



Evolution of the Prison System in Manipur: A Comparative Study

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Abstract:

The prison system in Manipur has undergone significant transformations, shaped by its socio-political, cultural, and legal contexts across three historical phases: pre-colonial, colonial, and post-colonial. In the pre-colonial era, the justice system in Manipur was deeply rooted in customary laws and community-based resolutions, prioritising reconciliation and social harmony. Punishments focused on restitution, exile, or community service, with minimal reliance on formal incarceration.

The advent of British colonial rule marked a significant departure from indigenous practices. The colonial administration established a structured penal system, introducing jails and codified laws as instruments of control and suppression. Incarceration became the central mode of punishment, reflecting colonial authority's intent to suppress dissent and impose order. However, prisons during this period were characterised by overcrowding, poor management, and a lack of rehabilitative focus, serving as symbols of colonial domination.

Post-independence, the prison system in Manipur evolved within the framework of India's modern legal and penal policies as reflected in the Indian Constitution. While there has been a shift towards reform and rehabilitation, the legacy of colonial challenges—overcrowding, inadequate facilities, and delayed judicial processes—persists. Modern prisons in Manipur reflect a hybrid legacy, incorporating elements of both traditional values and contemporary reforms. However, socio-political challenges such as ethnic tensions and economic disparities continue to strain the system, raising concerns about its effectiveness in delivering justice and ensuring human rights.

This study underscores the dynamic evolution of the prison system in Manipur, from a community-centric model to a state-centric approach. By analysing the historical trajectory and current challenges, it highlights the need for reforms that align with local socio-cultural realities and global standards of justice.

Keywords: Manipur, prison system, pre-colonial, colonial, post-colonial, incarceration

Introduction

Manipur holds a unique position in the country's socio-political landscape due to its rich cultural heritage, historical evolution, and geopolitical significance. Its journey from an independent kingdom to a state integrated into the Indian Union has shaped its legal and administrative frameworks, including the justice system and prisoners' rights.

The prison system is a critical institution in the administration of justice, reflecting societal values, power structures, and governance. In Manipur, a region with a distinct socio-cultural and historical identity, the evolution of the prison system mirrors its transitions through pre-colonial autonomy, colonial subjugation, and post-colonial statehood. This paper examines how the justice and penal systems in Manipur evolved across these eras, analysing shifts in ideology, structure, and function.

Through a comparative study of the pre-colonial, colonial, and post-colonial periods, this paper explores the transformation of punishment and incarceration practices. The findings reveal a gradual transition from community-centred justice to state-centric penal systems. By tracing this evolution, the study highlights the resilience of indigenous practices, the disruptions of colonial policies, and the challenges of integrating traditional and modern frameworks in the post-colonial era.

Pre-Colonial Era: Community-Centric, Indigenous Justice Systems

Before the advent of colonial rule, Manipur—a kingdom with a distinct cultural and political identity—had its own justice system rooted in customary laws and traditional practices. Justice was administered by local rulers and village elders, often emphasising reconciliation and community harmony rather than punitive measures. The concept of imprisonment as a punishment was not prevalent. Instead, justice mechanisms relied on fines, restitution, or exile for more severe offences.

Unlike modern penal systems, pre-colonial Manipur lacked formalised prisons. Offenders were rarely confined; instead, they faced penalties such as public apologies, fines, exile, or community service. These measures were not only punitive but also rehabilitative, fostering accountability and social reintegration. The absence of institutional incarceration reflects the society's reliance on collective responsibility and its prioritisation of restorative justice over retributive measures. However, the rights of the accused were largely dependent on the discretion of the ruling elite, and there was no codified system to protect individuals from arbitrary punishments. While community-based systems ensured accountability to some extent, marginalised groups often faced harsher treatments due to entrenched social hierarchies.

