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# Beyond Bars: Addressing India's Prison Crisis through Reforms and Alternatives

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SAGAR<sup>1</sup> AND ANI DEVAL<sup>2</sup>

## ABSTRACT

*This legal research article examines the issues of overcrowding and the need for alternative sentencing methods within the Indian criminal justice system. The study aims to provide a comprehensive understanding of the current legal framework and its shortcomings in addressing these problems, while offering viable suggestions to improve the lives of prisoners, their families, and reduce prison overcrowding.*

*The article begins with an analysis of the pre-sentencing, sentencing, and post-sentencing stages of the criminal justice process, highlighting the limited options available to courts in each stage. The study acknowledges that while some alternatives to imprisonment, such as probation and community service, are present in the legal framework, their utilization remains insufficient. The research also emphasizes that despite the existence of these alternatives, India's prisons continue to be overcrowded and certain demographic groups are overrepresented.*

*The article further examines the role of the judiciary in prison administration and its shift in attitude towards prisoners' rights and prison reform. Notable Supreme Court cases that have shaped prison jurisprudence in India are discussed, illustrating the evolving perspective on rehabilitation and the administration of prison justice.*

*Finally, the study offers a series of suggestions to address the challenges faced by the Indian criminal justice system. These recommendations range from implementing mobile complaint boxes and establishing Prisoner Assistance Funds to amending the Indian Penal Code to include community service as a penalty. The study also advocates for enhancing the role of the National Human Rights Commission and utilizing probation services more frequently.*

*In conclusion, this legal research article emphasizes the need for a comprehensive approach to prison reform and alternative sentencing methods in India, to alleviate overcrowding and improve the lives of prisoners and their families.*

**Keywords:** Prison, Reforms, Imprisonment, Bail, Probation, Crime.

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## I. INTRODUCTION

Punishment through incarceration serves to reduce crime by isolating offenders from society. Prisons function as correctional institutions where convicts may undergo reform and rehabilitation. The concepts of "prison" and "police and law and order" fall under the Seventh Schedule of the Indian Constitution's State List, with the central government not bearing responsibility.<sup>3</sup>

A fundamental duty of any civil society is to penalize lawbreakers. Throughout history, confinement facilities have been documented, and prisons have existed for ages. It was once believed that complete isolation and detention would lead to a criminal's reformation. However, this notion was contradicted by experience, as traditional imprisonment often had the opposite effect. As social science advanced, it became clear that incarceration alone was insufficient for rehabilitating offenders.

Criminal justice reform encompasses alterations to legal and judicial systems, as well as modifications to policing and prison systems. Although these three improvements are crucial for the betterment of society, many countries, including India, neglect prison reform. Consequently, prisons are perceived as breeding grounds for criminal networks.

Since antiquity, prisons have existed as a means of punishment. Strict isolation and penitentiary conditions were once thought to be adequate for reforming criminals. This notion, however, is gradually being replaced by a more contemporary approach focused on public safety.

## II. PROBLEMS OF INDIAN PRISONS

Prison administration in India, a crucial aspect of the criminal justice system, has been largely overlooked and undervalued. There has been significant discussion about police, less about courts, and almost none about prisons and inmates. Addressing the issue of prison administration is necessary to draw public attention to this critical area of social concern. Over 30 years have passed since the release of the All-India Committee on Prison Reforms (1980-83) report, chaired by Justice A.N. Mulla. The lack of meaningful progress in India raises questions about why the committee's recommendations were not fully implemented.

The central government's primary justification for not adopting the Mulla Committee's recommendations is that prisons fall under state jurisdiction. However, this highlights that, with political will, the central government can take an active and direct interest in prison

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<sup>3</sup> Meetal Handa, *Prison Administration & Reforms in India* (Notion Press, Chennai, 1<sup>st</sup> edn., 2021).

administration.<sup>4</sup>

Upon examining various aspects of prison legislation and administration, the following key issue areas can be identified as requiring immediate attention:

Judicial delays have reached alarming levels. Despite the Mulla Committee, the National Police Commission, and Public Interest Litigation (as in the case of Hussainara Khatoon<sup>5</sup>), no resolution has been achieved. Delays often start during the investigation phase, with late submission of police charge sheets, leading to a domino effect.<sup>6</sup>

Courts also share responsibility for delays. Although the law requires trials to be conducted daily until completion, this rarely happens in practice, resulting in cases being postponed for months and contributing to the backlog.

Overcrowding leads to poor living conditions. Despite previous prison reforms addressing issues like diet, clothing, and hygiene, many prisons across India still have deplorable living conditions. A 1997 inquiry committee found that 10,000 inmates in Tihar Central Jail faced major health risks due to overcrowding, unsanitary conditions, and a lack of medical professionals. The National Police Commission reported that 60% of all arrests were unjustified or unwarranted, leading to overpopulation and accounting for 43.20% of prison expenses.<sup>7</sup>

1. Extortion by prison staff and guard corruption is prevalent in prisons worldwide. These issues are exacerbated by the low wages typically received by guards, which are often supplemented by inmate bribes in exchange for contraband or special treatment.
2. It is essential to establish provisions allowing inmates to communicate with family, friends, and legal counsel. Many of these measures are detailed in the Mulla Committee Report and should be implemented promptly.
3. A lack of adequate rehabilitation programs and vocational training facilities is another issue in Indian prisons. Existing rehabilitation programs, if any, are outdated.
4. Indian prisons face additional challenges, such as insufficient legal aid, health concerns, sexual abuse, drug addiction, and prison violence.
5. By addressing these issues, India can work towards creating a more cohesive and coherent prison system that better serves the needs of inmates and society as a whole.

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<sup>4</sup> Mulla Committee, *Report of All India Committee on Jail Reforms* (Ministry of Home Affairs, 1980).

<sup>5</sup> AIR 1979 SC 1369.

<sup>6</sup> Shubham Kashyap, "Major problems of prison system in India", *The Times of India*, January 01, 2022.

<sup>7</sup> National Police Commission, *Report on Accountability of Police Performance* (Ministry of Home Affairs, 1981).

### III. NEED FOR PRISON REFORMS

A life sentence infringes on an individual's right to freedom, impacting both the prisoner and their impoverished family. When a working family member is incarcerated, the entire family endures financial strain and must adapt to the loss of income. They face additional expenses, such as hiring a lawyer, providing for the inmate's needs, and arranging transportation to visit the incarcerated relative.

Inmates often receive comprehensive health and wellness counselling. Some prisoners enter jail with pre-existing health conditions, while others develop ailments during their incarceration. Consequently, prisons lack fresh air, are overcrowded, and fail to provide proper and nutritious food. Incarceration strains relationships and erodes social cohesion, as it relies on long-distance interactions. The imprisonment of a family member destabilizes the family structure, affecting relationships between spouses and between parents and children, ultimately impacting both the family and the community. Mass incarceration has far-reaching social consequences on families and communities.<sup>8</sup>

Considering these factors, it is essential to recognize that the costs of imprisonment extend beyond the direct expenses spent on each prisoner's upkeep. These costs are usually much higher than those associated with non-custodial sentences. Indirect costs, such as those related to social, economic, and human services, are difficult to quantify but must be considered. The pre-trial detention period is particularly susceptible to fair criminal treatment issues. Although pre-trial detainees should be presumed innocent until proven guilty in a court of law, their detention conditions are often harsher than those experienced by convicted prisoners.

In light of these concerns, it is crucial to address the various direct and indirect costs of imprisonment, and to work towards more humane, fair, and effective alternatives for both prisoners and their families.

### IV. CONSIDERING ALTERNATIVES TO IMPRISONMENT

Prisons are a common feature in every country, leading politicians and administrators to view them as inevitable rather than actively exploring alternatives. However, incarceration should not be seen as a natural form of punishment. In many nations, using prison as a means of punishment is a relatively recent development. Local cultural traditions, which have relied on alternative methods to address crime for centuries, may find this concept unusual.

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<sup>8</sup> Mahuya Bandyopadhyay, *Everyday Life in a Prison: Confinement, Surveillance, Resistance* 120 (Orient Blackswan, Hyderabad, 1<sup>st</sup> edn., 2010).

Moreover, studies show that imprisonment is often counterproductive in rehabilitating and reintegrating individuals charged with minor offenses, as well as certain vulnerable groups. Despite this, the use of incarceration continues to increase worldwide, with little evidence of enhanced public safety. Over nine million people are currently imprisoned globally, and this number continues to grow. Consequently, severe overcrowding in prisons leads to conditions that violate UN and international standards, which mandate that all offenders be treated with dignity and respect as human beings.

There are several fundamental reasons to prioritize alternatives that reduce prison populations and reserve incarceration as a last resort:

1. Imprisonment and human rights concerns
2. The high cost of incarceration
3. The overuse of imprisonment
4. The potential effectiveness of alternative measures

Within the current Indian criminal justice system, alternative modes of punishment include (a) plea bargaining, (b) community service, (c) parole or conditional release, (d) probation, and (e) fines.

By exploring and implementing these alternatives, societies can work towards creating more cohesive, coherent, and effective criminal justice systems, reducing reliance on imprisonment and promoting a more just and humane approach to punishment.

#### **(A) Plea Bargaining: Nolo Contendere**

In India, the concept of plea bargaining was introduced through the Criminal Procedure Code (Amendment) Act of 2005. At its core, plea bargaining involves negotiating a reduced sentence, and while it doesn't entirely replace imprisonment, it represents a step towards a more rehabilitative criminal system. Plea bargaining is an arrangement between the defendant and the prosecutor, where the defendant agrees to plead guilty in exchange for a lesser punishment. This process saves time for the courts and the public prosecution.

The Law Commission of India recommended in Report 154<sup>th</sup>, that plea bargaining be incorporated into the Code of Criminal Procedure. Initially, both legal professionals and the judiciary opposed the idea. However, its integration into criminal law has demonstrated its necessity for preventing prosecution delays. Sections 265A - 265L of the Code permit plea

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<sup>9</sup> Law Commission of India, *154<sup>th</sup> Report on The Code of Criminal Procedure, 1973* (Act No 2 of 1974) Vol I (August, 1996)

bargaining under specific conditions. As per the provision, plea bargaining is only allowed in cases where the penalty is less than seven years, and it is prohibited in criminal cases involving women or children.<sup>10</sup>

Plea bargaining has its roots in American criminal law, where it has been in use for over a century. The United States Supreme Court upheld the constitutional validity of plea bargaining in the case of *Brady v. United States*<sup>11</sup> and acknowledged its role in efficiently resolving cases. One of the strongest arguments in favor of plea bargaining is that it helps expedite the clearance of case backlogs, thus facilitating the prompt delivery of justice. The principle of plea bargaining was first endorsed in India in the case of *State of Gujarat v. Natwar Harchanji Thakor*<sup>12</sup>, where a Gujarat High Court bench determined that the primary objective of the law is to provide simple, affordable, and timely justice. Consequently, fundamental reforms like plea bargaining are both unavoidable and essential.

### **(B) Compounding of Offences**

Section 320 of the Code of Criminal Procedure allows for the compounding of offenses, which essentially means that the court enables the aggrieved parties and the accused to resolve their disputes in exchange for monetary compensation. Certain types of crimes, such as mischief, trespass, and assault, can be compounded without the court's permission and solely between the parties involved. However, more serious offenses like theft, cheating, and criminal breach of trust require prior court approval before compounding.<sup>13</sup>

In *Gian Singh's* case, the Supreme Court ruled that "the high court has the authority to quash criminal proceedings if the dispute to be compounded is of a civil nature or pertains to the parties in their personal capacities." Moreover, the court noted that this principle is based on the idea of fostering harmony between the parties and achieving amicable resolutions in situations where the offenses are not of grave nature.<sup>14</sup>

The Supreme Court of India recently showcased the epitome of judicial activism in the case of *The State of Madhya Pradesh v. Lakshmi Narayan*<sup>15</sup>, addressing the issue of compounding non-compoundable offenses. It held that when the offense is primarily of a civil nature, the superior court may, under its inherent jurisdiction under Section 482, compound a non-compoundable crime as well. The court's actions share a common goal: to reduce reliance on imprisonment

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<sup>10</sup> The Code of Criminal Procedure, 1973 (Act 02 of 1974), ss. 265A-265L.

<sup>11</sup> 397 US 742 (1970).

<sup>12</sup> (2005) 1 GLR 709.

<sup>13</sup> The Code of Criminal Procedure, 1973 (Act 02 of 1974), s. 320.

<sup>14</sup> *Gian Singh v. State of Punjab*, (2012) 10 SCC 303.

<sup>15</sup> 2019 SCC OnLine SC 320.

and advance towards a future of alternative sentencing.

### **(C) Absolute or Conditional Discharge**

A discharge essentially means that the courts release the offender while still holding them accountable. Section 360 of the Code outlines provisions for absolute and conditional discharge. It states that instead of punishing the offender, the court may release them on bond to serve time when summoned in the future, provided there is no harm or risk to society from that person. This provision's primary objective is to prevent young delinquents from associating with hardened criminals in jails and being exposed to illegal activities.<sup>16</sup>

In the case of *Keraj Singh v. State of Punjab*<sup>17</sup>, the court asserted that when the offender's character reveals no indication of being a threat to society and they are a first-time offender with no criminal record, the courts should grant them the benefit of the doubt and discharge them under Section 360.

### **(D) Community Service**

Judges can order defendants to perform unpaid community service as a means of fulfilling a societal obligation for committing the crime. The defendant may be required to undertake community service in addition to probation, a fine, or restitution.

### **(E) Diversion**

Certain offenses and offenders may be eligible for programs that result in charges being dropped if the defendant meets specific requirements. These programs, often referred to as diversion or deferred adjudication, remove the offender from the regular criminal justice system if they meet certain conditions. After completion, the prosecutor or the court dismisses the charges.

Diversion programs are designed to offer the defendant an opportunity to demonstrate responsible behavior and are commonly used for first-time offenders or drug-related crimes. The terms "counseling" and "probation" are often used.

### **(F) Parole**

Parole is a partial release or a reduction in the terms of a convicted prisoner's sentence, but it does not affect the prisoner's status. Parole is a rehabilitative strategy aiming to make prison punishment more humane and allows for the release of convicts under certain conditions. The primary goals of parole, according to the Model Prison Manual, are:

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<sup>16</sup> The Code of Criminal Procedure, 1973 (Act 02 of 1974), s. 360.

<sup>17</sup> (1996) Cr. L.J. 4414.



1. Allow the convicted person to communicate with their family and resolve family issues;
2. Protect the convicted person from the detrimental effects of long-term imprisonment; and
3. Help the inmate maintain their self-esteem and active interest in life.

### **(G) Probation**

Probation is an example of extramural treatment, meaning it occurs outside the prison walls. The United Nations accurately describes it in their book, 'Probation and Related Measures,' as a conditional suspension of punishment where the offender is placed under personal supervision and given tailored therapeutic advice. Probation humanely rehabilitates offenders by providing them with practical knowledge and counseling from experienced counselors and exposing them to society.<sup>18</sup>

In India, the Probation of Offenders Act, 1958, establishes a standardized framework for offender probation. Section 3 of the Act states that if a person is convicted of an offense punishable by less than two years in prison, the courts may release them on probation, among other situations. The aim of this section is to rehabilitate and reintegrate less severe offenders into society while preventing them from becoming hardened criminals in prison. Section 4 of the Act allows courts to conditionally release convicts for good behavior rather than immediately sentence them to any penalty in suitable cases.

The court held in the case of *Abdul Qayyum v. State of Bihar*<sup>19</sup> that "if the offender was 18 years old, physically and intellectually normal, engaged in their employment, and their father maintained proper supervision over them, there would be no record against them. They were eligible for parole based on their character and the fact that they had no previous convictions."

### **(H) Fines & Compensation**

A fine is a punitive measure imposed on a person who has been convicted of a crime. Fines are a relatively recent addition to criminal law, but they serve as an important tool for penalizing minor offenders. However, this type of punishment often receives less attention. If a fine is imposed and the offender cannot pay it, they may be imprisoned.

The benefits of incorporating fines into penalties include preventing prison overcrowding, generating revenue for the state, adjusting fines based on the offender's financial means, avoiding incarceration, assisting in the offender's rehabilitation, and more. In the case of *State*

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<sup>18</sup> United Nations, "Probation and Related Measures" 1 *TAJCL* 374 (1951).

<sup>19</sup> AIR 1972 SC 214.

v. Basappa<sup>20</sup>, the court stated that "a violator's fine should be determined by their ability to pay, meaning that a wealthy person could be penalized ten times more than a poor one."

A problem arises when an offender cannot pay their fine. In this case, failure to pay a fine is punishable by imprisonment under Section 64 of the Indian Penal Code<sup>21</sup>. Those who fail to make payment can be imprisoned by the courts. This approach contradicts the primary goal of reducing prison time. Instead, fines should be paid in installments if necessary. Several prominent criminal law experts, like M.J. Sethna, have endorsed the idea of paying fines in installments, noting that individuals who genuinely cannot pay fines should be allowed to do so in installments if needed.

Administrators of the criminal justice system must recognize that certain rights and freedoms are fundamental to human existence and cannot be denied or forfeited, such as the fundamental right to security or an adequate standard of living, which includes food, water, adequate housing and sanitation, ventilation, clothing, bedding, and opportunities for exercise. This also means that protecting such a large number of individuals in prisons requires significant resources, and a lack of resources can result in abuses of inmates' human rights. In this situation, the implementation of alternative forms of punishment becomes essential. The Supreme Court said in Mohammed Giasuddin v. State of Andhra Pradesh<sup>22</sup> that "judges should be given a wide range of alternatives in sentencing offenders so that the purpose of penalties may be realized."

These court decisions have led to the introduction of various alternatives to punishment, available at all three stages of the criminal justice system:

1. during the pre-trial stage
2. during the sentencing process
3. at the end of a term

### *Pre-trial Stage*

The court has the authority to compound certain offenses while still achieving justice for the victim. Section 320 of the Code of Criminal Procedure (CrPC, 1973) allows for the compounding of offenses. Section 320 identifies compoundable offenses and states that if the offense is compoundable, complicity and/or attempt to commit the offense are also compoundable.<sup>23</sup>

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<sup>20</sup> (1953) Cri L J 1064.

<sup>21</sup> The Indian Penal Code, 1860 (Act 45 of 1860), s. 64.

<sup>22</sup> AIR 1977 SC 1926.

<sup>23</sup> The Code of Criminal Procedure, 1973 (Act 02 of 1974), s. 320.

Another option is to release an accused person and order them to do one or more of the following:

1. appear in court on a specific date or as the judge may direct in the future;
2. refrain from: interfering with the administration of justice, participating in certain behavior, leaving or entering specific locations or districts, or contacting or associating with specific individuals;
3. remain at a designated location;
4. report daily or periodically to a court, the police, or another authority;
5. surrender passports or other identification documents;
6. submit to monitoring by a court-appointed agency;
7. be subjected to electronic monitoring;
8. or pledge money or other property as collateral to ensure attendance or conduct during a pending trial.<sup>24</sup>

### *Sentencing Stage*

During the sentencing stage, there are three primary options:

1. Release based on a warning,
2. Probationary release, and
3. Individualized community consequences

Section 360 of the Criminal Procedure Code provides the first two alternatives, which are exclusively applicable to two types of offenders. The first category includes first-time juvenile offenders under 21 years of age who have committed an offense punishable by a fine or imprisonment for no more than seven years. The second category covers any other individual (whether a first-time or repeat offender) who has perpetrated a crime punishable by less than two years in prison. Additionally, for minor offenders, The Probation of Offenders Act, 1958 offers probation as an alternative to incarceration.

The third option, despite being employed by various judges in numerous circumstances, lacks legal support. The Juvenile Justice Act also recognizes the possibility of using supervised community labor as a penalty for juveniles who have violated the law.

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<sup>24</sup> United Nations Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules), available at: [https://www.unodc.org/pdf/criminal\\_justice/UN\\_Standard\\_Minimum\\_Rules\\_for\\_Non-custodial\\_Measures\\_Tokyo\\_Rules.pdf](https://www.unodc.org/pdf/criminal_justice/UN_Standard_Minimum_Rules_for_Non-custodial_Measures_Tokyo_Rules.pdf) (Visited on March 02, 2022).

Additional alternatives at this stage may include:

1. Verbal sanctions, such as reprimands and warnings;
2. Conditional discharge;
3. Status-based sanctions;
4. Economic penalties, such as fines and daily fines;
5. Confiscation or forfeiture orders;
6. Restitution or monetary compensation to the victim;
7. Suspended or deferred sentences;
8. Probation and judicial supervision;
9. Court-mandated community service;
10. Referral to a day treatment center; and
11. House arrest;
12. Any other non-institutional intervention method.

#### *Post-Sentencing Stage*

Post-sentencing alternatives to imprisonment include probation, clemency, remission, open prisons, and so on. It should be noted that these options are only accessible after the offender has served a specific period in a certain prison.

Despite the availability of these alternatives, India's prisons remain overcrowded, with some demographic groups overrepresented. Moreover, it must be acknowledged that there is no evidence that imprisonment has led to increased public safety worldwide. Courts are also frequently criticized for not providing or offering only limited alternatives to incarceration. However, it must be recognized that the courts cannot be held responsible if there is no appropriate legislation allowing the use of alternatives to imprisonment.

Other alternatives at this stage may include:

1. Halfway houses and unauthorized residences;
2. Work or educational furloughs;
3. Various forms of parole;
4. Clemency; and

5. