CONTENTS

ACKNOWLEDGEMENT : i-ii
ABBREVIATIONS : iii-iv
LIST OF CASES : v-viii
CHAPTER –I : 1-13
   INTRODUCTION
CHAPTER –II : 14-34

CONCEPT AND THEORIES OF CRIMINAL JUSTICE ADMINISTRATION

[A] CONCEPT : 15
[B] CRIMINAL JUSTICE ADMINISTRATION IN DIFFERENT PERIODS : 16
   (i) Ancient Hindu Period : 16
   (ii) Muslim Period : 19
   (iii) British period : 20
[C] THEORIES OF PUNISHMENT : 22
   (i) Retributive Theory : 22
   (ii) Deterrent Theory : 23
   (iii) Preventive Theory : 24
   (iv) Reformative Theory : 25
   (v) Theory of Compensation : 26
[D] THE SENTENCING OF OFFENDERS : 27
[E] THE PRINCIPLE OF LEGALITY : 30
[F] PRESUMPTION OF INNOCENCE : 31
[G] PROTECTION AGAINST SELF-INCRIMINATION : 33
[H] PROTECTION AGAINST DOUBLE JEOPARDY : 33
CHAPTER –III
PRISON AND PRISONS REFORM

[A] PRISONS: HISTORICAL OVERVIEW

(i) Prisons in India
1. Ancient India
2. Medieval India
3. Modern India
   (a) Prisons before Independence
   (b) Prisons after Independence

(ii) Prisons in Other Countries
1. England
2. America
3. Russia

[B] PRISONS: THE JUSTIFICATION

(i) Retribution
(ii) Deterrence
   1. General Deterrence
   2. Special Deterrence
(iii) Prevention
(iv) Reformation

CHAPTER- IV
PROTECTION OF PRISONERS' RIGHTS:
THE LEGISLATIVE FRAMEWORK

[A] CONSTITUTIONAL PROTECTION
[B] STATUTORY PROTECTION

(i) The Indian Penal Code, 1860
(iii) The Indian Evidence Act, 1860
(iv) The Indian Police Act, 1861
(v) The Prisons Act, 1894
(vi) The Probation of Offenders Act, 1958

CHAPTER -V

HUMAN RIGHTS AND PRISION

[A] MEANING AND DEFINITION OF HUMAN RIGHTS

[B] EVOLUTION OF HUMAN RIGHTS

[C] EVOLUTION OF UNIVERSAL HUMAN RIGHTS

(i) The U.N. Charter
(ii) Universal Declaration of Human Rights
(iii) International Covenants of 1966

[D] EVOLUTION OF HUMAN RIGHTS IN INDIA

(i) Ancient Era
(ii) Medieval Era
(iii) During British India
(iv) Post Independent Era

[F] HUMAN RIGHTS AND PRISON

(i) Charter of United Nations
(ii) Universal Declaration of Human Rights
(iii) International Covenant on Civil and Political Rights
(iv) Standard Minimum Rules for the Treatment Prisoners
(v) European Convention on Human Rights
(vi) Declaration on the protection of all persons from being subjected to
Torture and other cruel inhuman or degrading treatment of punishment

(vii) Convention against Torture and Other Cruel, Inhuman or
Degrading Treatment or Punishment

(viii) Rules Governing the Detention of Persons Awaiting Trial or
Appeal before the Tribunal or Otherwise

[G] NATIONAL HUMAN RIGHTS COMMISSION

(i) Statutory role, power and functions of NHRC : 116

(ii) NHRC in action : 119

(iii) Regarding custodial violence : 119

(iv) Regarding Prison Administration : 120

[H] HUMAN RIGHTS OF PRISONERS

PRISONERS WITH SPECIAL NEEDS AND THEIRS HUMAN RIGHTS : 123

1- Prisoners with mental health care needs : 125

2- Prisoners with disabilities : 128

3- Prisoners under sentence of death : 130

4- Women prisoners : 132

TYPES OF CIVIL RIGHTS ABUSES OCCUR IN FEMALE PRISONS : 132

CHAPTER VI : 136-182

PROTECTION OF PRISONERS' FUNDAMENTAL RIGHTS:

THE JUDICIAL RESPONSE

[A] PRISONERS RIGHT OF PHYSICAL PROTECTION : 136

(i) Electric Surveillance : 139

(ii) Physical Assault : 140

(iii) Hand Cuffing and Bar Fetters : 141
(iv) Solitary Confinement
(v) Death Penalty

[B] RIGHT TO FAIR PROCEDURE
(i) Right to Bail
(ii) Right to be represented in Court
(iii) Right to Speedy Trial
(iv) Right of Under trials and ‘Detenues’ for Separate Treatment
(v) Right to Compensation

[C] SPECIAL PROTECTION TO PRISONERS
(i) Preventive Detention
(ii) Orders of Detention
(iii) Recent Judicial Trends and Prisoners
   1. Emergency and Preventive Detention
   2. Practice of Keeping Detenues and Undertrials with Convicts
   3. Law and Preventive Detention
   4. Right to be represented by Counsel

[D] POLITICAL, SOCIAL AND CULTURAL RIGHTS
(i) Political Rights of Prisoners
   1. Freedom of Expression
   2. Prisoners and Press Interviews
   3. Death Sentence and Freedom of Expression
   4. Freedom of Association
   5. Election Rights
(ii) Social and Cultural Rights of Prisoners
   1. Right to Meet with Family Members and Friends
2. Right to Religion

CHAPTER VII

CONCLUSION AND SUGGESTIONS

BIBLIOGRAPHY