CHAPTER - VI

MAIN FINDINGS AND SUGGESTIONS

In this study we have examined the observance of human rights in central jails i.e. Ambala and Hisar and district jails i.e. Kurukshetra & Rohtak as well as views of their officials.

To recapitulate the main points, the study has the following objectives:

1. To study national and international human rights provisions for prisoners.
2. To examine the organization and administrative setup of prisons in Haryana State
3. To examine the status of observance of Human rights of prisoners in the jails of Haryana state
4. To examine the level of awareness and training of officials regarding human rights of prisoners in Haryana State.
5. To offer suitable suggestions for maximizing human rights standards in prisons of Haryana state.

To meet these objectives the study has examined the status of the following hypotheses:

1. The human rights regime for prisoners at the National and International levels are quite comprehensive and satisfactory.
2. The organizational and administrative setup of prisons in Haryana State is quite satisfactory.
3. There is no significant difference in the observance of Human Rights in district and central jails regarding the category of adequate standard of living comprising (a) Accommodation, (b) Right to Adequate Food and Drinking water (c) Rights to clothing & bedding.
4. There is no significant difference in the observance of Human Rights in district and central jails regarding the category of Health Rights of Prisoners comprising (a) Health Screening for all new prisoners, (b) Right to have access to health care, (c) Healthy Conditions in custody.

5. There is no significant difference in the observance of Human Rights in district and central jails regarding Making the and best use of prisons and turning them into safe place comprising (a) Security, (b) Good Order and Control, (c) Discipline and Punishment. (d) Work, (e) Education (f) Cultural Activities & Religion.

6. There is no significant difference in the observance of Human Rights in district and central jails regarding the category of Prisoners contact with the outside world comprising (a) Right to communicate with the family, (b) To be kept informed of important items of news, (c) Right to be kept in prison near their homes.

7. There is no significant difference in the observance of Human Rights in districts and central jails regarding the category of Prisoners Complaints and Inspections comprising (a) Right to make complaint, regarding his/her treatment (b) Access to written information of rules (c) Right to bring the rejected complaints before judiciary and other authority.

8. There is no significant difference in the observance of Human Rights in districts and central jails regarding the Category of no Discrimination comprising (a) Prohibition of all forms of discrimination (b) Right to enjoy equal protection of law (c) Right to enjoy cultural liberty.

9. There is no significant difference in the observance of Human Rights in districts and central jails regarding living Conditions of Prisoners.
10. There is no significant difference in the observance of Human Rights in districts and central jails regarding Awareness and Training of Officials.

11. Lack of Legal Aid, functional autonomy and Awareness of Human Right leads to Violation of Human Rights.

**Research Methodology:**

The present study have been conducted in the state of Haryana. For the present study two central jails i.e. Ambala and Hissar, two district jails i.e Rohtak and Kurukshetra have been selected.

We shall however focus on some of the most important human rights of prisoners specially those which can not be suspended in any circumstances and hence prisoners must enjoy. These rights include the following.

- Right to dignity
- Right to life
- Right to equality
- Right of protection from discrimination
- Right of protection from cruelty inhuman torture

For the convenience of presentation we have organized these important human rights of prisoners into following seven categories

1. **Right to Adequate standard of living:** The variables / parameters on which these are to be assessed are (a) Accommodation, (b) Right to Adequate Food and Drinking water (c) Rights to clothing and Bedding.

2. **Health Rights of Prisoners:** The Variables on which these will be assessed are (a) Health Screening for all new prisoners, (b) Right to have access to health care, (c) Healthy Conditions in custody.
3. **Making prisons safe place**: These will be examined in terms of (a) Security, (b) Good Order and Control, (c) Discipline and Punishment.

4. **Making the best use of prisons**: These will be assessed in terms of (a) Work, (b) Education (c) Cultural Activities, Religion.

5. **Prisoners contact with outside world**: These will be judged in terms of (a) Right to communicate with the family, (b) To be kept informed of important items of news, (c) Right to be kept in prison near their homes.

6. **Prisoners complaints and inspections**: These will be rated in terms of (a) Right to make complaint, regarding his/her treatment (b) Access to written information of rules (c) Right to bring the rejected complaints before judiciary and other authority.

7. **Non discrimination**: These will be examined in terms of (a) Prohibition of all forms of discrimination (b) Right to enjoy equal protection of law (c) Right to enjoy cultural liberty.

