

# Injustice Behind Bars

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**Context :** Indian prisons have long been centers of **violence, neglect, and human rights violations**. Among the most vulnerable groups are **prisoners with disabilities**, who face heightened challenges due to systemic apathy and structural inaccessibility. Despite various attempts at reform, the condition of prisons reflects a deeper societal and institutional failure.

This discussion examines the **historical neglect**, ongoing struggles, and specific challenges faced by prisoners with disabilities in India. It also highlights legal frameworks and the need for urgent action to address these issues.

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## Historical Overview of Prison Reform in India

### 1. Shocking Incidents of Brutality

- **Bhagalpur Blindings (1979-80):** Acid was poured into the eyes of prisoners, leaving them blind.
- These incidents exposed the **inhumanity of correctional facilities**, leading to public outrage and debates on prison reform.

### 2. Mulla Committee Recommendations (1980s):

- Proposed reforms included:
  - **Better training** for prison staff.
  - **Improved infrastructure** and regular inspections.
  - **Judicial reforms** to reduce overcrowding.
- **Outcome:** Despite comprehensive recommendations, **little was implemented**.

### 3. Judicial Interventions:

- **Rama Murthy vs. State of Karnataka (1996):**
    - The Supreme Court identified persistent issues:
      - **Overcrowding, trial delays, and prisoner mistreatment.**
    - It reaffirmed the Mulla Committee's recommendations.
  - **Result:** Systemic issues persisted due to lack of implementation.
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## The Current State of Indian Prisons

- **Overcrowding:**

- Indian prisons operate at an **average capacity of 130%**, with some exceeding **200%**.
- Overcrowding worsens issues like violence, poor sanitation, and inadequate healthcare.

- **Unfulfilled Promises:**

- **Model Prison Manual (2016):** Released by the Ministry of Home Affairs but adopted by few states.
  - **Reason:** Lack of funds and administrative challenges hinder implementation.
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## Challenges Faced by Prisoners with Disabilities

### 1. Disproportionate Abuse:

- Prisoners with disabilities are:
  - **Targets of violence** due to their dependence on others.
  - Subjected to **verbal abuse and physical assaults** with little accountability.

### 2. Inaccessible Infrastructure:

- Most prisons lack:
  - **Ramps, railings, or wheelchair-accessible spaces.**
  - **Accessible toilets and bathrooms**, denying prisoners dignity.
- **Example:** A 2018 audit of Delhi's prisons highlighted severe accessibility gaps.

### 3. Denial of Medical Care and Assistance:

- **Lack of essential services:**
  - Delays in **medication** and denial of **specialised diets** or physiotherapy.
  - Few trained personnel to assist with tasks like eating or dressing.

### 4. Psychological Isolation:

- Prisoners with disabilities face:
    - **Depression and anxiety** due to abuse and neglect.
    - Isolation from communal spaces, worsening their mental health.
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## Legal Frameworks and Gaps in Implementation

- **Constitutional Guarantees:**

- Right to **equality, dignity, and humane treatment** applies to all, including

prisoners.

- **Key Laws and Guidelines:**

- **Rights of Persons with Disabilities Act (2016):** Prohibits neglect and abuse.
- **International Standards:**
  - **Nelson Mandela Rules (2015):** Mandate humane treatment of prisoners.
  - **UN Convention on the Rights of Persons with Disabilities:** Calls for reasonable accommodations.

- **Implementation Challenges:**

- Policies remain on paper due to **lack of political will** and societal indifference.
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## The Role of Society and the State

- **Societal Apathy:**

- Many believe prisoners "deserve" cruelty, perpetuating neglect.

- **State Responsibility:**

- Prison reform falls under **state jurisdiction**. Governments must:
    - **Allocate funds** and ensure accessibility.
    - **Comply with legal and international obligations.**
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## Conclusion: A Call to Action

Indian prisons are a mirror of **broader societal indifference to human rights**. For prisoners with disabilities, the challenges are compounded by structural inaccessibility and neglect. While the legal framework appears robust, **implementation remains elusive**.

### **Urgent action is needed to:**

- Improve infrastructure.
- Enforce accountability.
- Foster a culture of dignity and empathy for all prisoners.

Such steps are not just about improving prison conditions but about reaffirming the **core values of justice and humanity**.