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Policy evaluation: Comparison on healthcare of the Rajasthan prison manual 2022 and Model prison Manual, 2016

- Aksh Saini

1. Introduction: Healthcare Matters

Prison as a community is not just a place for punishment. And in a community like any other, healthcare is an important human right for people. So, providing this healthcare to people of prison isn't just a task done by the administration.

If we look at the international standards like the UN's Mandela Rules and Bangkok Rules confirm the state's obligation to provide individuals who are behind bars with health care at least as good as the care provided in the community (a confirmation referred to as the principle of equivalence)¹. In accordance with Mandela Rule 24.1, individuals who are incarcerated "should enjoy the same standards of health care that are available in the community and should have access to necessary health care services free of charge without discrimination on the grounds of their legal status."² States bear a particular duty of care to individuals who are incarcerated, since inmates in prisons have no other access to care and their environment is completely under state control.³

It's about the basic human rights. The right to life and human dignity as mentioned in our constitution of India, article 21 which doesn't stop at prison gate as prisoners are people too. And it's a public health necessity. Prisons can be hotspots for diseases such as TB and HIV, many other STDS such as AIDS, so by managing the health inside the prison, we are also managing it from spilling over to the public (when they are release). Not to mention healthcare is the foundation of rehabilitation, if the person is not well, how are we going to rehabilitate him.

¹ Katherine E McLeod *et al*, 'Global Prison Health Care Governance and Health Equity: A Critical Lack of Evidence' (2020) 110 *American Journal of Public Health* 303, 303-308p., 304.

² Katherine E McLeod *et al*, 'Global Prison Health Care Governance and Health Equity: A Critical Lack of Evidence' (2020) 110 *American Journal of Public Health* 303, 303-308p., 304.

³ Katherine E McLeod *et al*, 'Global Prison Health Care Governance and Health Equity: A Critical Lack of Evidence' (2020) 110 *American Journal of Public Health* 303, 303-308p., 304.

In the cases such as the *Sunil Batra vs. Delhi Administration*,⁴ the fundamental rights of the prisoners were brought to light by the Supreme Court of India.⁵ The Supreme Court in *Shri Ram Murthy vs. State of Karnataka* has ruled on protecting the health of prisoners by citing the reason that individuals in prison have a double disadvantage not only do they not get equal access to the medical expertise to which free citizens are entitled, they are also more exposed to health risks owing to prison environment “In several Judgements on prison administration in different matters, the Supreme Court of India has enunciated three broad principles (i) a person in prison does not become a non-person. (ii) A person in prison is entitled to all human rights within the limits of imprisonment. (iii) There is no reason why the suffering inherent in imprisonment ought to be enhanced during the process of imprisonment.”^{6,7}

The supreme court of India have said this stating that prisoners are entitled as much as a normal citizen is, to all their fundamental rights. This is in line with the global standards like the United Nations' Nelson Mandela Rules, which states that healthcare in prisons should be equal with what's available in the outside community of a country.

To put these principles into practice, the government of India introduced the Model Prison Manual in 2016, which is designed to help states in their own prison systems. With this the state of Rajasthan has its own Rajasthan Prison Rules in 2022, replacing a set of regulations from 1951.

In this paper I am going to put the healthcare practices of Rajasthan's prison rule under focus and compare it with the Model prison manual of our country. We are also going to look at different practices involving doctor and hospitals during emergency situations in both. Also, how they both handle vulnerable inmates such as women, children and mentally minority groups.

2. Side-by-Side: Rajasthan's Rules Against the Model prison

If we place the Rajasthan Prison Rules of 2022 next to the Model Prison Manual of 2016, we can see it very clear that Rajasthan has done a great job in some respects. This new manual has many aspects that it has absorbed from the MPM.

2.1. Regarding the Doctors, Staff, and Medical Management

In the manual model we see an attempt in improving the quality of prison healthcare, it suggests that the Prison medical administration may form part of the State Health Services or the Medical Department instead of the prison administration.³ The MPM also has mentioned clear directions when it comes to staffing, it has mentioned the doctors, nurses, pharmacists, and specialists such as the psychiatrists and gynaecologists for mental and sexual health needed for prisons of different sizes in a table format.⁸

While in the Rajasthan's prisons rules has also layed out a detailed medical hierarchy for various prison hospitals, they have prescribed a detailed medical structure for all prison

⁴ *Sunil Batra v Delhi Administration* (1978) 4 SCC 494.

⁵ Thounaojam Tapasini Devi, 'Prisoners' Right to Health under the Indian Prison Laws' (2024) 10(1) *International Journal of Law* 79, 79-81p., 79.

⁶ Thounaojam Tapasini Devi, 'Prisoners' Right to Health under the Indian Prison Laws' (2024) 10(1) *International Journal of Law* 79, 79-81p., 79.