Keeping in view the objectives of the study, both primary and secondary sources of data have been used. The primary data is collected from the jail officials, district prison administration and prisoners. The primary data have been collected with the help of well structured interview schedules.

The secondary data has been collected from reports and files of jail department, books, journal, magazines, newspapers, NGOs reports, National crime records, Bureau reports, National Human Rights Commission Reports, etc. The data will be analyzed with the help of appropriate statistical techniques.

**SAMPLING DESIGN**

There are 19 jails in Haryana which include 3 central jails i.e. Ambala, Hisar -1, Hisar-2 and 16 District Jails i.e. Gurgaon, Bhiwani, Narnaul, Sirsa, Sonepat, Jind, Kurukshetra, Rewari, Yamunanagar,
Faridabad, Palwal, Panipat, Kaithal and Jhajjar. To have a representative sample of prisoners from central and district jails we have divided prisons in Haryana State into two broad strata; central and district jails. To assess and compare the status of observance of human rights of prisoners in central and district jails of Haryana state two central jails namely Ambala and Hisar-I were purposively selected, while, two district jails Rohtak and Kurukshetra were randomly selected. A proportionate sample of 361 comprising of 123 from Ambala central jails and 238 from Hisar central jails was randomly selected similarly a proportionate sample of 181 comprising of 134 from district jails Rohtak and 47 from district jails Kurukshetra was randomly selected. Views of 10% official staff (49 in all) of central jails i.e. Ambala and Hisar, and 32 official staff of district jails i.e. Kurukshetra and Rohtak have been evaluated.

Prisoners and officials were asked to rate the observance of their human rights on each parameter on the following five-point scale and assign score as per details in table 1 below.

**TABLE 1**

<table>
<thead>
<tr>
<th>Rating</th>
<th>Very Low</th>
<th>Low</th>
<th>Average</th>
<th>High</th>
<th>Very High</th>
</tr>
</thead>
<tbody>
<tr>
<td>Score Assigned</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
</tbody>
</table>

The status of observance of human rights have been examined in central and district jails of Haryana from prisoners’ viewpoint on the basis of above define categories of human rights. The comparison has been made in respect of mean score of the prisoners rated on above five point scale. In this context we shall follow the following rules of thumb (i) All fractions greater than half will be rounded up to the nearest next higher digit. (ii) Similarly all fractions less than half will be round up to the nearest lower digit. (iii) While making
comparison difference less than 10 percent would be ignored. (iv) In case if standard deviation is less than one it will be treated insignificant.

**MAIN FINDINGS**

As per the organization of our study. The first two hypotheses are examined in the second and third chapter, next six hypothesis are examined in the fourth chapter and the last three in the fifth chapter. Here we summarize our findings:

**Main findings of Chapter – II & III**

In chapter II & III we have examined international and national human rights for prisoners and organizational administrative setup of prisons in Haryana State. It has been observed that

i. The organizational and administrative setup of prisons in Haryana state is quite satisfactory. It is satisfying to note that a number of best practices are being adopted in Haryana Jails indicating that sincere efforts are afoot to improve living condition in Haryana's prisons.

ii. It is however sad to note that 142 post are lying vacant in central jails and 67 post are laying vacant in district jails of Haryana. Thus a wide gap exists between sanctioned post and filled up post in Haryana jails.

**So our hypothesis that organizational and administrative setup of prisons in Haryana State is quiet satisfactory is only partially validated.**

iii. It was observed in chapter III that in India human right of prisoner are well defined and provided at national and international level. But in India prison is a state subject so provisions regarding prisoners rights varies from state to state. Legislations if made by the states will always lack the unique
standards for the protection of prisoner's rights.

Thus there is hardly a single uniform human Rights regime in India as far as the prisoners are concerned. To have a satisfactory human right regime in states there is need to enact a national legislation duly incorporating the international provision of prisoners which in turn will served as model for state legislation of human rights.

Main Findings of Chapter IV

In Chapter IV we have examined observance of Human Rights of prisoners which cannot be suspended and which prisoners must enjoy. For convenience of presentation prisoners' human rights have been classified into seven categories. Categories wise findings in this respect are as follows:

Adequate Standard of Living (category)

(a) Major Findings in Respect of Central Jails

Majority of prisoners in these jails that is 71 percent, are not satisfied with the accommodation facilities, 68% with food and drinking and 69% with clothing & bedding facilities.

