

Nearly one-third sanctioned prison positions vacant

India's prisons are understaffed by at least 33% with the highest vacancies found at the officer and correctional staff levels. This has an impact on workload and the 'correctional' aspect of imprisonment. The country's incarceration rate, at 33 per 100,000, is much lower than BRICS countries, like Brazil and Russia, but as of 2016, the nationwide prison occupancy rate stood at 114%. On any given day, there are over 400,000 prisoners in India. Much of this overcrowding is due to the presence of 'undertrials' – people in custody awaiting investigation, inquiry or trial – who constitute nearly 68% of all prison inmates. For every convict, India has two undertrials in its jails.

These are some of the findings on the status of the prisons in India of the first-ever India Justice Report (IJR), an initiative of Tata Trusts. The India Justice Report is a quantitative analysis of the capacity of the four pillars of justice - judiciary, police, prisons, and legal aid. This is the first time that these four pillars are being quantitatively studied together using six filters – budgets, human resources, work load, diversity, infrastructure and trends (change of the last five years). The report presents a state-wise picture of each pillar, in separate clusters, of 18 Large and Mid-sized states and seven Small states, basis population, and seven Union Territories (UTs) and 4 other 'unranked' states.

Almost one-third of the sanctioned positions of prison officials are vacant

The Report says overcrowding of prisons, staff shortages at all levels – officers, cadre staff, correctional staff, medical staff, and medical officers – low salaries, poor training, long hours, characterise prison administrations across states.

Nationally, on an average, vacancies ranged from 33% to 38.5%. These vacancies rose by 10% between December 2012 and December 2016. With the exception of three states and UTs, all others registered high levels of vacancies in 2016.

At the level of cadre staff, 17 states and UTs had a vacancy of above 25% while at the officer level, as many as 22 states and UTs had vacancy levels of over 25%.

As of 2016, seven states and all UTs, except Delhi, had not sanctioned even a single post for correctional staff.

The IJR observed that high vacancy levels result in: a) inmates bring crowded together -- young and first-time offenders with repeat offenders -- and locked up in small spaces despite the availability of vacant barracks; b) minimal welfare initiatives; and c) compromised visiting hours.

21,650 prisoners for one psychologist/ psychiatrist

The Report states that the intention of transforming prisons from places of detention into places that maximise the chance of returning a reformed person into society can be achieved through services offered by the correctional staff, comprising welfare officers, psychologists, lawyers, counsellors and social workers, among others.

The Model Prison Manual, 2016, has suggested one correctional officer for every 200 prisoners, and one psychologist for every 500. Nationally, as of 2016, this ratio stands at one welfare officer per 2,033 prisoners, and 21,650 prisoners for one psychologist.

At the cadre level, as of 2016, only 15 states met the benchmark of six inmates per cadre set by the manual.

Need for better health for prisoners

The Report highlights that the number of deaths per 100,000 prison population in 2001 was 311.8, which increased to 382.2 in 2016. It was observed that the prevalence of HIV, sexually transmitted infections, Hepatitis B and C, and tuberculosis in prison populations is two to 10 times higher than the general population.

As against the norm of placing at least one medical officer for every 300 prisoners, and one doctor being always available in central prisons, except five states and three UTs, 12 other states and UTs had a shortfall of 50% or more medical officers.

The India Justice Report evidences such gaps and deficits at the level of each State and UT, allowing perusers to realise the urgency needed in repairing the system. This will allow duty holders and policymakers to identify where weaknesses are and undertake appropriate interventions with ease, working towards improving the overall capacity of the justice system to deliver to all citizens.
