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ANALYZING THE VIOLATION OF PRISONERS' RIGHTS IN SOLITARY CONFINEMENT PRACTICES IN INDIA

AUTHORED BY - HOMA BANSAL

In India, the judiciary has issued several stringent orders to penalize criminals, with the most severe being the imposition of the death penalty. However, one of the most extreme forms of punishment that can be imposed on a convict is solitary confinement. This is a type of punishment that involves completely isolating the prisoner from all human contact, except for prison staff, for 22-24 hours a day. Solitary confinement is often used as a disciplinary measure for inmates who violate prison rules, and it is also employed as a security measure for vulnerable prisoners or those at risk of self-harm. Despite its use as a security measure, solitary confinement is a harsh and highly intensive form of punishment that can have a profound effect on the mental health and well-being of those subjected to it. The psychological impact of prolonged isolation can be severe and long-lasting. While some argue that the use of solitary confinement is necessary to maintain order and discipline within the prison system, others argue that it is a cruel and inhumane practice that violates the basic human rights of prisoners. As a result, there has been ongoing debate and discussion around the use of solitary confinement in India and around the world¹.

Solitary confinement is a severe form of punishment that is typically reserved for convicts who have displayed extreme behavior that endangers the safety of other inmates. It is also frequently used as a disciplinary measure for prisoners who have violated prison rules and regulations. Although there is usually a set time period for which a convict can be placed in solitary confinement, prison officials often abuse this punishment by extending its duration indefinitely. In a recent case, *Trisha Chandran*

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¹ A Detailed Study on Solitary Confinement, Available at: [https://timesofindia.indiatimes.com/readersblog/world-of-law/a-detailed-study-on-solitary-confinement-46558/\(Visited](https://timesofindia.indiatimes.com/readersblog/world-of-law/a-detailed-study-on-solitary-confinement-46558/(Visited) on April 21,2023).

v. *The Superintendent, Cherlapally Central Prison & Anr*², the Telangana High Court ordered the authorities at Cherlapally Central Prison to remove two death row inmates from solitary confinement. The Court criticized the arbitrary application of solitary confinement provisions on death row inmates and noted that these inmates still had legal recourse to challenge their sentences in court.

This research aims to critically evaluate the key provisions and principles related to solitary confinement in India. It seeks to assess the nature and scope of this provision in light of various judgments passed by the courts. The objective of this study is to provide a comprehensive understanding of the legal framework surrounding solitary confinement in India and to identify areas for improvement in its implementation, particularly with regards to preventing its abuse by prison officials.

Origins of Solitary Confinement as a medium of "Punishment."

The use of solitary confinement as a method of punishment has a contentious past. It was first introduced in the Eastern State Penitentiary in Philadelphia during the early 19th century, as a Quaker-inspired notion that an individual isolated in stone cells with a Bible would reflect on their wrongdoing and repent. However, the experiment was a dismal failure, as prisoners suffered severe psychological distress, and some even attempted suicide. As a result, the practice of solitary confinement was gradually phased out in subsequent years. Similarly, in India, during the late 18th century, the prison system promoted the use of solitary confinement as an alternative to physical punishment. They believed that isolation in separate cells would enable the prisoners to contemplate their offenses and bring about moral and spiritual transformation. However, this approach also had a detrimental effect on the prisoners' health, resulting in the abandonment of the practice in the 19th century due to overcrowding in prisons³.

Today, the use of solitary confinement is highly regulated, and prison officials must consider the potential impact of its use on the mental and physical well-being of the inmates. Lengthy periods of

² WRIT PETITION NO. 17840 OF 2022.

³ Manas Ranjan Padhi, 'Solitary Confinement: A Paradox in The Constitution of India' 8 *International Journal of Creative Research Thoughts* 1111 (2020).

isolation can have severe and long-lasting effects on a person's mental health, increasing their risk of self-harm and other psychological issues. Therefore, solitary confinement should only be employed in special circumstances and with great care to prevent any misuse or abuse as a form of punishment.

Solitary Confinement of death row inmates – US and India

Death row inmates are often subjected to the harrowing experience of double punishment - firstly, being confined to a dark and isolated cell, waiting for their execution date, and secondly, the imminent threat of death itself. It is difficult to comprehend why an individual should be forced to spend their last days alone, behind bars, yet this practice remains prevalent in many countries, including the United States and India.