The component-wise "mean score" under food and drinking category is 2.03 which is relatively more than the 'mean score' of other two components i.e. accommodation (1.98) and clothing & bedding (1.99). The overall 'mean score' of observance of human right in central jail in respect of adequate standard of living is 1.99. Which falls in the low category of human rights rating on our five points scale.

(b) Major Findings in Respect of District Jails

Majority of prisoners in these jails that is 54 percent, are dissatisfied with the accommodation facilities provided to them in district jails of Rohtak and Kurukshetra. For food and drinking water
sub-category 55 percent prisoners rated the facility either low or very low.

The component-wise 'mean score' for the both two categories i.e. accommodation and, clothing & bedding is 2.28. Which is relatively more than the 'mean score' of food and drinking water i.e. 2.20. The overall 'mean score' of observance of human right in district jails in respect of standard of living is 2.25, which falls in the low category of human rights rating on our five points scale.

Above findings in respect of central and districts jails reveals that overall 'mean score' of central jails is 1.99 which falls under low category, whereas overall 'mean score' of district jails is 2.25, falling under low category. Therefore, it is clear that the prisoners observance of human right is better in district jails than that of in central jails. In the light of the above findings our hypothesis that there is no significant difference in the observance of Human Rights in districts and central jails does not find empirical support and hence stands rejected.

Health Rights of Prisoners (Category)

(a) Major Findings in Respect of Central Jails

Majority of the prisoners in these jails i.e. 51 percent, are not satisfied with health screening facilities 44.29 percent rated access to health care as average, while more than 60 percent rated the facility of health condition in custody as low or very low.

The component-wise ''mean score'' in respect of health rights of prisoners under access to health care category is 2.70. which is relatively more than the 'mean scores of other two components i.e. health screening (2.24) and healthy condition in custody (2.00). The overall 'mean score' of observance of human rights in central jails in respect of health rights is 2.32. which falls in the average category of
human rights rating on our five point scale.

(b) Major Findings in Respect of District Jails

The component-wise 'mean score' in respect of health rights of prisoners under access to health care is 2.81 falling in the average category on our five point scale, while 'mean score' for health condition in custody is 1.97 and health screening category is 2.39, falling in the low category on our five point scale. The overall composite 'mean score' of observance of human rights in district jails in respect of health rights is 2.34, falling in the low category of human rights rating on our five point scale.

The overall mean score of observance of human rights in central jails is 2.32 and district jails is 2.34 both falling in the low category on our five point scale.

In view of the above findings the 'mean score' in central jail is 2.32 and district jails is 2.34 both falls under the low category with a difference of 2 percent. Our hypotheses that there is no significant difference in the observance of Human Rights in district and central jails regarding the category of Health Rights of Prisoners finds little empirical support.

Best Use of Prison and Turning them Into Safe Place (Category)

(a) Major Findings in Respect of Central and District Jails

(Best use of Prisons)

The component-wise 'mean score' in respect of best use of prison in central jails under cultural activities is 2.42 which is relatively more than the 'mean score' of other two sub categories i.e. work (1.53) and Education (1.81).

The component-wise 'mean score' regarding best use of prison in district jail under cultural activities is 2.60 which is quiet high in comparison to other two category that is work (1.40) and education
sub category i.e (1.47).

The overall composite 'mean score' of observance of human right in respect of best use of prisons in central and district jails is 1.86 & 1.82, which falls in the low category of Human rights rating on our five point scales.

(b) Major Findings in Respect of Central & District Jails
(Safety Standard)

The overall composite 'mean score' in respect of safety standard in central jail under security sub category is 2.44 and discipline and punishment sub-category is 2.29 whereas under good order and control category is 2.74 much higher than other two sub categories. The overall composite means scores in observance of human rights in respect of safety standard in central jails is 2.49. Which falls in the low category of Human Rating on our five point scale.

The component-wise 'mean score' in respect of safety standard in prisons in district jails under security sub category is (2.93) which is relatively higher than other two sub-categories i.e. good order and control (2.63) discipline and punishment (2.48). The overall composite 'mean score' of observance of human right in district jails in respect of safety standard is 2.68 which falls in the average category of human right rating on our five point scale.

The component-wise mean scores in respect of safety standard in district and central jails is 2.66 and 2.49 which falls under average category of human right rating on our five point scale. While overall composite mean score in respect of Best use of prison in district and central jails is 1.86 and 1.82 which falls under low category of human right rating on our five point scale.

