### Digitalization of the Prison System in India: Legal Challenges and Opportunities

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**Abstract**

*The reality of prisoners in India's prison system is highly concerning. Overcrowding, lack of basic infrastructure and prolonged confinement often lead to severe stress and psychological breakdown, which over time leads to many prisoners' losing faith and hope in life. In this context, digital transformation of prison governance is a timely and policy-oriented direction. In particular, initiatives such as e-prison management, virtual court administration, telemedicine services, online grievance redressal and e-learning in prisons can potentially have a positive impact on the education, healthcare, skill acquisition and protection of rights of prisoners. This study is prepared entirely based on secondary data, which is collected from various online and offline journals, survey reports, newspapers, government and private websites, social media and media. At the end of the study, some policy recommendations are presented for the smooth implementation of digital initiatives in the prison system.*
**Keywords**: eMulakat, ePrison, Overcrowding, Prisoners, Reformation, Telemedicine.

**Introduction**

Prisoners are, above all else, human beings, with inherent dignity, human rights and a right to minimum just treatment as recognised by both the Constitution and the international human rights framework. Yet, the prevailing social perspective simply labels individuals as "criminals" after a crime has been committed; as a result, they become disenfranchised and marginalised from the mainstream of society. This attitude not only disregards the constitutional and human rights of prisoners, but also profoundly undermines the modern objectives of the penal code, such as correction, rehabilitation and reintegration into society.

The contemporary digital era has witnessed a significant transformation in Indian prison administration, namely the digitalisation of the prison system. Initiatives such as e-prison management system, online grievance redressal, virtual court appearances, tele-medicine services, e-learning platforms etc. have taken the protection of prisoners' rights and rehabilitation framework to new heights. Through this digital infrastructure, prisoners are able to communicate with the outside world, develop skills and exercise their right to education, receive modern medical facilities, and are well-prepared to re-enter society as law-abiding citizens.

As a result, the digital transformation of the prison system is playing a fundamental role in enhancing administrative transparency, accountability, and efficiency, as well as protecting the dignity, equality, justice, and human rights of prisoners. It strongly supports the objectives of humane protection, empowerment, and rehabilitation of prisoners, which is consistent with the modern vision of the justice system.

**Research Objectives**

The research objectives are discussed below:
1. To analyze the definition and basic purpose of prison.
2. To identify the main challenges of the Indian prison system.
3. To analyze the rights of prisoners recognized under the Constitution of India
4. To evaluate the major digital programs and initiatives implemented by the government.
5. To analyze the main challenges arising in implementing digitalization of the prison system.

**Research Questions**

The research questions are discussed below:
1. What is the definition and purpose of Indian prisons and how well are they being implemented?
2. What are the main problems in the Indian prison system?
3. To what extent are prisoners' rights protected under the Constitution?
4. What changes are the digital initiatives taken by the government bringing in prison administration?
5. What are the primary obstacles to implementing digitalization?

**The Rationale of the Study**

Indian prisons are correctional institutions, the main objective of which is safe custody, rehabilitation and reduction of crime. But overcrowding, staff shortage and infrastructure limitations are the main challenges of the current prison system.

The government has taken various digital initiatives, including e-prison suites, video conferencing, and digital record management, but technological deficiencies, lack of training, data security, and lack of coordination are

hindering digitalization. In this context, it becomes necessary to analyze the purpose of prisons, constitutional rights, existing problems, and challenges of digital initiatives, which is the main rationale of this study.

**Methodology**

This research paper has been prepared based on secondary data collected from various online and offline journals, newspapers, websites, social media, news channels, etc.

**Findings and Discussion**

The research questions formulated in close alignment with the stated research objectives have been reviewed, analysed, and explained in a coherent academic manner as follows:

**(i)      Definition and Meaning of the Prison**

The word '*jail*', which is known as the oldest penal institution, is also known as '*prison*' in many countries. Many criminologists and sociologists believe that crime is actually a type of abnormal behaviour that can be corrected. According to the *Online Oxford English Dictionary*, the term '*prison*' is defined as:

"*A building to which people are legally committed as a punishment for a crime or while awaiting trial*". (Oxford Learner's Dictionaries, n.d.)

**(ii)      Objectives of Prison**

The Indian prison system is not just an institutional framework for the execution of criminal sentences; it is a necessary reflection of the State's philosophy of social justice, human rights sensitivity and evolving spirit of penal policy.

