

Injustice Behind Bars

Posted at: 22/11/2024

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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.

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.

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.**

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**.