In respect of safety standard category the difference is
more than 10%. Therefore there is significant difference in the observance of human right in district & central jails. On the other hand in respect of best use of prison category it can be seen that there is small difference viz of 4% and hence there is no significant difference in the observance of Human Rights in district and central jails regarding Making the best use of prisons and turning them into safe place.

Prisoners’ contact with outside world (Category)

(a) Major Findings in Respect of Central Jails

The component-wise 'mean score' in respect of prisoners’ contact with outside world regarding right to communicate with family sub category is 2.19, updating of important items of news is 2.18, while to be kept in prison near their homes is relatively low as compared to other two that is 2.02. The overall composite 'mean score' of observance of human rights in central jails in respect of contact with outside world is 2.13, which falls in the low category of human rights rating on our five point scale.

(b) Major Findings in Respect of District Jails

The component-wise 'mean score' in respect of prisoners’ contact with outside world, under right to communicate with family sub category is 2.35, to be kept informed of important items of news is 2.30 and right to be kept in prison near their homes is relatively low as compared to other two categories that is 2.18. The overall 'mean score' of observance of human rights in district jails in respect of contact with outside world is 2.27, which falls in the low category of human rights rating on our five point scale.

The overall 'mean score' of observance of human right in central jails in respect of contact with outside world is 2.02 and that in respect of district jails is 2.27. Moreover going by our rule
of thumb the differences is more than 10%. So it may be
collapsed that there is significant difference in the observance of
Human Rights in district and central jails regarding the category
of Prisoners contact with the outside world.

Prisoners’ Complaints and Inspection Procedures (category)

(a) Major Findings in Respect of Central Jails

The component-wise "mean score" in respect of prisoners’
right on complaints and inspection procedures under right to make
complaints sub category is 1.57 a little more than other two sub
categories i.e. written information on rules (1.52) and right to bring
rejected complaints to judiciary (1.29). The overall composite 'mean
score' in observance of human rights in central jails is 1.46 which falls
in the low category of human rights rating on our five point scale.

(b) Major Findings in Respect of District Jails

The component-wise "mean score" in respect of prisoners’
right to complaints and inspection procedures in district jails under
right to make complaints sub category is 1.82, access to written
information on rules is 1.65, Bringing rejected complaints to
judiciary is 1.31. The overall composite 'mean score' in observance of
human rights in district jails is 1.59 which falls in the low category of
human rights rating on our five point scale.

The overall composite 'mean score' of central and district jails
regarding prisoners’ right to make complaints and their inspection
procedures is 1.46 and 1.67 falling in the low category of observance
of human right rating on our five point scale with a difference of 21%
between the central & district jails.

In the light of above findings our hypothesis that there is
no significant difference in the observance of Human Rights in
districts and central jails regarding the category of Prisoners
Complaints and Inspections finds empirical support and stand rejected.

Right of Non-discrimination (Category)

(a) Major Findings in Respect of Central Jails

The component-wise 'mean score' of right to non-discrimination i.e. under two sub categories namely prohibition of discrimination and cultural liberty falls in low category which are 1.99 and 1.78 respectively. While 'mean score' in respect of 'Equal protection' of law is relatively higher i.e. 2.14 falling in the average category of human Rights rating on our five point scale. The overall composite 'mean score' of observance of human rights in central jails in respect of right to non discrimination i.e. 1.97 which falls in the low category of human rights rating on our five point scale.

(b) Major Findings in Respect of District Jails

The component-wise mean score of right to non discrimination in district jail under prohibition of discrimination and cultural liberty is 2.07 and 2.26 which falls in the average category of human right rating on our five point scale. While in equal protection of law the 'mean score' is 1.95 which is relatively lower then other two sub categories falling in the low category of human right rating on our five point scale. The overall composite 'mean score' regarding non discrimination in district jail is 2.09 which falls in low category of human right rating on our five point scale.

The overall composite 'mean score' regarding right to non discrimination in central jails is 1.97 which falls in the low category and in district jails is 2.09 which also falls in the low category. Their difference is more than 10% so our hypotheses that there is no significant difference in the observance of Human Rights in districts and central jails regarding the No
Discrimination Category finds empirical support hence stands rejected.

MAJOR FINDINGS OF CHAPTER V

In Chapter V, we have examined the views of prison officials of central and district jails. The views of officials staff of the central & district jails were divided into the following three categories.

