

Prison System in India Under Constitutional Perspective Genesis and Culmination

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A prison is a place where people are physically detained while being deprived of many of their personal freedoms. In the past, incarceration served as a tool to restrain criminals until they were subjected to physical or fatal punishment rather than as a kind of punishment in and of itself. Prisons are now more often called correctional institutions, and they are described as "places that are suitably arranged and equipped to maintain those decided to commit there by the courts in safe custody, and where they are handled with humanity and managed to help to lead a useful life as law-abiding citizens after their release." Nevertheless, the authoritarian environment of prisons contributes to the following problems: over-punishment, deprivation, and prisoner socialization. The present study The notion that a criminal can be rehabilitated is the foundation of this article. The process of re-educating a prisoner to regain his socially moldable character is referred to as "reformation." Open Bar method promotes the process of reformation of prisoners by offering maximal liberty to them. Prisons without bars are known as open prisons. Inmates are also permitted to work outside the jail premises up to five kilometers away. The inmates are allowed to leave the prison at a specific time. Additionally, housing facilities are made available to them so they can live with their families.

The Latin words "seize" and "cage" are the roots of the English word "prison." "Prison" was defined as "any goal or penitentiary, as well as the airing grounds or other grounds or structures occupied for prison's purpose" by the Government of India Prisons Act of 1870. A prison is any detention facility or site used either permanently or temporarily to house inmates under specific local government directives. The management of prisons has always been a part of the criminal justice system in India. Every subsystem of the criminal justice system, including the police, the courts, and the prison administration, is being examined at the policy-making level. The criminal justice system has never been subjected to such widespread criticism from the standpoint of human rights of those in jail as it is now.

Keywords: Prisoner, rehabilitated, criminal justice system, reformation, human rights

1. Introduction

The criminal equity framework places all of its obligations on prisons. If the correctional system fails, the entire criminal justice system will be ineffective. The development of new human rights laws has significantly altered the rules governing punishment for crimes. The concept of change has become a catchphrase for prison administration. Human rights laws

support the idea that no crime should be punished in a brutal, ruthless, or corrupt manner. Contrary to popular belief, any form of discipline that amounts to remorseless, degrading, or cruel treatment should be treated as a separate offense. The topic of whether the criminal equity framework and its correctional system should be incorporated into the Indian context has not been addressed, despite the fact that the move has been welcomed globally.

An open prison is a type of correctional facility with minimal perimeter security and supervision where criminals serve their sentences without being housed in jail cells. The theory is founded on self-control and the principle that "trust begets trust," which can transform human resources if handled well. The Rajasthan Prisoners Open Air Camp Rules of 1972 define open prisons as "prisons without walls, bars, or locks." According to clause (1) of section 3 of the Prisons Act, 1894, "any location so utilized permanently (or temporarily) by any order of the State Government for the confinement of inmates" is what the Maharashtra and Tamil Nadu prison manuals designate as a "open prison."

In order to protect people's right to safety and enjoyment of human rights, the criminal justice system addresses the social repercussions of criminal activity. It particularly relates to the actions of law enforcement, prosecutors, and the judiciary in criminal matters, as well as legal aid, jails and alternatives to incarceration, victim protection through restorative justice, and reparations. Topics including gender, human rights, and the criminal justice system's care of victims and children are also covered. According to List-II (State List) of the 7th Schedule of the Indian Constitution, prisons are a state concern.

In December 2022, the Supreme Court received a confidential report from the committee it had established in a suo motu petition in 2018 regarding the overcrowding of jails, the conditions of women and children incarcerated, transgender inmates, death row inmates, and juvenile correctional facilities. The study must be made public, according to a bench of justices Hima Kohli and Rajesh Bindal on Tuesday, October 10, 2023. The bench also urged lawyer Gaurav Agarwal, who was serving as an amicus curiae to help the Court in this case, to provide the report's contents to the Center and all states and union territories.

2. The Indian Prison System

Those who commit crimes and are awaiting trial for their crimes are housed in jails, according to the definition given. The jail and inmate laws in India are among the laws that have been ignored and neglected in the modern era, and they do not receive the attention they need to be improved. There is now no special legislation in place to assist these prisoners, despite the fact that it has been suggested that this law might benefit individuals who are detained as well as those who have the right to live with dignity and the fundamental right to respect. Similar violations are observed everywhere, in addition to the many instances of prisoners being subjected to conditions like cruel treatment, inadequate food, and unsanitary surroundings. Rather than merely punishing inmates, the jail is supposed to help them change. The implementation of reforms in society is contingent upon providing offenders with appropriate opportunities for growth. Knowing if someone has done a crime is vital, but knowing if they have turned into an inhuman being is far more crucial.

The seventh schedule of the Indian Constitution, which covers topics that are applicable

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throughout the country, includes both jail administration and the prison itself as a state matter. Every facet of jail management and administration is under state control. It falls within the jurisdiction of the state prisons, as stated in the Prisons Act of 1894 and the state government's own prison manuals. Since the state is in charge of this issue, they have the primary responsibility and authority to change the current jail policies, laws, and procedures.

The federal government can only help states with prison security, medical facilities, facilities for female offenders, Borstal school development, high-security enclosure construction, vocational training, modernization of prison businesses, and prison employee training. In a number of its rulings and regulations, the Supreme Court of India identified guidelines related to jail management, such as the jail discipline system.

3. Types of Prison in India

In India, incarceration occurs in three stages: district, taluka, and central (sometimes known as zonal or range level). The jails at these three levels are called sub prisons, district prisons, and central prisons. Security, infrastructure, healthcare, education, and rehabilitation facilities all get better when one moves from a sub-jail to a central prison. Borstal schools, women's prisons, special prisons, and open prisons are some more types of jails.

Central Jails: Each state has different standards for identifying whether a jail qualifies as a central prison. One commonality across all states' central prisons is that they house prisoners who have been sentenced to more than two years in jail. These jails are intended for lifers and those with severe criminal records. In these types of jails, an effort is made to restore the convicts' integrity and morals.

The inmates in these prisons work hard to earn their money. They can accommodate more inmates than typical correctional facilities. These jails also have a rehabilitation center. The overall number of central jails is 134. Gujarat has four central jails, Karnataka has eight, Punjab, Maharashtra, TN, and Rajasthan each have nine, MP has eleven, and Delhi has the most central jails—16. There isn't a single central jail in the Andaman and Nicobar Islands, Arunachal Pradesh, Dadra and Nagar Haveli, Daman and Diu, Lakshadweep, or Meghalaya.

District Jails: The differences between district and central jails are minimal. For states and UTs without a central prison, district prisons serve as the main incarceration centers. There are 379 district prisons in India. There are ten jails in each of J&K and Nagaland, eleven in Gujarat, eleven in Chhattisgarh and Kerala, twelve in WB, sixteen in Haryana, seventeen in Jharkhand, twenty-two in Karnataka, twenty-four in Assam, thirty-one in Bihar, forty-nine in MP, and fifty-seven in Uttar Pradesh.

Sub Jails: These sub-jails function as sub-divisional prisons in India. At the sub-divisional level of the state, these are the smallest prisons. These jails are extremely well-organized and have an excellent prison setup because they were established at a lower level. The number of sub-prisons in India is highest in nine states. Maharashtra has 100 sub-prisons, whereas AP has 99, TN has 96, MP has 72, Karnataka has 70, Odisha has 73, Rajasthan has 60, while Telangana and WB each have 33. The biggest number of inmates in various sub-jails is found in Odisha.

Open Jails: This is true even though the titles of these prisons seem to be erratic. There is the least degree of security in these prisons. The Rajasthan Prison Rules provide that a prison without walls, bars, or locks is considered open. These jails only admit sentenced inmates who behave well and fulfill the requirements of the institution. Minimum security is upheld in these jails, and prisoners can engage in farming activities to support their family. P.T. Chacko, the home minister of Kerala, opened India's first open prison at Nettukaltheri, close to Neyyar Trivandrum, on August 28, 1962. India has seventeen states with 63 open prisons. With 29 open jails, the state of Rajasthan has the most. Until the end of 2015, there were no open jails in India's Union Territories. In December 2017, the Supreme Court of India ordered the Indian government to build more open prisons throughout the nation.

The highest-security prisons are known as special jails, and they provide special amenities for their inmates. These jails contain inmates of a certain class or classes. Inmates housed in special prisons have been found guilty of violent crimes, terrorism, persistent criminal activity, serious prison sentence infractions, and acts of aggression and violence against other prisoners. There are forty-three unique prisons in India. With 16 in all, Kerala has the most special prisons. Assam, Gujarat, WB, Karnataka, TN, Maharashtra, and Kerala all have legislation that permit the detention of female prisoners in special prisons.

Women's Jails: Prisons exclusively for female inmates are known as women's jails. The purpose of these prisons was to protect female detainees. These jails employ female staff members. These correctional facilities are located at the central, district, and subdivision levels. There are twenty women's prisons in India. Most female inmates are kept in other types of jails due to the overcrowding in women's prisons. Kerala and Tamil Nadu each have three women's prisons, while Maharashtra has five. The current jail administration structure is not appropriate for the reformation and rehabilitation of female inmates. Because there are so few women's jails in India, it is challenging for the inmates to change and get back on their feet.

A type of juvenile prison facility, Borstal Schools are primarily utilized to house young offenders or children. The main objective of Borstal schools is to keep young offenders away from the contagious atmosphere of prisons by providing for their welfare, care, and therapy in a setting that is kid-friendly. Adolescents who have violated the law are admitted to Borstal Schools, which offer professional and educational instruction under the guidance of qualified teachers. A lot of emphasis is placed on training, education, and moral influence in order to reform young people and keep them from committing crimes. There are nine Borstal schools in India. TN, HP, Karnataka, Kerala, Jharkhand, Punjab, Rajasthan, Maharashtra, and Telangana are among the states where they can be found.

Prisons Act 1894: The only unified framework for jail administration and management that applies to all of India is the Prisons Act 1894. This is an antediluvian act that is in effect without any modifications. However, several problems were not resolved by this statute. The Indian Jail Committee's 1919–20 report addressed the act's shortcomings in relation to the reformation and rehabilitation of offenders, which was acknowledged as the primary goal of prison administrators.

The report of the All India Committee on Jail Reforms (Mulla Committee) and its recommendations The rights and obligations of inmates had to be made explicit in the wake of the Supreme Court's ruling.

In this context, the All India Committee on Jail Reforms was presided over by Mr. Justice A. N. Mulla from 1980 to 1983. The Mulla committee's main recommendations include: Improving the state of prisons around the nation by providing sufficient facilities for food, clothes, hygiene, and ventilation, among other things. The employees of the prison must be well-trained and arranged into several cadres. To hire jail officers nationwide, it would make sense to create an All-India Service known as the Indian Prisons and Correctional Service.

The public and media should be permitted to visit prisons and other correctional facilities on a regular basis in order to learn about the conditions inside and to express interest in collaborating with prison officials on rehabilitation initiatives. The number of prisoners awaiting trial should be maintained to a minimum and separated from the other convicted prisoners. Expedited trials and the relaxation of bail laws can help lower the number of inmates awaiting trial, who make up a significant component of the jail population. The government ought to try to allocate enough money and resources for jail reforms.

4. The Jail Reform Committee of Krishna Iyer:

The Justice Krishna Iyer Committee was established by the Indian government in 1987 to carry out research on female inmates throughout the country. Because of their special role in dealing with female and juvenile offenders, it has pushed for the recruitment of more women into the police force. The National Expert Committee on Women Prisoners, led by Justice V. R. Krishna Iyer, presented its findings to the government in February 1988.

The Government of India took the following actions to strengthen the administration of prison reforms in India: The Government of India asked that state governments and various union territories undertake modifications to improve the measures for prison reforms.

The recommendations or actions for prison reform are listed below :

1. To establish state and district Review Committees for the population of prisoners awaiting trial
2. To assign part-time or full-time law officers to prisons and offer legal aid to underprivileged and vulnerable inmates.
3. To closely follow the guidelines set forth in the 1973 Code of Criminal Procedure with regard to the deadlines for inquiries and investigations.
4. To create a timeline for enhancing the living conditions of convicts, with an emphasis on electrification, sanitary facilities, and water supply, and to submit it for approval to the Ministry of Home Affairs (MHA).
5. Create a State Board of Visitors to conduct routine visits to prisons and provide the State Government with reports on conditions there.

Prisoners' Rights under Constitutional Provisions: To preserve the foundation of the constitutional provision, this is a serious issue that must be addressed. In a number of rulings, the Supreme Court has ruled that inmates are both natural and legal persons. The courts are in charge of giving these détentés justice and shielding them from abuse and harassment.

(a) Individual Liberty and the Right to Life

The right to life encompasses much more than just being alive. Furthermore, by adding the right to life with human dignity to Article 21 of the Constitution, the Supreme Court has expanded its interpretation. The criterion is not animal existence alone. According to the Supreme Court, everyone possesses the fundamental human right to life, which is protected by Article 21 and cannot be violated by the government.

(b) Health and Medical Treatment Rights

In a number of decisions, the Supreme Court has ruled that Article 21 of the Constitution covers the right to medical care. It makes the state obligated to protect life. This is a fundamental human right. However, there are still cases where inmates' health is neglected and inadequate medical facilities are provided.

(c) The Right for a Prompt Trial

According to the Supreme Court, one of the fundamental components of Article 21 of the Constitution is the right to a quick trial. The Court is expected to take the appropriate actions to ensure a speedy trial and prompt case disposal because a delay in case resolution is a denial of justice. Unfortunately, the Supreme Court has disregarded the deadline for the trial of these offenses despite having established standards for impacting the right to a fast trial. The accused may request a fast trial at any point throughout the investigation, inquiry, appeal, and other stages of the process. Depending on the circumstances, the offense's time limit varies. In the interest of natural justice, the Court concludes that charges of conviction should be overturned when an accused person's right to a quick trial has been violated.

It is obvious that the inmates' unjustified imprisonment violates Article 21. The constitutional right to a quick trial is a crucial protection against excessive and oppressive detention before trial, to reduce the fear and anxiety that come with public accusations, and to reduce the likelihood that protracted delays will make it more difficult for an accused person to defend themselves.

(d) Free Legal Aid as a Right

One aspect of Article 21 of the Constitution, which requires a state to offer legal remedy, is the right to free legal help. The State is required by the Constitution to give those who cannot afford it access to judicial recourse. The state cannot avoid its responsibility by citing administrative Irregularities and a lack of funding.

The only requirement for free legal assistance is that the accused person who has been charged with a crime, found guilty of it, and has a social need must receive free legal aid. However, in certain situations—such as economic offenses or prostitution—social justice demands that the accused not get free legal representation. Additionally, inmates ought to have unhindered access to the judicial system free from prison administration intervention. There is absolutely no justification for any capricious process to control the inmate-legal advisor interviews. Justice Krishna Iyer stated that "this is the State's duty and not Government's charity" in reference to the entitlement to free legal aid. The Court will award a prisoner the right to appeal under Article 142 read with Articles 21 and 39A of the Constitution if he is unable to exercise his constitutional and statutory right to appeal, including Special Leave to

Appeal, due to a lack of legal help.

(e) The Right to Fair Compensation for Labor

It is believed that giving the inmates fair compensation for their labor will have a therapeutic impact on their mental health. In addition to being a worker's legal right, receiving compensation for labor is also a social and ethical requirement. To achieve the goals of the prisoner's rehabilitation and the victim's restitution, the salaries ought to be fair. In addition to violating the fundamental rights listed in Article 23 of the Constitution, unpaid fair and equitable wages would lead to bonded labor. The state should establish a wage fixation body and accept ideas and suggestions from that body in order to determine the amount of pay that must be provided to the inmates.

(f) State Policy Directive Principles

According to Article 39A of the Indian Constitution, the State is required to offer free legal aid to accused inmates and those outside of prison who are unable to hire an attorney because they lack the funds to defend themselves in court against the criminal allegations against them.

Other Rights

Right to Bail: When there is no reasonable fear that the accused would run away and avoid appearing in front of the court's watchful eyes, everyone should be granted bail. A very useful tool for interacting with a detainee is bail. Additionally, compared to someone who remains in jail custody, the bail candidate should be able to set up his protection more effectively. This promotes social and open equality and keeps the defendant in custody at a strategic distance from the high open costs, where there is no danger, disturbing influence, or disappearance of the record's content.

Right to Basic Amenities:

The government must give each prisoner with wholesome food that is nutritious enough for their strength and health, well-prepared and served, and accommodations of a suitable kind at regular hours.

Right against Arbitrary Prison Punishment:

Under the right against arbitrary prison punishment, a prisoner who has been disciplined has the right to be informed exactly what the infraction of the prisons Act and rules is, to have their defense heard, to be informed of the outcome of the disciplinary proceedings, and to appeal to the Inspector General of Prisons as specified in the Act's regulations.

Special Leave (Furlough and Parole) and Right to Leave:

The right to leave is a prisoner's right that is only provided upon meeting the requirements outlined in numerous manuals, legislation, etc. Paradoxically, there is no statutory structure that specifies how many days furlough or parole must be provided. Parole is a discretionary decision that is based on each case's unique facts and circumstances.

Special Treatment:

The legislation provides protection to the most vulnerable members of society, such as young people and female criminals who truly need safety and security.

Women:

Prisons must give proper consideration to the safety and security of their inmates, taking into account the female suspects. Additionally, the Court ordered the relevant prison officials to ensure that all feasible facilities for providing prenatal and postnatal care for the mother and the child are given before sending the prisoner to jail. Facilities for amusement, education, and health care should be made available to the children of female inmates. Facilities like foster homes and childcare centers can improve a child's custody and care.

Youth Offenders:

If juvenile offenders are housed with adult offenders, it will affect their mentality. It is crucial to remember that the younger the criminal, the more care he requires and the more sensitive and understanding his treatment must be. In order to reform them, the juvenile criminals ought to be sent to Borstal School, where they will have access to educational and vocational training options. "Reformative schools" is an accurate description of these educational institutions. In order to improve the juvenile offender's reformation, foster care facilities must also be encouraged.

Approaches

Socialistic Perspective: The inmates are people just like us. They continue to be despised by society. In every aspect of society, they are social outcasts. Reformation of the convicts is necessary, but more crucially, the thinking of the society as a whole needs to be changed. If society disregards it, it will not give all people the same status regardless of other factors. As a significant institution, society works to promote personal growth. An offender's growth and development will be stimulated by the aftercare program. Participation on a communal basis will facilitate the offender's interactions with others and assist him go through his reformation and rehabilitation process.

Educational Approach:

Assigning accountability for education and the autonomy to create their own curricula is the means by which this paradigm shift in prison policy can be accomplished. An important aspect of jail life will be education. Both the literate and the illiterate will benefit from the educational strategy. The offender's overall personality development shouldn't be hampered by incarceration. In addition to giving the inmates plenty of chances to continue their knowledge, it is also important to provide training and specific instruction available if necessary. Universities can start early with degree programs, distant learning initiatives, etc., and should work with jail officials. so that the inmates don't feel any less entitled to an education than any other citizen.

Reformative and Therapeutic Approach: The reformative philosophy of punishment is still upheld and believed in in India. The goal of the holistic reformative approach is to change the person via a variety of means. This strategy has been designed to reform the persons to repent for a crime committed and it operates as a mechanism of self- awareness of one's mistake. Additionally, the therapeutic strategy focuses on the offender being continuously monitored and cared for by the psychoanalyst or counselor. The inmate will express his complaints in this way, and his actions will be clearly understood. An alternative that might be viewed as a conduit for relief is meditation, which can assist inmates in achieving mental tranquility. The

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idea of studying the human mind is all that this method is based on.

Freud thought that all of the complex human behaviors resulted from the combination of these three factors. Though highly influential, Freud's school of thought also sparked a lot of discussion. This dispute persisted in discussions of Freud's views both in his day and in the present.

Recreational Approach:

Equal encouragement should be provided to recreational pursuits. Sports, cultural events, and managing the prison industry are examples of these outdoor pursuits. Support should be given to inmates who want to use these activities to advance their careers. In addition to improving the inmate's physical condition, these activities would help him mentally, provide a respite from the demanding task, and instill in him a sense of sportsmanship. The preference for reading should be taken into account by providing a variety of books on motivation, self-help, novels, and other topics. The inmates should have round-the-clock access to the library. The most creative concept is to run the prison company and open souvenir stores; this would not only be a fun pastime but also bring in money for the institution.

Other Options Besides Punishment

Parole: A convicted prisoner who is granted parole is granted a certain amount of freedom or a reduction in their limitations; yet, their status remains unchanged. One punitive tool that aims to humanize prison justice is parole. Under certain restrictions, it permits the inmates to reintegrate into society. According to the Model Prison Manual, the primary goals of parole are:

1. To allow the prisoner to continue living with his family and handle family issues
2. To protect the prisoner from the negative consequences of a life behind bars.
3. To allow the prisoner to maintain their sense of self-worth and their active engagement in life.

Fine: Fines are a typical penalty for a variety of infractions, especially minor ones that are committed by first-time offenders. Traffic infractions, first-time drunk driving cases, small drug possession, and violations involving fish and game are among the offenses that typically result in fines. Many judges combine fines with other forms of punishment, such as community service, probation, detention, and suspended sentences, when dealing with more serious offenses or where the litigant has a criminal history.

Suspended Sentence: A judge may choose to impose a suspended sentence as an alternative to incarceration, in which case the judge may decide on a sentence but not carry it out. Usually, this is reserved for first-time offenders or less serious offenses. Both unconditional and conditional suspensions are possible.

Probation is an additional option to incarceration. Probation releases a defendant back into society, much like a suspended sentence, but it does not grant them the same freedoms as an average citizen. Probation is typically permitted by courts for first-time or low-risk offenders. Although statutes determine whether probation is possible, the condemning judge has the last say over whether probation should be permitted.

Restitution: Restitution is similar to a fine, except instead of going to the court or the town, the offender's payment is given to the victims of the crime. The 78th Law Commission Report made this recommendation. In situations where victims suffered some kind of financial loss as a result of the crime, judges typically mandate restitution. The goal of the payment is to complete the victims and put them back in the same financial situation as before the crime was committed.

Community Service: In order to make up for an offense committed, judges have the authority to order plaintiffs to undertake unpaid community service, sometimes known as "community service." Despite receiving another kind of punishment, such as probation, a fine, or compensation, the litigant may still be obliged to complete community service.

Diversion: If a respondent fulfills specific requirements, they may be eligible for programs that result in charges being dropped for specific types of offenses. These programs, sometimes known as diversion or deferred adjudication, remove the defendant from the standard indictment process in order for them to fulfill specific requirements. Once finished, the charges are dropped by the prosecutor or the court. Diversion programs, which are frequently utilized for drug offenses or first-time offenders, aim to give a litigant an opportunity to demonstrate that they are capable of acting properly. Typically, probation or counseling are among the requirements.

Issues

In its historic ruling in *Ramamurthy v. State of Karnataka*, the Supreme Court listed nine significant issues that must be resolved right away in order to carry out jail reforms. The Court noted that these significant issues have an impact on the current jail system:

Prison Overcrowding: India's jails are overcrowded, with an occupancy ratio that is 14% higher than their maximum capacity. The division of major criminals and minor offenders has proven challenging due to the extreme congestion in these jails, which can negatively impact minor offenders. Their constant interaction with hard criminals may cause them to become professional offenders. There are currently about 40,000 employees working in India's prisons, out of the 49030 authorized staff members at all grades.

Trial Delay: Based on available data, 67% of inmates in Indian jails are awaiting trial. Those who are held in jail pending trial, investigation, or inquiry but have not been charged with a crime in a court of law are referred to as being under trial. Compared to other nations, India has a remarkably high percentage of inmates awaiting trial or punishment.

Torture & Ill-Treatment: Inmates, including those awaiting trial, are subjected to the most extreme forms of torture and forced to perform hard labor that is illegal without compensation. The number of deaths in custody brought on by torture and other cruel treatment of inmates has been steadily increasing. The risk of mistreatment is higher for female inmates.

Health and Hygiene Neglects: Inmates in India endure extremely unsanitary circumstances, inadequate medical care, and a constant risk of abuse and torture. The dearth of sanitary amenities in many institutions disproportionately affects female inmates. It could be during their pregnancy or at another point in time.

Inadequate Clothing and Food: The jails' food and clothing supplies are hardly enough to

sustain inmates. For the inmates, it is insufficient and insufficient, which has a negative impact on their health.

Communication Deficit: The inmates are abandoned to live in seclusion with no access to family, friends, or the outside world. They don't know anything about their family's lives or well-being.

Administration of Open-Air Prison: The current situation of congestion, staff shortages, and inadequate administration in jails make it extremely challenging to operate open-air prisons.

Psychological Effect: Prisons become shocking wrecks with subpar living circumstances due to a lack of inspection and shoddy use of supervisory procedures. The inmate's psychological state is impacted by this corruption in the criminal justice system. It results in negative psychological repercussions like tension, anxiety, panic attacks, sadness, and claustrophobia. It also increases the inmate's susceptibility to criminal tendencies. The prisoner is more destroyed than better after they leave.

Lack of Transparency: The Indian court system is also beset by a lack of transparency. It is clear that the Right to Information (RTI) Act completely deviates from the law. As a result, important topics such as the nature of accountability and equity are not properly understood in the way the judiciary operates.

Disparities in Laws and the Administration of Justice: It is clear that there are differences in how the law is applied and implemented. The remission laws that apply to each state are not consistent. The severity of the penalty varies with length.

Remedies

Wage Increase: The inmates should receive enough money to support themselves sustainably.

Fast Trials: By quickening the criminal justice system's pace, the inmates who are lingering in jail should receive legal assistance as soon as possible. Keeping women offenders, first-time offenders, juvenile criminals, and those undergoing trials apart People who are on trial are typically those who have not yet been found guilty of the crime, and they ought to be housed in a different prison cell from seasoned criminals to prevent them from being influenced by them.

Increasing the Number of Prisons: In order to address the issue of overcrowding, the nation should increase the number of prisons and move inmates from overcrowded facilities to those with fewer inmates. Those who possess the managerial abilities needed to handle congestion should be appointed. For minor infractions, a heavy penalty should be used instead of imprisonment as the punishment.

Increased Transparency: In order to comprehend the real situation in the jails, the legal system's transparency should be improved. NHRC inspections and court-mandated inspections are two ways to bring about transparency, and the primary goal would be to follow up on these.

5. Conclusion and Recommendations.

The nation's key component for managing crime and criminology is the prison system.

Paradoxically, study on its development is still in its early stages. To become a reformative institution rather than a place where torture is practiced in custody, prisons must overcome numerous obstacles. The distribution of resources, the deterrent effects of punishment, and the rehabilitation method are the key issues impeding development.

By providing them with the proper correctional care, prisons nationwide will work to reform and reintegrate criminals into society. Even though several committees have made recommendations and ideas, actual enforcement remains the main issue in India.

In conclusion, it is important to remember that prison management and inmate reformation are only a small part of the larger picture of societal healing. The inmates cannot be successfully reformed by the jail administration alone. It may attempt its meager efforts to correct the convicts, but these efforts will only be successful if our economics, education, social institutions, and values are suitably integrated into a cohesive and hospitable whole in light of the knowledge of the human establishment.

6. Suggestions

Touch-screen Kiosk Application: Inmates can use a variety of touch-screen kiosks located throughout the jail. The PDR, remission earned, prisoner property and currency details, parole/furlough application status, transfer status, and under-trial detention alarm are all accessible to inmates using these kiosks. The majority of inmates are literate, but those who are not can take education classes within the prison, which include English reading and writing.

To guarantee that inmates' issues are taken into account, a mobile complaint box ought to be placed outside of their cell. Only the organizations who do prison inspections should have the key to this.

The gathered jail trash should be converted into biofertilizer, sold to different businesses, and the proceeds distributed to the inmates.

If the prison hospital has a psychiatric wing, mentally ill patients should be housed there; if not, they should be sent to the closest mental health facility for treatment. Furthermore, the State Government need to take the inmate's request for release into consideration if, even after serving half of the maximum sentence, he is unable to recover from his mental illness. positions on campuses for those who have finished their education in correctional facilities.

In each state, a Prisoners Welfare Fund will be established with government funding to implement various welfare initiatives for released inmates and their families.

To establish a State Board of Visitors to visit prisons on a regular basis and provide the State Government with reports on the circumstances there; Sanitation and hygiene: Some key suggestions in this area include: Well-equipped laundry rooms for cleaning, disinfecting, and fumigating clothing and bedding; a prisoner-to-latrine ratio of 1:7; bathing cubicles for inmates at a ratio of 1:10; covering open gutters in prisons; and routine inspections of each prison by the local public health officer.

The advisory committee will conduct inspections on a regular basis without intervention

from the jail administration. The Right to Information Act of 2005 should be applied to jail administration.

Technology Use: It would be preferable for parolees and first-time offenders if the state could merely place an ankle tracker on them and grant them a certain amount of freedom rather than locking them up. Additionally, the State would spend a lot less money housing, feeding, and caring for them. CCTV cameras have been installed in the cells and the Welfare Officer should be appointed

A new Section 357-A was added to the Cr.P.C., 1973, which allows for the payment of compensation to victims of crime using the prisoners' earnings under the Wage Earning Scheme.

Changing the Indian Penal Code's current Section 53 to make community service one of the penalties allowed by this section.

The current Section 433 of the Cr.P.C. should be appropriately amended to provide for the consideration and release under the Advisory Board Scheme of Lifers who provide a good prognosis for reformation and rehabilitation even before the completion of 14 years of actual incarceration, say 8–10 years.

Providing free access to all prison treatment programs, including classification, education, vocational training, medical and health care, sanitation and hygiene, recreation activities, etc., to NGOs and philanthropists who genuinely care about the wellbeing of prisoners.

Adolescent offenders may be segregated and confined in Borstal Schools (Remand) in order to prevent the abuse of these individuals by adult inmates.

To guarantee that the investigation and trial are completed on time, the investigating officers should have a minimum set tenure. The National Human Rights Commission's role ought to be expanded.

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