

ABSTRACT

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Title: Rights of Political Prisoners in Kashmir:
A Study of Law and Practice

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This study titled 'Rights of Political Prisoners in Kashmir: A Study of Law and Practice' has the main focus on the aspects of rights of political prisoners. Since, first of all, prisoners are also the human beings therefore they possess all the natural and inalienable human rights that are ascribed to a person since birth. For the study of this kind, it is apt to start the subject with the human rights perspective. The guarantees provided by the laws to safe guard the basic human rights of a person cannot be compromised even within the territory of jail and on this pretext of being under the detention, a prisoner cannot be deprived of his/her basic human rights.

The main focus of this study is to know about the facilities available to the political prisoners and problems faced by them within prison. Another major focus of this research is to know different laws related to the political prisoners in general in the armed conflict zones as Kashmir and also to know about the implementations of these laws. One of the core concern of this research is know about the impact of incarceration on the life of the political prisoners in Kashmir like to analyse change before the imprisonment and after the imprisonment of a political ex prisoner in terms of his socio, economic and health status.

Coming to the another part of study that is besides using the general narrative approach to carry out the research, case study approach has also been used. In this study researcher has identified and selected few cases for producing them in the form of case study. First phase data analysis was initiated simultaneously right from the beginning of the data collection process in which the interviews that were taken was assessed to get new emerging issues or insights so that in the subsequent interview those points can also be taken into account.

The cornerstone of this work is the Analysis chapter where researcher has meticulously narrated the experiences of the political prisoners. In this chapter researcher briefed about the arrest details and lived experiences of the prisoners during the arrests. What happened after the arrest and under what conditions political prisoners have lived there are also highlighted in the subsequent chapters. This study also revealed impact of the imprisonment on the inmates. The socio-economic and health aspect are extensively touched in this study. The other issues such as communication gap, health facility in the prison, corruption and extortion have been highlighted in this work. The other disturbing revelation a researcher has find out is that many respondents face post imprisonment psychological problems as the consequence of their incarceration. Some of the contributing factors include that ex-prisoners have the feeling of insecurity that they may be arrested anytime. Many of them are not able to merge in their social life, likewise, family life of many ex-prisoners have got disrupted resulted psychological issues.

The concluding chapter where researcher has incorporated suggestions stresses on the necessary steps taken for prisoners in general and for the political prisoners in particular.