(A) Living conditions of prisoners
(B) Awareness and Training of Officials
(C) Legal Aid Political Interference and awareness of Human Rights

(A) Living conditions of prisoners

The Living conditions of prisoners have been examined in terms of:

1. Are prisons overcrowded?
2. Are basic Amenities available in your prison?
3. Do prisoners have access to health care?
4. Whether jail authorities have taken adequate step to make prison safe place.
5. Does the jail authorities allow prisoners to communicate with their families, friends and outside world in general.
6. Are prisoners treated equally without any discrimination.

Findings in respect of Category (A): Central Jails

The overall mean scores of living conditions of prisoners in respect of overcrowding of prison is 3.38, Basic amenities availability is 3.91, Assess to health care is 4.00, to make prison safe place is 4.24 communication with outside world is 4.69 and equal treatment without discrimination is 4.44.

The overall composite mean score regarding living condition of prisoners in central jails is $4.11 = 3.38 + 3.91 + 4.00 + 4.24 + 4.69$
Findings in respect of Category (A): District Jails

The overall mean scores of living conditions of prisoners in respect of overcrowding of prison is 2.31, Basic amenities availability is 4.18, Assess to health care is 3.93, to make prison safe place is 4.05 communication with outside world is 4.34 and equal treatment without discrimination is 4.21.

The overall composite mean score regarding living condition of prisoners in central jails is $3.91 = \frac{2.31 + 4.18 + 3.93 + 4.05 + 4.34 + 4.21}{6}$, which falls in the strongly free category on our five point scale.

The overall composite mean score regarding living condition of prisoners in central jails is 4.11 and district jails is 3.91 respectively. Given that the means score of living condition of prisoners in central jails (4.11) falling into the strongly agree category on our five point scale while means score of living condition of prisoners in district jails(3.91) falling into strongly agree on our five point scale. The difference in the living conditions of prisoners standards in central and district jails is more a 10 percent therefore the hypotheses that there is no significant difference in the observance of Human Rights in districts and central jails regarding living Conditions of Prisoners does not find substantial empirical support.

(B) Awareness and Training of Officials (B) Central Jails

The Awareness and Training of Officials has been examined in terms of:

1. Are you aware of the prisoners human rights?
2. Have you receive any formal training in respect of prisoners human right?
3. Whether training has helped in better implementation of human right provisions.

Findings in respect of Category (B): Central Jails

The overall mean scores of awareness and training of officials in respect of awareness of prisoners human rights is 4.51, regarding formal training in respect of human right is 1.79, Training useful in implementation of human rights provisions is 1.55.

The overall composite mean score regarding awareness and training of officials is 2.61 ($=\frac{4.51+1.79+1.55}{3}$), which falls in the agree category on our five point scale.

Findings in respect of Category (B): District Jails

The overall mean scores of awareness and training of officials in respect of awareness of prisoners human rights is 4.28, formal training in respect of human right is 0.1, Training useful in implementation of human rights provisions is 1.18.

The overall composite mean score regarding awareness and training of officials is 2.15 ($=\frac{4.28+0.01+1.18}{3}$), which falls in the moderately disagree category on our five point scale.

The overall composite mean score regarding awareness and training of officials in central jails is 2.61 falling in the average category on our five point scale. While in district jails is 2.15 falling in the low category on our five point scale. Since the difference is more than 10 percent. So our hypotheses that there is no significant difference in the observance of Human Rights in districts and central jails regarding Awareness and Training of Officials is rejected.

(c) Legal Aid, Political Interference and awareness of Human Rights

The Legal Aid, Political Interference and awareness of Human Rights has been examined in terms of:
1. Is free legal aid available to prisoners?

2. Is there political/administrative interference in your day to day official working?

3. Are prisoners made aware of their human rights?

**Findings in respect of Category (C): Central Jails**

The overall mean scores of Free Legal Aid, Political Interference and awareness of Human Rights in respect of **availability of free legal aid** is 3.42, **political/administrative interference** is 2.08, and **making prisoners aware of their rights** is 4.30.

The overall composite mean score regarding Free Legal Aid, Political Interference and awareness of Human Rights is **3.26** \((=3.42+2.08+4.30/3)\), which falls in the agree category on our five point scale.

**Findings in respect of Category (C): District Jails**

The overall mean scores of Free Legal Aid, Political Interference and awareness of Human Rights in respect of availability of free legal aid is 3.37, political/administrative interference is 1.90, and making prisoners aware of their rights is 4.34.