Evidence of the formal prison system that we know of today can only be found in the mention of institutions of confinement like *Shumsang* during the time of Nongda Lairen Pakhangba (C 33/34-154 A.D.), *Keishumshang* during the time of Meitei monarch Naothingkhong (C663-763A.D.), *Naikurakpa* and *Naipharakpa* during the time of Meitei Lord Telheiba (C1355-55 A.D.). These institutions existed till the time of seven years of devastation (*Chahi Taret Khuntakpa, 1819-25 A.D.*).

Reflection of the European style of judicial administration is evident in the introduction of hanging as a form of punishment during the reign of Meitei Lord Gamber Singh (1825-34 A.D.) when Kanghujam Angam was hanged to death on the charge of murder of women on the 30th of April 1832.

The establishment of *Karot* or *Garod* (derived from a Bengali word meaning jail) in the Langthabal Complex (the then capital of Manipur) in 1840 A.D. is the evidence of the formal jail. The *Garod* was reestablished on 29th April 1844 A.D. in the Kangla Complex during the reign of Raja Nara Singh. Meanwhile, confinement as a form of punishment was introduced during the reign of Raja Nara Singh to King Surachandra (1886-90 A.D.). The formal jail of Manipur, as recorded in the royal chronicle was constructed on the 11th May 1864 A.D. inside the Kangla Capital Complex, north of the *Nungcheng Pond*, called the *Phadok*. The *Phadok* was a building made of brick constructed for the confinement of the proved or justified civil and criminal offenders. The word '*Phadok*' is from an old Hindustani word, '*Phatakar*', which means to scold/chide a guilty person. *Phadok*, thus, referred to the house of confinement for the condemned or condemnable people. The *Phadok* or jail of Manipur functioned till the 26th April 1891. Prior to the annexation of Manipur by the British for a period of 57 years (1891-1947) before Manipur saw the shift to the European system of judicial administration, she followed the Hindu Criminal Law, according to which, there was no police investigation before the trial by the court. As soon as the aggrieved reports of a crime, the *Dolaipaba* (Police) was sent to arrest the accused. Once the accused was produced at the court, the police could commence with the interrogation- oral examination or even

torture. The Hindu Penal Law was very savage. The offences punishable with imprisonment of two to three years, fine or both under the Indian Penal Law were punished with mutilation of limbs, organs and even death.

Colonial Era: Introduction of Modern Prisons

On 27th April 1891, the British occupied the monarchical kingdom of Manipur. The advent of British colonial rule in the 19th century marked a significant shift in Manipur's governance and justice system and led to the introduction of the concept of modern prisons in Manipur. Following the Anglo-Manipur War of 1891 and the British annexation of the region, the British established a centralised judicial system in the region to consolidate their control. This marked a significant departure from indigenous practices and brought Manipur under the purview of British legal codes and penal systems. Under the colonial regime, prisons became instruments of state authority and control. Incarceration was used not only for criminal offenders but also for political dissidents and freedom fighters resisting colonial rule. The infamous deportation of Maharaja Kulachandra Singh and other Manipuri nobles to the Andaman Islands after the Anglo-Manipur War exemplifies how imprisonment was weaponised to suppress dissent.

The war prisoners of the Anglo-Manipuri War of 1891 were kept in the jails set up in the areas of Rasa Mandala and Megajini within the Kangla Capital Complex. The prisoners were kept in two big thatched buildings, one for the plain people and other for the hillmen. A separate building was constructed as the kitchen for the plain people while the hillmen were expected to cook in the building where they resided. The jail was surrounded by a mud wall with a platform. In the centre of the enclosure, a tank of suspicious water was kept. The sanitary conditions perhaps, were perhaps not that high compared to the standards of today. Despite it all, the prisoners seemed to have been well fed and not forced to indulge in labour. The labour given to the prisoners were all extramural, like, brick walling.. Brass vessels were provided to the Manipuri prisoners while the prisoners from the hills were provided earthen pots to cook their food. No other distinctions were made besides the utensils. There were no separate compartments for female prisoners, as women were not allowed to be imprisoned or put to death according to the customs of the country.