Fundamentally, two primary goals of the Indian prison system can be clearly identified. First, to maintain undertrial prisoners in a safe and controlled environment, so that there is no possibility of pre-trial escape, irregularities or disruption of the judicial process. Secondly, to implement well-structured correctional and rehabilitation programmes for convicted prisoners which include educational opportunities, vocational training, psychological counselling, life skills development and other human resource development initiatives. The objective of this multi-faceted programme is to enable prisoners to rehabilitate themselves in society with appropriate skills, social competence and moral fortitude at the end of their sentence.

In this context, it is quite evident that the Indian prison system has gradually moved beyond a punitive character and towards a correctional and rehabilitative philosophy. The integrated efforts of crime prevention, internal security and humane rehabilitation of the criminal individual have transformed the current prison system into a more just, humane and rehabilitative penal structure.

**(iii)      Key Challenges Facing the Indian Prison System**

The Indian prison system, due to its structural complexity, administrative constraints and multifaceted obstacles arising from policy deviations, faces a profound crisis in implementing effective reformation and rehabilitation processes. These institutional and procedural weaknesses are presented as follows:

**a)   Overcrowding in Prison**

The most prominent long-standing problem in India's prison system is overcrowding. Due to this problem, the basic human needs of prisoners such as, adequate medical care, adequate food, and accommodation etc. are severely compromised. Reform and rehabilitation initiatives are also hampered by this situation.

According to the recently released *India Justice Report* 2025, the average occupancy rate of India's prisons has crossed 131% nationally. As a result, prisons are facing severe overcrowding and various health challenges. The report says that by 2030, the number of prisoners in India's prisons will reach about 6.8 lakh, while by then, even if the prison capacity is increased, it will reach a maximum of 5.15 lakh. (Perappadan, 2025)

**b)   Mental illness of Prisoners**

The *WHO Constitution* (Constitution of the World Health Organization, n.d.) defines '*health*' as:

"*Health is a state of complete physical, mental and social well-being and not merely*
*the absence of disease or infirmity*". (Constitution of World Health Organization, n.d.)

An important part of the above definition of health is '*mental health*', which implies that:

"*Mental health is a state of mental well-being that enables people to cope with the stresses of life, realize their abilities, learn well and work well, and contribute to their community.*" (World Health Organization: WHO, 2022)

Detainee's mental health often deteriorates due to increasing depression. This problem is exacerbated by dirty and depressing conditions, poor quality of foods, torture, lack of adequate mental health care and other human rights violations.

**c)   Unhealthy living environment**

Overcrowding in most of the prisons in India ruins the healthy environment around the prisoners. Many are forced to live together in small spaces, which leads to deterioration of their mental and physical health despite some prisons taking innovative measures to address this problem.

**d)   Shortage of Prison staff and their inadequate training**

India's prisons are understaffed and poorly trained. There is currently only 1 staff member for every 7 prisoners, which is extremely low especially compared to 2 staff members for every 3 prisoners in the UK. (Kashyap, 2022)

### e) Corruption

Criticism of corruption among prison staff is heard all over the world. Prison guards are often prone to bribery due to their low salaries. In many cases, money is extorted from prisoners in exchange for special privileges.

### f) Discrimination in Prisons

Although there are rules in prisons that all prisoners should be treated equally, in practice this is often not followed. In many cases, it is seen that some prisoners from upper and middle-class families enjoy special privileges, regardless of the type of crime.

### g) Insufficient reformation program in prison

Rehabilitation activities in prisons are very limited. Some prisons are running creative projects to address issues such as overcrowding and mental illness issues etc. For example, Tihar Jail's "*Art of Living SMART*" program offers two courses a month and follow-up classes on weekends.

### h) Lack of legal aid

The Constitution provides free legal aid to those who cannot afford to hire a lawyer. But many do not get this opportunity. Many lawyers are also reluctant to take on such cases. As a result, many prisoners do not get a fair trial and are mentally depressed.

### i) Custodial torture

Brutal torture in police custody is a major problem in India. Physical and mental torture of detainees is a common occurrence, often unreported. According to NHRC data, 1,569 people died in judicial custody in 2020. (Civil Liberties Report, n.d.)

### j) Custodial Rape

The risk of rape in police custody is very high for female prisoners. Many rape cases go unreported due to lack of evidence or threats. As a result, married women are abandoned by their husbands, marriage is less possible for unmarried women, and they are neglected in society.