The overall composite mean score regarding Free Legal Aid, Political Interference and awareness of Human Rights is **3.20** \((=3.37+1.90+4.34/3)\), which falls in the agree category on our five point scale.

The overall composite mean score regarding Free Legal Aid, Political Interference and awareness of Human Rights in central jails is 3.26 and district jails is 3.20 falling in the agree category, on our five point scale. Since the difference is less then 10% so our hypotheses that Lack of Legal Aid, functional autonomy and Awareness of Human Right leads to Violation of Human Rights may be accepted.
6.2 Key Observations

In order to develop policy implications of our study certain observations are in order:

1. There are more problems of accommodation, food & drinking, clothing & bedding in Central Jails in comparison to the District Jails which makes it obvious that observance of human rights in respect of these facilities is better in District Jails. But still the level of Human rights is not upto the desired level either in Central or the District Jails.

2. So far as observance of Health rights in Central and District Jails is concerned, the difference between the two is only 2% which confirms that there is no significant difference in observance of human rights in respect of health rights of prisoners in the Central Jails or the District Jails.

3. The safety standards comprising security, good order & control, discipline & punishment are observed more in District Jails in comparison to the Central Jails. As regards Best use of prisons and turning them into safe place, there is no significant difference, the position of these standards fall under low category which requires to be upgraded and prisons to act as reform centers to build them as useful and civilized citizens.

4. The study also makes it clear that observance of basic rights regarding contact of the prisoners with the outside world including right to communication, updating important items of news, keeping the prisoners in prisons situated near their homes, is more in District Jails as compared to the Central Jails and there is significant difference between Central & District Jails on this point and it falls under the low category too. So lot of efforts are still required to upgrade the present position.
5. Similar is the position in the matter of right to complaints and inspection procedures. There is a major difference of more than 20% in observing of these rights of the prisoners in the Central and the District Jails. So there is need to redress this gap.

6. The prohibition of discrimination and cultural liberty to prisoners in central and district Jails falls in low category on our five point scale.

   Infact a wider attitude rising above the levels of caste, creed, race, religion, colour, sex & social origin etc needs to be adopted both in the Central as well as the District Jails so that a position of non-discrimination may prevail.

7. The position of living conditions comprising of basic amenities, access to health care, safety of place, communication with the families, friends and outside world in Central Jails, falls in the strongly agree as the mean score is 4.11 on five point scale where as the score of these conditions in District Jails is 3.91 also comes under strongly agree. But there is a major difference of more than 10% regarding these conditions in the Central and the District Jails. The District Jails should take remedial measures to upgrade these conditions.

8. The study with regard to awareness and training of officials in respect of prisoners rights in Central Jails and district jails reveals that both falls in the low category on our five point scale. But there is a huge difference of 10% between the position of Central Jails and the District Jails. The District Jails lag behind in this matter and there is need to take special efforts to provide awareness in the officials of the District Jails regarding prisoners rights.
9. The level of free legal aid to the prisoners, political/administrative interference and awareness of human rights in Central as well as the District Jails falls in agree Category on our five point scale and the study confirms that lack of legal Aid, functional autonomy & awareness of Human rights leads to violation of these rights.

6.3 SUGGESTIONS

The following suggestions are proposed on the basis of our findings in the study:

- **Separate committee to monitor prisoner’s rights**

  A committee devoted solely to monitoring these detainees’ rights should be created immediately. The committee should be comprised of a local judge, a prosecutor, a police officer and two other law enforcement officials. The committee’s sole charge would consist of overseeing the prisoners’ well-being and facilitating their cases through the criminal justice process. Encouragingly, there is preliminary evidence of such a body having been created and successfully operating in the southern state of Tamil Nadu.

- **Adequate Training Programmes**

  Restructuring of prisons in India and training infrastructure needs prime attention. The success of any system depends less on the governing rules than on the manner and spirit in which those rules are interpreted and applied by the staff in prisons. A prisoner despite his deeds and wrongs is a human being, the jail staff is required to be sensitized and adequately trained that they have to deal with human beings. Some adequate training programmes to awaken a response in them they must be made to feel that they are in the care of fellow humans.
• **Adequate facilities**

People remain human beings even if they have been convicted of a crime and need basic facilities to lead a decent life. Hence proper and adequate individual barracks, bathrooms, toilets, beds, beddings, kitchen, library, training centre, recreational centre, study area, nursery, crèche, play area, prayer hall, visitors hall, dispensary, office for warders etc should be provided. All this is essential to ensure humane living conditions for prisoners and their children. Soap, tooth paste, slippers, bedding etc are essential items of daily use and women must get them on time.