The jail, in 1890, was surrounded by a high sun dried brick wall and assumed to have been able to accommodate one hundred and fifty prisoners. The walls of the wards were made of whole bamboo. By 1891-92, the jail was utilised as a cattle yard by the commissariat department. The old jail was demolished in 1892-93 and two new constructions were made which had an area of 908 acres.

A small branch jail with the capacity of holding 25 convicts was established in 1895 at Foiching, 9 miles from Imphal. By then, the trend of using prisoners for construction work had developed. The prisoners of the Foiching jail were made to build protection walls against the inroad of the river Nambul and to also construct streets for the native travellers. Meanwhile, in 1896-97, another branch jail for forty convicts was established at Bishenpur, to complete roads for carts. In 1897, there also opened another branch jail at Koirengei, five miles from Imphal.

The *Phadok* was used in Manipuri style till 1891 and up to 1903, in the European fashion. The new jail was constructed in 1902 and completed in 1903, which is the current Manipur Central Jail, Imphal. A jailor was appointed for the first time (Dewan Brijlal was the first jailor, who introduced jail industries). In 1905, 206 prisoners were accommodated out of which six were female convicts. The administration of the jail continued to be under the British Political Agent, in the name of the king of Manipur, Maharaja Churand Singh. In 1908, a *Darbar* or Council was formed to look after administration of the Manipur state under British India.

Colonial-era prisons in Manipur were characterised by overcrowding, insufficient medical care, inadequate infrastructure, forced labor, and poor hygiene. These facilities were punitive rather than rehabilitative, focusing on deterrence through harsh treatment. Indigenous practices and community-based resolutions were sidelined, eroding traditional values and creating tensions between colonial authorities and the local populace. The rights of prisoners were minimal, and there were no mechanisms for redressal of

grievances. However, this period also witnessed the initial stirrings of awareness regarding prisoners' rights, spurred by the broader anti-colonial struggle in India.

Post-Independence Period: Constitutional Safeguards and Challenges

Post-independence in 1947, before the merger with India, Manipur was restored her autonomous status and the prison administration and management was under the king of Manipur, assisted by an Interim Council which consisted of a member who was allotted the affairs of the jail.

Post merging with India in 1949, an assembly of people representatives was formed where a minister was appointed to take up the charge of the jail administration. Till this day, the system of a specific minister handling the administration, management, maintenance and retainment of jail continues.

With India's independence in 1947 and Manipur's integration into the Indian Union in 1949, the region came under the ambit of the Indian Constitution, the Indian judiciary played a pivotal role in affirming the rights of prisoners. Landmark judgments such as **Sunil Batra v. Delhi Administration (1978)** and **Hussainara Khatoon v. State of Bihar (1979)** underscored the principles that prisoners do not lose their fundamental rights upon incarceration. These rulings had a significant impact on Manipur, prompting gradual improvements in prison administration and the treatment of inmates.

The Constitution of India provides protections for prisoners, including Articles 14 (Right to Equality before the law), Article 19 (Right to Freedom with reasonable restrictions), Article 21 (Right to Life and Personal Liberty) and Article 22 (Protection against Arbitrary Arrest and Detention). The Indian Penal Code (IPC) and the Code of Criminal Procedure (CrPC) further regulate the treatment of prisoners. These provisions became instrumental in shaping the discourse on prisoners' rights in Manipur.

In The Prisons' Act of 1894, Section 3 (1) "prison" is defined as a permanent or temporary place used for the imprisonment of prisoners under the general or particular commands of a state government, which includes all lands, buildings, and apartments. It however does not include the following-

1. Places used to confine prisoners under the custody of the police.
2. Places designated by the State Government in accordance with Section 541 of the Code of Criminal Procedure of 1882, or
3. Places declared as a subsidiary jail by a general or specific order of the State Government.