⁷ *Shri Ram Murthy v State of Karnataka* (1997) 2 SCC 642.

⁸ Model Prison Manual 2016 (Government of India, Ministry of Home Affairs), 1-345p, 78.

hospitals, they have even divided the tasks for medical officers, nurses, laboratory technicians, and even for the data entry staff.⁴ The duties are well outlined, from the daily rounds of patients to dealing with emergencies.⁴

While both are trying to improve the health care. The difference is that MPM advocates complete integration with the state health system, Rajasthan's solution still focused on involving a specialist group of physicians serving in the prison department.

2.2. Hospitals and Facilities infrastructure

In the Model prison Manual, it's clearly stated that there should be hospital beds for at least 5% of the prison population, its also talk about essential units like isolation wards, operation theatre (minor surgery), pharmacies and diagnostic labs⁵. It also talks about dental and eye care facilities.⁹

Whereas in Rajasthan's rules there is a rule of mentioning the dimensions and number of prisoners it can accommodate. It shall be engraved outside on a tablet in the outer wall of the ward.¹⁰ No ward should have a higher capacity then prescribed by the tablet. The block, and other notable buildings should have number mentioned on them for convenience.¹¹

2.3 first check-ups in prison

If we look at both manuals, they both seem to agree on conduction of medical examination within 24 hours of arrival.^{12, 13} This is essential for initial documentation and identification marks, any pre-existing condition. Rajasthan's regulations are especially clear, demanding an immediate first checkup followed by a full checkup within a day.¹⁴

This way it can ensures that health issues are identified right at the start, allowing for a very quick intervention if necessary.

2.4. The Most Vulnerable

Pregnant Women and Children:

If we look at both the policies, there is a repeated mention of women and children especially pregnant women and their diet. They have a compulsory healthcare for women, including regular screenings for reproductive health ensuring they are healthy and their access to gynaecologists. They also stipulate that whenever possible; childbirth should happen in an outside hospital.¹⁵ Rajasthan takes this further by specifically guaranteeing feminine hygiene

⁹ Model Prison Manual 2016 (Government of India, Ministry of Home Affairs), 1-345p, 78.

¹⁰ Rajasthan Prisons Rules 2022 (Rajasthan, India), *Rajasthan Gazette Extraordinary*, 12 December 2022, GSR 113, 490-744 p., 689.

¹¹ Rajasthan Prisons Rules 2022 (Rajasthan, India), *Rajasthan Gazette Extraordinary*, 12 December 2022, GSR 113, 490-744 p., 689.

¹² Model Prison Manual 2016 (Government of India, Ministry of Home Affairs), 1-345 p., 43.

¹³ Rajasthan Prisons Rules 2022 (Rajasthan, India), *Rajasthan Gazette Extraordinary*, 12 December 2022, GSR 113, 490-744 p., 703.

¹⁴ Rajasthan Prisons Rules 2022 (Rajasthan, India), *Rajasthan Gazette Extraordinary*, 12 December 2022, GSR 113, 490-744 p., 703.

¹⁵ Rajasthan Prisons Rules 2022 (Rajasthan, India), *Rajasthan Gazette Extraordinary*, 12 December 2022, GSR 113, 490-744 p., 552.

provisions and outlining the care, diet, and education that will be given to children who stay in jail with their mothers.¹⁶ They even talk about delivering of fresh fruits to pregnant women in model prison manual and have special mention on their diet, both especially on calorie counts and number of carbs.^{17, 18}

Elderly and Infirm Prisoners:

Both manuals take a notice of prisoner getting old. Both the Rajasthan Prison Rules (853 and 852) and the Model Prison Manual (7.93 and 7.94) provide similar provisions for the Invalid Group which also include old and elderly people having prisoners unfit for hard labour due to age or illness.^{19,20} They have prescribed them some light work, grouped accommodation, and regular medical supervision. This is reflection of Rajasthan manual alienation in term with the national manual.

3. Strong Rules but Weak Implementation

Rajasthan Prison Rules, 2022:

The Rajasthan prison manual, 2022 is one of the most well-made prison manuals in India, it is aligning with the global norma as well as mental health and gender justice laws. If we look at it closely it has provisions for the digital system (e-Prisons and ICJS) (rule 987)²¹ and gender justice that, is it addresses issues like menstrual equity, reproductive rights, and equitable work opportunities for women prisoners, areas covered in Rajasthan's rules care not only that but proper procedure for medical Health.²² But still overcrowding is still one of the main issues on the ground level, medical post lying vacant reveal a gap between the implementation and reality.²³

Model prison manual, 2016:

This national manual talk has reframed the prison as spaces for rehab, caring for prisoners' mental health it has also proposed a proposition on aligning healthcare with state health authorities²⁴. But it still lacks direction when it comes to topics like telemedicine which basically online consultation, digital records of health and budget implementation. It guides how the change should be brought by the states but not how to practically make it happen.