According to the *National Crime Records Bureau* (NCRB), more than 270 cases of rape in custody were recorded from 2017 to 2022. Over the years, such cases have gradually decreased: 89 in 2017, 60 in 2018, 47 in 2019, 29 in 2020, 26 in 2021, 24 in 2022. (NDTV, 2024)

### (iv) Protection of Prisoners' Right under the Constitution of India

The Constitution of India protects the fundamental rights of all prisoners. In the case of *State of A.P. vs. Challa Ramkrishna Reddy & Ors.*, (State of A.P. v. Challa Ramkrishna Reddy & Ors., 2000) the Supreme Court held that a prisoner, whether convicted or under trial, does not lose his dignity as a human being and the rights granted by the Constitution even though he is in prison. All fundamental rights, including the right to life, remain intact.

The fundamental rights declared in Articles 14, 19 and 21 of the Constitution are applicable to all citizens; therefore, prisoners are equally entitled to these constitutional protections.

In the case of *T.V. Vatheeswaran v. State of Tamil Nadu*, (T.V. Vatheeswaran v. State of Tamil Nadu, 1983) the Apex Court similarly held that prisoners are entitled to these rights like ordinary citizens.

### Article 14

According to Article 14 of the Constitution of India, "*no person shall be denied the right to equality before the law or to equal protection of the law within the country*".

### Article 19

As per the provisions of Article 19(1)(a) of the Constitution, "*every citizen of India has the right to freedom of speech and expression*". This right shall also apply to prisoners, but in such a manner as not to interfere with the discipline or administrative functioning of the prison.

### Article 21

Article 21 of the Constitution states that "*no person shall be deprived of his life or personal liberty except in accordance with procedure established by law*". This provision covers two fundamental rights:

1) Right to life and
2) Right to personal liberty.

### (v) Digital Programs Implemented by the Government

Various digital programs implemented by the government have been adopted with the aim of increasing institutional efficiency, establishing transparency and ensuring equitable administration. These initiatives have accelerated the modernization of governance through technology-based service delivery and have restructured the information flow and accountability structure. As a result, a transformational change is being observed in the accessibility and equitable access to state services.

**e-Prisons**

The e-Prisons system brings all prison and prisoner-related activities together on a single platform. Through it, courts, prison administrations, and other agencies of the criminal justice system can instantly access prisoner information. It also provides the opportunity to request visits and file complaints online. (Supreme Court of India, n.d.) The main objective of the e-Prison project is to manage the work of all the prisons in the country digitally. Under this project, Bihar has become the first state to computerize its prisons. (The E-Prison Project: An Overview)

**Key Aspects of the e-Prison Project:**

a) **Management Information System (MIS)**

The e-Prison project has a special information management system that facilitates the daily work of the prison. This includes maintaining information on prisoners, operating the prison hospital, police intelligence, monitoring the progress of court cases, etc.

b) **National Prison Information Portal**

This portal provides statistics on various prisons in the country and provides various facilities to the citizens. Citizens can book jail visits online, lodge complaints and find out the location of prisoners.

c) **Kara Bazaar**

The Prison Bazaar is an online platform where products made by prisoners are displayed and sold. It connects the prison departments of all the states of the country. (The E Prison Project: An Overview, n.d.)

**E-Mulakat**

During the Covid period, direct visits with prisoners were ceased and instead, '*e-Mulakat*' were introduced. This has been especially convenient for those whose families are far away or it is not possible to meet them physically. Those who do not accept physical visits will be given priority for e-Mulakat. To get the e-Mulakat facility, the prisoner will have to follow the rules of the jail. If anyone breaks the rules or misuses this facility, or if a family member misuses this facility, he will not be able to use it. (Govt. of NCT of Delhi, 2022)

**Virtual Hearing**

Before COVID-19, most courts primarily handled remand cases through virtual hearings, without requiring prisoners to travel between the court and the prison. This experience helped the courts rapidly expand their video conferencing (VC) system during the COVID-19 pandemic. (Government of India, Ministry of Law and Justice, 2022)

To reduce the digital divide, the Government had allocated Rs 12.54 crore for setting up '*eSewa Kendras*'. As of 31st January, 2022, 475 *eSewa Kendras* had been operationalised under 25 High Courts. (Press Information Bureau, Government of India, Ministry of Law and Justice, 2022)