The American Civil Liberties Union reports that most US prisons keep death row inmates in single, poorly ventilated cells, with no access to communication with the outside world. Shockingly, a recent survey by the ACLU found that nearly 81% of prisons in the United States that practice capital punishment provide only one hour of daily exercise for death row inmates, with some even denying them basic necessities. In some instances, solitary Confinement can last for years or even decades, as was the case for Albert Woodfox, a US prisoner who spent an astonishing 44 years in solitary Confinement, surviving the traumatic experience⁴.

In India, despite efforts by the judiciary to limit the use of Solitary Confinement, it remains a common practice, especially for those on death row. The 42nd Law Commission report had recommended its complete abolition and removal from the Indian Penal Code, but unfortunately, Section 30(2) of the Prisoners Act still legally permits the withholding of certain rights from death row inmates.

Laws Related to Solitary Confinement in India

The Supreme Court ruling in *Kishore Singh Ravinder Dev v. State of Rajasthan* denounced solitary confinement as a brutal and inhumane form of imprisonment. The court observed that when a prisoner is placed in solitary confinement, they are completely isolated from their fellow inmates and the

⁴ Solitary Confinement: Violation Of Constitutional Rights Of The Prisoners, *available at:* <https://www.iralr.in/post/solitary-confinement-violation-of-constitutional-rights-of-the-prisoners>(Visited on May 24, 2023).

outside world. This is a drastic measure that should only be used in the most exceptional cases of unimaginable brutality and atrocity. According to the United Nations Standard Minimum Rules for the Treatment of Prisoners, solitary confinement is defined as confining a prisoner for more than 22 hours per day without any human interaction.

The term "Solitary Confinement" is not explicitly defined in any Indian code or legislation, but its provisions can be found in the Indian Penal Code 1860 and the Prisoners Act 1894. As per Section 73 of the IPC, Solitary Confinement can be used as a form of rigorous punishment by courts, but its total duration should not exceed three months. The duration of Solitary Confinement is further categorized based on the length of the imprisonment sentence. For sentences lasting less than six months, Solitary Confinement cannot be imposed for more than one month. For sentences between six months and a year, the duration of Solitary Confinement should not exceed two months. For sentences of more than a year, the maximum duration of Solitary Confinement cannot exceed three months. Section 74 of the Indian Penal Code lays down additional restrictions on Solitary Confinement by mandating specific time intervals between confinement periods. The section specifies that the total duration of Solitary Confinement cannot exceed 14 days, with breaks between two Confinement periods being no less than the prescribed period. Similarly, for sentences lasting more than three months, the maximum duration of Solitary Confinement cannot exceed seven days per month, and the intervals between two Confinement periods must be at least the prescribed period⁵. The Prisoners Act of 1894 contains provisions for solitary confinement under Sections 29 and 30(2). Section 29 outlines specific rules that prison officials must follow when placing a person in solitary confinement, including regular visits by medical officers. Section 30(2) deals with solitary confinement in the context of capital punishment, stating that after the final death sentence with no further legal recourse, the prisoner will be held in a separate cell under constant supervision.

International norms

The practice of subjecting inmates to solitary confinement has been widely criticized by various groups and individuals. The United Nations' "Nelson Mandela Rules" provide a comprehensive set of guidelines for the treatment of prisoners globally, which include a ban on indefinite or prolonged

⁵ Solitary Confinement Sec 73 of IPC, available at: <https://www.legalserviceindia.com/legal/article-9804-solitary-confinement-sec-73-of-ipc.html>(Visited on May 25,2023).

solitary confinement lasting over 15 days. The Rules recommend using solitary confinement only as a last resort and only for the shortest possible time⁶.

Moreover, Article 5 of the Universal Declaration of Human Rights (UDHR) strictly prohibits the use of solitary confinement, stating that "No one shall be subjected to torture or to cruel, inhuman, or degrading treatment or punishment." Therefore, if it is determined that solitary confinement amounts to torture, cruel, inhumane, or degrading treatment or punishment, then any nation that practices it would be violating the UDHR.

The United Nations Convention defines torture as an act of state punishment where a person is intentionally subjected to severe physical or mental pain or suffering for information, punishment, intimidation, or any reason based on discrimination. This definition raises significant questions about whether solitary confinement is necessary or if it violates the Indian Constitution and the prisoners' rights. Solitary confinement not only goes against the spirit of the Indian Constitution and prisoners' rights but also poses severe risks to their mental health. Instead of reforming the prisoner, it can cause greater psychological distress and hinder their ability to readjust to society. The United Nations introduced the Convention Against Torture (CAT) to curb this cruel punishment and highlight its demerits. The CAT recognizes solitary confinement as a form of torture, stating that it inflicts wounds on the soul so painful that they are almost tangible but so intangible that they cannot be healed⁷.