• **Complaint box and jail Manual**

Complaint box and jail manual should be provided to the inmates in every prison so that they are aware of their rights, duties and rules. Orientation and refresher courses for prison staff- Short duration and regular courses are needed for prison staff to keep them informed and motivated regarding human rights and work culture to maintain right perspective in them.

• **Positive Initiatives**

Most convicts are illiterate with no vocational skills and suffer from anxiety and depression. They can be educated, imparted vocational training. Regular meditation and yoga may be conducted on a regular basis for the benefit of all prisoners. Assistance may be sought from NGOs in this regard. Proper sanitation facilities and construction of new toilets may be taken up at the earliest. A counselor should be available to help inmates face this difficult phase of their lives. Festivals may be celebrated in the prison too.

• **More Frequent Contact with family**

Prisoners should be allowed more contact with family especially
with children through visits, phone calls and letters. These facilities are available in UK. In UK the family members especially children also get traveling expenses if they come and meet women prisoners. A satisfactory bail and parole system needs to be put in place. At the time of arrest parents should get the opportunity to make permanent arrangements for their children.44

• **Fair Wages**

After they get vocational training they may be employed in gainful activities with an opportunity to earn some money during the imprisonment. The wages paid for their work in the prisons must be fair.

• **Medical Facilities**

Some prisons are equipped with nothing better than a weighing machine. As a result the cause of custodial deaths remains indeterminate, inconclusive and shrouded in ambivalence. it is nearly impossible to tell if the prisoner died due to torture and abuse, lack of food and nutrition, or a prior, undiagnosed and untreated illness. Most prisons have failed to comply with the National Human Rights Commission’s (NHRC) requirements for proper medical care and lack even basic X-ray facilities or the ability to conduct any medical tests.

• **Prisons to act as Reforms Centers**

The objective of prison management should be to make prisons a safe place by maintaining security and discipline and to provide basic minimum facilities to prisoners to maintain human dignity. The prisons should act as Reform Centre where the prisoners should learn good lessons and build themselves as useful and civilized persons.
• **Capacity Building**

The energies of the prisoners (Male and female) needs to be enhanced by introducing educational programmes for which the permission to appear in exams, should be readily allowed to the student prisoners. Similarly the training programmes should be arranged for imparting computer skills for the educated prisoners and for illiterate prisoners the agriculture/horticulture skills should be started. The initiatives taken by Tihar Jail Administration are appreciable and needs to be adopted by other jails.

• **Need for Reformatory National Policy Framework**

In India prison is a state list subject so provisions regarding prisoners’ rights vary from state to state. Legislations if made by the states will always lack the unique standards for the protection of prisoner’s rights. There should be a national policy framework that substitutes the varying state legislations. To have a satisfactory human right regime in states there is need to enact national legislations duly incorporating the international provisions of prisoners which in turn will serve as model for state legislation of human rights.

• **Better Health and Sanitation Facilities:**

Improvement of Health and Sanitation facilities in Jails needs to be taken up on priority. For this, a proper system of medical checkup of the male and female prisoners hold be evolved and the information regarding their regularly medical check ups including the dates of their entry into the jail and other details can be maintained in a proper format. The details maintained for the ill or high risk prisoners. On separate performs. Proper care to provide potable drinking water in jails besides having the proper
maintenance of sewage plants, captic tanks etc. is also required for keeping better health & sanitation facilities in jails.

The health care system of jails should be improved. There should be medical examination of the prisoners at the time of their entry to the jail in the prescribed format. Thereafter, regular medical check-ups should be ensured and provisions should be made that the mentally ill prisoners and high risk prisoners The records of the prisoners should be maintained properly. Better sanitation facilities, hygiene and potable drinking water should be provided. The jails should be provided with mechanical cleaning, treatment and maintenance of sewage plants so that the septic tanks do not have to be manually cleaned by the prisoners.

- **A steps toward making prison into open institutions**

  The basic problem with prisons is that they are closed institutions which breeds corruption and malpractices. This can be changed by involving non-governmental organizations, academicians and media in various ways including as visitors. This will usher in accountability and openness.

  It is hope that the implementation of the above suggestion implementation of the above suggestion would go a long way to improve the observance of human rights of the prisoners in Haryana.