**Telemedicine Services**

In this system, doctors who are far away can diagnose patients by seeing them through video or other means of communication. The number of telemedicine programs increased in the United States, Australia, and Canada during the 1970s and 1980s. Telemedicine is particularly useful where there are physical barriers between the patient and the healthcare provider. Telemedicine is not meant to replace prison medical care, but rather to supplement it when needed. This makes it very promising for use in institutions such as prisons. (Peter L. Nacci, Implementing Telemedicine in Correctional Facilities, 2002)

**(vi)      Digital initiatives taken in various prisons**

The various digital initiatives taken by the Indian prison administration indicate a significant institutional progress in the modernization of the contemporary penal system. These technology-based reform measures not only strengthen the security and administrative transparency of prisons, but also lay the foundation for a structural change in the protection of the welfare rights of prisoners. In order to assess this transformational trend of the prison system in an analytical context, the major digital initiatives implemented in various prisons in the country are outlined below.

a) **Delhi**

A special telephone facility has been set up for prisoners in Tihar Jail. This facility is provided for five minutes twice a week, but is only available to Indian prisoners who maintain good conduct. If a prisoner commits a prison-related offence or misuses the telephone facility, this facility is withdrawn temporarily or permanently. (Offfice of the Director General (Prisons), 2011)

b) **Telangana**

Under the Telangana Prison System, electronic equipment was distributed for technological improvements through the '*Modernisation of Prison Funds and Inter-Operable Criminal Justice System (ICJS) Project*'. Under this project, desktop computers, CCTVs, multi-functional printers, webcams, UPS systems, walkie-talkies, body-worn cameras and LED searchlights have been distributed to various prisons in Telangana with an investment of about Rs. 2 crores. (The Hindu, 2025)

One of the key features of the initiative is the integration of '*ICJS*', which is expected to facilitate faster and more effective exchange of information between police, courts, prosecution, forensic laboratories and prisons. This integrated process is expected to reduce delays in judicial proceedings and ensure timely justice for prisoners. At the same time, the use of digital documents will enable more accurate tracking of case progress, bail orders, parole and furlough approvals, and rehabilitation programs. (The Hindu, 2025)

In addition to improving security and administrative aspects, the project has provided access to computers and other digital tools for use in education and skill development programs to advance the rehabilitation process of prisoners. At the same time, family visits have been made more secure and orderly through the introduction of modern visitor management systems, which has helped maintain discipline and increase positive communication in the correctional facility. (The Hindu, 2025)

**c) Uttar Pradesh**

A new curriculum titled "*Introduction to Computer Basics*" (ICB) has been implemented in Uttar Pradesh for the inmates of Bareilly Jail. The ICB course was formulated in 2003 as one of the main learning tracks under the Digital Unification Programme. It aims to provide basic understanding of computers to e-illiterate individuals through short 20-hour sessions. (ST Foundation, n.d.)

As part of the ICB course, students are provided with personal computers, UPS for power supply, large screen televisions for display, textbooks, and instructors. In this process, students gain self-reliance in using technology and overcome their fear and reluctance to use computers. A 20-hour class is conducted to impart knowledge on the use of the Internet, email, Microsoft Office, and social media among students, through which the learning objectives are achieved. (ST Foundation, n.d.)

**d) Maharashtra**

'*Telemedicine services*' (Peter L. Nacci, Implementing Telemedicine in Correctional Facilities, 2002) were introduced in Maharashtra prisons for the treatment of sick prisoners. Simultaneously, virtual training on mental health issues of prisoners was conducted for 140 prison officers through *National Institute of Mental Health and Neurosciences* (NIMHANS), Bengaluru. (Prison Statistics India, 2022, n.d.)

**e) Punjab**

The Punjab government has taken steps to modernize its prisons. Artificial intelligence-based surveillance systems, full-body scanners and 5G jammers are being installed. This will prevent drug smuggling, stop the use of mobile phones and reduce violence inside the jail. At the same time, the problem of overcrowding will also be brought under control. (Bajwa, 2025)

**f) Tripura**

The Tripura government is further strengthening its initiative to introduce video conferencing services for prisoners. According to sources, prisoners often face situations like escape attempts, falling ill or having difficulty adjusting to the prison environment, behind which family distance is a major reason. The limitation of communication with the family sometimes increases their mental crisis. In this context, it is expected that the problems will be alleviated to a great extent if the 'e-Mulakat' project is implemented effectively. (Nath, 2024)