The territories administered by the State or Centre is further served by a network of prison institutions made up of the following-

1. **Central Prisons** holds convicts sentenced to life or convicts with sentences of 3 years and above.
2. **District Prisons** hold prisoners with sentences till 3 years and the Under Trial Prisoners.
3. **Sub Jails** houses the small-time convicts and local Under-trial Prisoners.
4. **Special Jails** are diverse facilities that provide scientific segregation, such as women's prisons and institutes for high-security offenders, etc.
5. **Open Jails** are meant to house lifers who have already served 1/3rd of his sentence and have shown good behaviour throughout his stay at the closed jail.
6. **Women Jails** refer to those jails which house only women.
7. **Borstal School** is a type of detention centre for the rehabilitation of young offenders.

According to the report by Prison Statistics India, 2021, the total number of jails in the country is 1,319 consisting of 148 Central Jails, 424 District Jails, 564 Sub Jails, 41 Special Jails, 88 Open Jails, 32 Women Jails, 19 Borstal Schools and 3 other jails. There, however, are only two functional jails in Manipur, namely Manipur Central Jail, Imphal and Manipur Central Jail, Sajiwa. There are two district jails at Churachandpur and Chandel districts, which are both non-functional. There is also a sub-jail at Jiribam, which is temporarily closed. Post-independence, prisons in Manipur underwent modernisation to some extent, with the construction of new facilities and implementation of reform-oriented policies. Efforts were made to provide vocational training, educational programs, and psychological counselling to inmates. However, challenges such as overcrowding, lack of resources, and delays in judicial processes hindered progress. The socio-political unrest in Manipur, marked by insurgencies and counter-insurgency operations, added a layer of complexity to the issue of prisoners' rights. The Armed Forces (Special Powers) Act (AFSPA), enacted in 1958, and subsequent militarisation led to widespread allegations of arbitrary detention, custodial torture, and extrajudicial killings. The rights of political prisoners and detainees under preventive detention laws often remained unaddressed, highlighting the gap between constitutional guarantees and on-ground realities. Manipur's prison system continues to face unique socio-political challenges. Ethnic conflicts, insurgencies, and socio-economic disparities have strained the system, leading to frequent incarcerations and prolonged detention of undertrial prisoners. Human rights concerns, including allegations of custodial violence and inadequate legal aid, further complicate the situation.

Conclusion

The evolution of the prison system in Manipur offers valuable insights into the region's shifting socio-political and cultural landscapes. From the pre-colonial era, characterised by community-based justice and restorative practices, to the colonial period, which introduced a structured penal system focused on control and punishment, the transition reflects the impact of external forces on indigenous traditions. The post-colonial period, while marked by efforts to reform and modernise, continues to grapple with the legacy of colonial structures and the unique socio-political challenges of the region.

The pre-colonial justice system emphasised social harmony and reconciliation, serving the needs of a close-knit community. However, it lacked the capacity to address larger or more complex disputes. The colonial era disrupted this balance, introducing incarceration as a dominant form of punishment. While these changes brought standardisation, they often alienated local communities and ignored their cultural context. The post-independence era integrated Manipur into India's legal and penal framework, aiming to reform the system. However, issues such as overcrowding, insufficient infrastructure, delayed trials, and human rights concerns persist, reflecting both inherited challenges and ongoing governance issues.

Today, the prison system in Manipur stands at a crossroads. While strides have been made in reform and rehabilitation, there remains a pressing need to address systemic inadequacies and align the system with the region's socio-cultural realities. Integrating indigenous principles of justice, strengthening infrastructure, and addressing socio-political challenges can make the system more inclusive and effective.

Ultimately, the evolution of Manipur's prison system underscores the broader narrative of balancing tradition and modernity, authority and community, and control and rehabilitation. As the region continues to evolve, its prison system must not only adapt to changing times but also reflect the principles of justice, fairness, and human dignity.

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