¹⁶ Rajasthan Prisons Rules 2022 (Rajasthan, India), *Rajasthan Gazette Extraordinary*, 12 December 2022, GSR 113, 490-744 p., 733.

¹⁷ Model Prison Manual 2016 (Government of India, Ministry of Home Affairs), 1-345 p., 66.

¹⁸ Rajasthan Prisons Rules 2022 (Rajasthan, India), *Rajasthan Gazette Extraordinary*, 12 December 2022, GSR 113, 490-744 p., 683.

¹⁹ Model Prison Manual 2016 (Government of India, Ministry of Home Affairs), 1-345 p., 91.

²⁰ Rajasthan Prisons Rules 2022 (Rajasthan, India), *Rajasthan Gazette Extraordinary*, 12 December 2022, GSR 113, 490-744 p., 702.

²¹ Rajasthan Prisons Rules 2022 (Rajasthan, India), *Rajasthan Gazette Extraordinary*, 12 December 2022, GSR 113, 490-744 p., 739.

²² Rajasthan Prisons Rules 2022 (Rajasthan, India), *Rajasthan Gazette Extraordinary*, 12 December 2022, GSR 113, 490-744 p., 495.

²³ *Jail Population Statistics: 30 September 2025* (Department of Prisons and Correctional Services, Government of Rajasthan)

<https://home.rajasthan.gov.in/content/dam/homeportal/jaildepartment/pdf/PrisonPopulationStatistics/Sep.2025.pdf> accessed 27 October 2025.

²⁴ Model Prison Manual 2016 (Government of India, Ministry of Home Affairs), 1-345p, 78.

5. Suggestion on the Rajasthan Prison Healthcare:

- I. No matter how advances the rules are to become if the basic facility of enough staff such as doctors and nurses is not fulfilled it would be difficult to maintain prison. They could create special "Prison Health Service" jobs or offer extra pay to attract people as shortage is very fundamental issue.
- II. Make the state's main Health Department responsible for prison healthcare just like how MPM suggest.
- III. Establish video calls way of examination so that prisoners can communicate with experts in hospitals without ever leaving the prison.
- IV. Scheduling mobile dental and vision examinations or video consultations exclusively for elderly prisoners as they might have trouble due to their age in travelling.
- V. Making a special committee to conduct surprise visits and a way of public reports on these visits to proudly boost morale of prisoners.
- VI. Mental health screening at the time of admission as per MPM rule 5.65 not just basic health screening as also guided by the supreme court of India but also the mental health at time of admission should be done.²⁵

6. Suggestion on the Model Prison Manual healthcare:

- I. Making rules about using video doctor visits, electronic medical records, and online counselling for easier access.
- II. They can even add a guide on how prisons should handle outbreaks like COVID-19, including isolation and vaccination rules during pandemics.
- III. Making a proper plan for states to implement the manual such as what could be the first focus like for say staffing first, then infra.
- IV. Making sure inmates who are suffering from long-term health problems get a summary of their condition when released, so that its easier for them after prison to receive treatment.
- V. Mental health screening not just physical health screening as per supreme court mapping prison manual.²⁶

7. Conclusion

The Rajasthan prison rules of 2022 is heading in the right path. Their rules were well thought out, compressive and were following the model prison manual most of time interns of health and medical rules. But still there was gap in the implementation and a well-made policy. Overcrowding and a critical shortage of medical staff are crippling the potential of these rules; the best example of this overcrowding is the Jaipur prison with an occupancy rate of over

²⁵ Supreme Court of India, *Report on Prisons in India: Mapping Prison Manuals and Measures for Reformation and Decongestion* (Centre for Research and Planning, October 2024), 1-321p., 69.

²⁶ Supreme Court of India, *Report on Prisons in India: Mapping Prison Manuals and Measures for Reformation and Decongestion* (Centre for Research and Planning, October 2024), 1-321p., 71.

170%.^{27, 28} For Rajasthan, the next step isn't about drafting but to make the existing ones work which is a tough task in all, demanding a budget as an investment.

For India, the challenge when it comes to model prison manual would be to make it for 21st century, with technology, practical implementation and continuous care as its focus. Only then we can make sure that the health, which defines a civilised society is achieved inside a prison.

²⁷ Dishank Purohit, 'Overcrowded, understaffed: Central Jail in vulnerable state' (*Times of India*, 21 September 2025) <https://timesofindia.indiatimes.com/city/jaipur/overcrowded-understaffed-central-jail-in-vulnerable-state/articleshow/124032067.cms> accessed 24 October 2025.

²⁸ *Jail Population Statistics: 30 September 2025* (Department of Prisons and Correctional Services, Government of Rajasthan) <https://home.rajasthan.gov.in/content/dam/homeportal/jaildepartment/pdf/PrisonPopulationStatistics/Sep.2025.pdf> accessed 25 October 2025.