**g) West Bengal**

An initiative has been taken to introduce video conferencing facilities in West Bengal to modernize and strengthen the security structure in the correctional institutions. This technology-based measure will help prevent the possibility of escape, especially during the process of bringing undertrial prisoners to the court. According to the West Bengal Correctional Services Minister, the addition of video conferencing facilities is a crucial part of the correctional reform program, which will strengthen security and make the judicial process more efficient and technology-based. (The Indian Express, 2015)

**(vii)    Key challenges in implementing digitalization in Indian prison administration**

Digital initiatives like e-Prisons, virtual courts, online complaints system, tele-medicine and e-Mulakat are playing a crucial role in restructuring the Indian prison system to be transparent and modern. While these technologies have improved the protection of prisoners' rights, administrative efficiency and rehabilitation process, their effective implementation faces several structural challenges including technical limitations, financial constraints and lack of policy coordination. These are:

**a) Financial Challenges of Setting Up an E-Court**:

Due to the use of modern technology, setting up e-courts is an expensive process. Launching advanced e-courts requires the installation of next-generation technology.

**b) Lack of human resources and digital skills:**

Many prison officials are unable to use digital platforms properly due to lack of technical knowledge and adequate training. This hinders the smooth and seamless implementation of various projects.

c) **Data protection and privacy risks:**

Prisoners' personal information may be subject to cyberattacks or data leaks. This has raised serious legal issues regarding data protection laws and the protection of personal privacy rights.

d) **Traditional administrative mindset and reluctance to change:**

Long-established manual administrative practices make many officials reluctant to embrace digitalization, thus slowing down the modernization process.

e) **Inadequate funding and infrastructure:**

Most prisons lack the necessary infrastructure to install advanced technologies such as servers, networks, and cybersecurity systems. Limited funding is preventing many prisons from implementing these modernizations.

**Final Thoughts: Suggestions**

Based on the theoretical analysis presented in the previous chapter, it can be said that the digital transformation of the Indian prison system is not limited to increasing administrative capacity or expanding institutional efficiency; rather, it has opened up new potential scope for ensuring the protection of the constitutional rights and human rights of prisoners. However, this transformation process faces multi-layered and structurally complex legal obstacles, which indicate the urgent need to re-evaluate the existing policy framework, data protection laws, transparency and accountability-based governance. In this context, building a rights-sensitive, ethical and evidence-based digital prison governance system is no longer a general policy recommendation; rather, it has become an inevitable, essential and necessarily relevant condition of contemporary justice administration. Some suggestions for improvement are given below:

a) **Development of legal framework and policies:**

Special legal provisions and policies need to be formulated for prison digitalization, so that the rights and privacy of prisoners are protected.

b) **Strengthening technology and infrastructure:**

Information security and effectiveness can be increased by installing advanced servers, secure networks, and cybersecurity systems in prisons.

c) **Training and capacity building:**

Prison officers and staff need to be trained in the use of digital technology, so that the system can be operated effectively.

d) **Developing humanitarian and rehabilitation processes:**

Digital technology can be used to simplify and implement the educational, social, and rehabilitation activities of prisoners, which is helpful in their resocialization.

e) **Monitoring and regular updates:**

Regular monitoring and evaluation of digital processes can reduce legal risks and ensure the sustainability of the system.

f) **Awareness and legal assistance:**

It is essential to make prisoners and their families aware of the digital process and provide necessary legal assistance.

**Conclusion**

Based on a thorough analysis of the research findings presented in the previous section, the researchers have reassessed the legal challenges and potential horizons related to the digitalization of the Indian prison system from an integrated, critical, and evidence-based perspective. The ongoing digitalization of the Indian prison system has gone beyond the conventional boundaries of penal law to create a new paradigm for improving the quality of life of prisoners, enhancing the efficiency of the judicial process and ensuring administrative accountability. E-courts, e-visits, online document management, biometric and CCTV-based surveillance, all these initiatives are playing a significant role in speeding up the justice process, maintaining family connections of prisoners and establishing transparency in prison administration. However, financial constraints, lack of technical expertise, cybersecurity risks and lack of a coherent legal framework pose a structural challenge to the continued progress of digital transformation.

In this context, along with technology-based modernization, a humanistic approach, scientific policy-making and a determined implementation mechanism become essential. With appropriate policies and safeguards in place, prisons will no longer be a place of mere punishment but will evolve into complementary institutions for correction, rehabilitation and reintegration of prisoners into society.

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