

Model Prison Manual & Model Prisons Act

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In news- Recently, the Union Home Minister has said that after introducing a model prison manual in 2016, the Union government will now bring a Model Prisons Act by amending the British-era law in the next six months.

Model prison manual 2016-

It consists of 32 chapters which aims at bringing in basic uniformity in laws, rules and regulations governing the administration of prisons and the management of prisoners all over the country.

The key revisions in the new Manual include the following –

- **Access to free legal services:** A new chapter on legal aid has been incorporated in the Model Manual. Article 39A of the Constitution calls for free legal aid to the poor and weaker sections of society and seeks to ensure justice for all.
- **Additional provisions for women prisoners-** Safety and reformation of women prisoners are of utmost importance in prison administration.
- **Rights of prisoners sentenced to death-** The Supreme Court, in *Shatrughan Chauhan v. Union of India and Others* observed that “... the legal procedure adopted to deprive a person of his life or liberty must be fair, just and reasonable and the protection of Article 21 of the Constitution of India inheres in every person, even death-row prisoners, till the very last breath of their lives.” To this end, the Court laid down certain guidelines in respect of prisoners sentenced to death which have been echoed in the Manual recognising the necessity of ensuring the human rights of such

prisoners.

- **Modernisation & Prison computerisation-** Additions have been made to the Manual to encourage use of technology/ software systems where possible, including introduction of a Personal Information System for recording information relating to inmates.
- **Focus on after-care services-**The Manual recognises that it is the **States' responsibility to devise and develop mechanisms for rehabilitation of released convicts**. It is envisaged that special committees known as **Discharged Prisoners' After-Care and Rehabilitation Committees** should be set up at the district or State level for planning and devising appropriate mechanisms for rehabilitation and after-care assistance to prisoners.
- **Provisions for children of women prisoners-** In R.D. Upadhyaya v. State of A.P. and Others the Supreme Court issued guidelines in respect of children of women prisoners.
- **Organisational uniformity and increased focus on prison correctional staff.**
- **Inspection of Prisons-** A new chapter on inspection of prisons has been incorporated that provides for (a) informal inspections to be carried out by senior prison officers, and (b) formal inspection to be carried out by a designated Inspector Officer.