Different kinds of confinement prescribed under the Prisons Act

1. *Solitary confinement.*

Solitary confinement, a form of imprisonment where a prisoner is isolated from others for an extended period, is addressed in Section 29 of the Prisons Act, 1894. This section requires that any cell used for solitary confinement must be equipped with means for the prisoner to communicate with a prison officer at any time. Additionally, a Medical Officer or Medical Subordinate must visit the prisoner at least once a day if they are confined to the cell for more

⁶ *Supra* note 4.

⁷ J.Sneha,2K.Roja,' A Study On Solitary Confinement As A Punishment'' 120 *International Journal of Pure and Applied Mathematics* 866(2018).

than 24 hours, regardless of whether the confinement is a punishment or not. The Supreme Court reviewed the constitutionality of solitary confinement and other forms of hard labor in the case of *Sunil Batra v. Delhi Admn*⁸. The court ruled that such measures cannot be imposed without the approval of a Sessions Judge.

2. Separate confinement.

According to the Indian prison system, separate confinement is a form of imprisonment that excludes a prisoner from contact with other inmates, but allows for sight and exercise for at least one hour per day, and sharing meals with at least one other prisoner. It is prescribed by sub-section (8) of Section 46 for prisoners convicted of penal offences, and states that such confinement can last for a period of up to three months.

3. Cellular confinement

Cellular confinement pertains to a type of imprisonment, with or without labor, that completely isolates a prisoner from contact with fellow inmates, while still allowing them visual access. According to Section 46, sub-section (10), cellular confinement is designated as a disciplinary measure for prison offenses. It stipulates that a prisoner can be subjected to cellular confinement for a maximum period of fourteen days. However, it is mandated that an interval of time equal to or greater than the duration of the previous confinement must pass before the prisoner can be sentenced to cellular or solitary confinement again.

4. Confinement in irons

When the Superintendent deems it essential, considering either the prison's conditions or the characteristics of the prisoners, to ensure their secure custody, he is authorized to employ irons for their confinement. This action must be carried out in accordance with prescribed rules and instructions established by the Inspector General, with the sanction of the State Government

5. Confinement of prisoners under sentence of transportation in irons

Section 57 of the Prisons Act, 1894 addresses the matter of confining prisoners sentenced to

⁸ (1980) 3 SCC 488.

transportation while being restrained with irons. The section is outlined as follows: Confinement of prisoners sentenced to transportation in irons.—(1) Prisoners who have received a transportation sentence may, subject to any rules established under Section 59, be kept in fetters during the initial three months following their admission to the prison. (2) If the Superintendent deems it necessary, either for the prisoner's own safety or for other valid reasons, to extend the use of fetters beyond the initial three-month period, he must seek approval from the Inspector General. The Superintendent is required to submit a request to retain the fetters for the duration he deems necessary, and the Inspector General may grant authorization accordingly.

Based on the case of *State of Maharashtra v. Saeed Sohail Sheikh*⁹, there are two key takeaways: It is established that various forms of confinement prescribed in the Prisons Act can only be imposed within certain limits, which are determined by the fundamental rights guaranteed under Articles 14, 19, and 21 of the Constitution of India. These fundamental rights are applicable to prisoners as well, ensuring their protection and entitlement to these rights. Solitary confinement is recognized as a punishment that can only be imposed by a court. However, for the commission of a prison offense, a milder form of punishment, such as separate confinement or cellular confinement, can be authorized. It is important to note that the power to impose solitary confinement rests solely with the judiciary, and the prison administration alone does not possess the authority to subject a prisoner to such confinement.

Prisoner's rights

Indeed, prisoners are afforded certain essential rights protected by the U.S. Constitution. Similarly, the Indian constitution delineates the privileges of prisoners, encompassing safeguards against cruel and unusual punishment and various severe disciplinary measures¹⁰. Even while incarcerated, individuals do not relinquish their fundamental rights as guaranteed by the Constitution of India and the Prisons Act, 1894. Prisoners, as individuals, maintain certain inherent rights that remain intact throughout their confinement. In the case of *State of Andhra Pradesh v. Challa Ramkrishna Reddy*¹¹, it was unequivocally stated that prisoners retain all their essential rights unless their liberty has been

⁹ (2012) 13 SCC 192.

