountability. The value of effective education and awareness efforts cannot be emphasized. Women's fundamental rights violations, such as physical, mental, emotional, and sexual violence, are increasingly prevalent in India, especially among Dalit women. International human rights treaties, such as the United Nations Charter and Declaration of Human Rights, aim to ensure fair treatment of offenders.