Polity & Governance · GS - II

The protection of fundamental rights does not cease upon incarceration. Examine the constitutional and judicial safeguards available to prisoners in India, with particular reference to access to healthcare and legal representation.

EXAM YEAR	PAPER	SUBJECT
DAILY PRACTICE 12/11/2026	GS - II	Polity & Governance

MARKS	WORD LIMIT
10	~150 words

Answer Hint

Article 14 and Article 21, Article 22(1), right to legal aid, prisoner's dignity, healthcare in custody, access to legal counsel, judicial oversight, prison administration, accountability and human rights.

Model Answer

Introduction

Imprisonment restricts personal liberty but does not extinguish the fundamental rights of individuals. The Constitution requires the state to ensure humane treatment and due process for prisoners.

Constitutional and Judicial Safeguards

Article 14 guarantees equality before law, while Article 21 protects life and personal liberty. Article 22(1) safeguards the right of an arrested person to consult and be defended by a legal practitioner. The Supreme Court has also recognised free legal aid as an essential component of fair procedure under Article 21.

Healthcare and Legal Access

Prison authorities have a responsibility to provide timely medical examination, treatment and necessary hospital referrals. Regular access to legal representatives enables prisoners to participate effectively in judicial proceedings

and seek appropriate remedies. Denial of essential healthcare or legal access may undermine constitutional protections.

Challenges and Reforms

Overcrowding, inadequate medical infrastructure, staff shortages and delays in legal assistance weaken prisoner protection. Independent inspections, transparent medical records, legal aid services and effective judicial monitoring are necessary.

Conclusion

A rights-based prison system must ensure that lawful incarceration does not become a justification for denying human dignity, healthcare or access to justice.

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