¹⁰ Taking Prisoners Rights Seriously, available at: <https://www.legalserviceindia.com/articles/po.htm#:~:text=Prisoners%20rights,visited> (Visited on May 20, 2023).

¹¹ AIR 1980 SC 1579.

inherently restricted. The Supreme Court emphasized that regardless of whether a person is a convict or an undertrial, they retain their status as a human being and continue to enjoy all the fundamental rights enshrined in the Constitution of India, including the inviolable right to life.

Article 14 of the Constitution of India ensures that every individual is entitled to equality before the law and equal protection of laws within the territory of India. Therefore, Article 14 should be fully applied, including its constituents, when considering the treatment of prisoners. It applies to all citizens and serves as a guiding principle for prison authorities in determining the rights and treatment of inmates.

Article 19 of the Constitution of India grants various freedoms to citizens, such as the freedom of speech and expression, and the right to form associations. However, due to the nature of imprisonment, prisoners may have limitations placed on these particular freedoms, as they are subject to the inherent constraints of their confinement.

Article 21 of the Constitution of India establishes that no person shall be deprived of their life or personal liberty except through a procedure established by law. This article encompasses the principles of the right to life and personal liberty, extending its protection not only to the general population but also to individuals within the prison system. In the *Sunil Batra v. Delhi Administration* case¹², the prisoner was subjected to solitary confinement on January 19, 1970, following a sentence imposed by the Session judge. In light of these circumstances, the Court argued in favor of the prisoner, contending that the attempt to take his life after spending ten years in prison, including an unauthorized period of nearly eight years in solitary confinement, constituted a violation of the fundamental rights guaranteed by Article 21 of the Indian Constitution.

Right to a speedy trial and legal aid

The right to a speedy trial is a fundamental right of detainees, as enshrined in Article 21 of the Indian Constitution. This right guarantees a timely, equitable, and efficient judicial process. It is crucial to acknowledge that a speedy trial is not only in the public interest or serves the societal welfare, but it

¹² AIR 1978 SC 1675.

is also an inherent right of the accused. It is of utmost importance for all parties involved to expedite the determination of the accused's guilt or innocence within the given circumstances. The judiciary has played a crucial role in shaping the concept of legal aid and expanding its scope to ensure access to justice in cases of human rights violations. In the landmark case of *M.H. Hayawadanrao Hoskot v. Territory of Maharashtra*¹³, the Court firmly established that the right to legal aid is a fundamental element of a fair and impartial legal system.

Right against solitary confinement, handcuffing & bar fetters, and protection from torture

The term "solitary confinement" generally refers to the practice of confining an individual prisoner, typically at the discretion of state authorities, with minimal interaction allowed with others. Strictly speaking, solitary confinement entails the complete isolation of the inmate from all aspects of social life. Regrettably, there are cases where law enforcement or investigative agencies resort to torture as a means to extract information, obtain knowledge about accomplices, or coerce confessions. These actions, carried out by police officers entrusted with protecting civil liberties, flagrantly violate the fundamental rights of citizens. Nevertheless, the act of one human inflicting torture upon another is an assertion of power over the vulnerable. The psychological trauma inflicted by torture is so profoundly distressing that it leaves lasting and unhealable wounds in the individual's soul. It is a tangible and intangible injury that lingers. In the absence of justifiable circumstances, it is unjust to subject an arrested person or a prisoner on trial to unnecessary handcuffing. Those who have been arrested are already aware of their situation, committed to the cause of justice, and typically pose no flight risk, especially if their offenses are bailable. The case of *Kishore Singh v. State of Rajasthan*¹⁴ established that the imposition of solitary imprisonment should be an exceedingly rare occurrence, reserved only for the most exceptional cases involving unprecedented levels of depravity or brutality. According to this landmark ruling, the use of solitary confinement should be employed sparingly and strictly limited to extraordinary circumstances where it is necessary to confine convicts within their cells.

Similarly, in the case of *Ranbir Singh Sehgal v. State of Punjab*¹⁵, the court emphasized the need for a rational and reasonable connection between the objective of the law and the specific provision aimed

¹³ AIR 1978 SCC 1548, (1978) 3 SCC 544.

¹⁴ AIR 1954 Raj 264.

¹⁵ AIR 1961 P H 524, 1961 CriLJ 687.

at maintaining discipline among prison inmates. The court held that the authority to enforce such provisions lies with senior correctional officers who are expected to act with sound judgment, objectivity, and impartiality. Moreover, the court stressed that the imposition of the penalty of solitary confinement is a power reserved exclusively for the judiciary and, due to its inherent risks, must be subject to strict limitations. By ensuring that unnecessary handcuffing and solitary confinement are avoided, we can uphold the principles of fairness, dignity, and respect for the rights of arrested individuals and prisoners on trial. The petitioner was an under-trial prisoner in Tihar, in the case of *Prem Shanker Shukla v. Delhi Administration*¹⁶, in connection with some pending cases, he had to be taken from prison into court and back regularly. The court directed the officer in question not to include handcuffing while escorting him to the court and away unless warranted. But perhaps the escorts were forced to handcuff him. Therefore it sent out a telegram to one of the judges of the Supreme Court, according to which the court had accepted the current habeas corpus petition.

Right to expression

In the case of *State Maharashtra v. Prabhakar Panduranga*¹⁷, the court asserted that the right to personal expression encompasses the privilege of writing and publishing a book. However, it noted that the detained applicant had exercised this privilege in violation of Article 21, without any lawful authority.

In the case of *R. Rajagopal alias R.R. Gopal and Another v. State of Tamil Nadu and Others*¹⁸, the petition addressed the issue of freedom of the press in relation to the right of citizens to private protection. It also raised the question of the boundaries of the press's rights to criticize and comment on the actions and conduct of public officials. The court ruled that the petitioners have the right, even without the consent or authorization of the subject, to publish what they claim to be Auto Shankar's life story or autobiography as long as it is based on information found in public records. However, they may encroach upon his right to privacy and be held accountable for the consequences under the law if they go beyond that and publish his complete life history. Moreover, the court affirmed that the State or its officials cannot prohibit or restrict such publication.

¹⁶ 1980 AIR 1535, 1980 SCR (3) 855.

¹⁷ 1966 AIR 424, 1966 SCR (1) 702.

¹⁸ 1995 AIR 264, 1994 SCC (6) 632.

Provision of Shelter and Secure Custody for Excess Inmates Beyond Prison Capacity

Efficient measures are in place to ensure the shelter and safe custody of inmates exceeding the capacity of any given prison. Adequate arrangements are made to address this situation and provide suitable accommodations for such individuals.

Effects and impacts of solitary confinement

The utilization of solitary confinement as a punitive measure within the judiciary system carries far-reaching consequences. Inmates subjected to solitary confinement experience a multitude of psychological ailments and physical afflictions. Extensive research conducted by numerous scholars unequivocally demonstrates the detrimental effects of solitary confinement, including the manifestation of visual and cognitive hallucinations, desensitization to touch and sound, disturbances in sleep patterns, overwhelming feelings of fear and impending demise, an alarming increase in suicide rates, distorted perceptions, and the development of various traumatic disorders.

In a comprehensive investigation conducted in the United States by Andersen (2000), interviews were conducted with 133 inmates placed under solitary detention, while 93 inmates were subjected to solitary confinement. Through the utilization of numerous questionnaires and active prisoner participation, extensive surveys were carried out to gauge their experiences (Sastry 2005). The findings provided irrefutable evidence that individuals placed in solitary confinement exhibit a higher prevalence of mental illness in comparison to their non-confined counterparts. Furthermore, it was observed that regular prisoners, who were not subjected to solitary confinement, displayed significantly fewer psychological disturbances. Andersen's seminal 2000 study introduced the term "disorder" to encapsulate issues such as violent impulses, chronic fatigue, profound disintegration of self-identity, suicidal tendencies, and impairments in interpersonal communication¹⁹.

Abolition of solitary confinement as punishment

Punishment serves as a means to help wrongdoers acknowledge their mistakes. It should be implemented in a manner that dissuades repeat offenses, while ensuring the individuals' well-being is not compromised. It is crucial to ensure that the punishment is understood by the recipient and does

¹⁹ *Supra* note 4.

not result in emotional or physical distress during the duration of the penalty. In response to public demand for the abolition of certain penalties, scholars have conducted extensive research to examine the adverse effects of solitary confinement and combat potential abuses.

Studies conducted by Brodsky and Scogin (1988, p. 279) shed light on the detrimental impact of psychological strain experienced by individuals confined in a cell. Brodsky's experiment involved 69 prisoners who were assessed through the Isolation Sentence-Completion Test, revealing that a significant portion—ranging from two-thirds to one-third—exhibited psychiatric symptoms. Additionally, 45% reported feelings of anxiety, while 36% exhibited chronic psychosis²⁰.

In the case of *State Of Haryana v. Arun And Ors, the Punjab and Haryana*²¹, High Court took a significant stride by eliminating the use of solitary confinement for death row inmates in Punjab and Haryana. The High Court firmly stated that there is no scientific or logical justification to segregate death row inmates from other prisoners immediately after the pronouncement of their death sentence. This practice inflicts profound mental trauma on the convicts and violates Articles 20(2) and 21 of the Indian Constitution.

Similarly, the constitutionality of solitary confinement came into question in the *State of Uttarakhand v. Mehtab*²², a case before the Uttarakhand High Court. Advocates advocating for its abolition argue that it is an exceedingly inhumane, brutal, and agonizing form of punishment that flagrantly violates fundamental human rights. Acknowledging the growing trend towards its eradication, the Uttaranchal High Court ruled that detaining an offender in solitary confinement before their constitutional, legal, and basic rights are fully exercised is unconstitutional. According to the Court, solitary confinement should not be considered as an integral part of the sentence, but rather an additional sanction imposed by prison authorities. Once the death sentence is confirmed, the prisoner is immediately subjected to solitary confinement, devoid of any interaction with fellow inmates. The Court deemed it unlawful to subject a criminal to solitary confinement until they have fully exhausted their constitutional, legal,

²⁰ Psychological Distress in Solitary Confinement: Symptoms, Severity, and Prevalence in the United States, 2017–2018, National Library for Medicine, available at: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6987940/> (Visited on April 20, 2023).

²¹ Murder Reference No.03 of 2017.

²² Criminal Appeal No(s). 1342-1343/2018.

and basic rights. Moreover, the Court determined that the duration of solitary confinement should be kept to the shortest period feasible. The Court strongly condemned such treatment as barbaric, cruel, inflicting extreme pain and suffering, and violating Articles 20(2) and 21 of the Indian Constitution. Consequently, the High Court has officially prohibited the practice of placing death row inmates in solitary confinement subsequent to the pronouncement of their sentence.

Conclusion

The U.S. Supreme Court, in the case of *Manna v. People of Illinois*, recognized that life extends beyond mere existence and that individuals behind bars cannot be denied equal treatment. Article 21 of the Constitution guarantees this right to every person, and even the State does not possess the authority to infringe upon it. Whether a prisoner is a convict, under trial, or in detention, they do not cease to be human beings. They retain all the rights that any free individual enjoys, albeit with certain limitations. Simply being incarcerated does not strip them of their fundamental rights. Even when confined in prison, they continue to enjoy all their fundamental rights. Despite being convicted of a crime and deprived of their liberty in accordance with established legal procedures, prisoners still retain residual constitutional rights.

The significance of upholding the rights of every individual requires no emphasis, and it becomes a sacred duty of the Court, as the guardian and protector of the fundamental and essential human rights of citizens, to prevent any infringements thereof. The Supreme Court has made significant strides in fighting for these rights. However, the fact remains that it is the responsibility of the police and prison authorities to be trained and equipped so that they take the prisoner's rights seriously. The Indian legal system has always upheld the belief in granting individuals the opportunity for reform. Prison walls represent more than just concrete barriers; they symbolize the possibility of transformation and the hope that wrongs can be made right. However, provisions like solitary confinement undermine the very principles that the Indian justice system embodies. Solitary confinement is a form of inhumane treatment inflicted upon any individual, whether they are a convict or not. Merely being convicted of a crime does not warrant subjecting someone to torture. The effects of solitary confinement are numerous, leading to the deterioration of mental and physical health and inner peace. It imposes psychological and physical illnesses on prisoners. Unfortunately, solitary confinement often has long-lasting effects that make individuals worse offenders rather than promoting their rehabilitation. As a

nation, we have always regarded punishment as an opportunity for convicts to realize their mistakes and be given a chance to reform. However, resorting to solitary confinement not only deprives them of that chance but also inflicts mental and physical suffering, which is not only morally unjust but also runs counter to our constitutional values. Therefore, the use of solitary confinement in prisons should be an exceptional measure of last resort, exercised sparingly, and never as a tool to suppress the rights of prisoners. Instead, we should explore alternative methods of punishment and rehabilitation that prioritize the well-being of individuals within the criminal justice system

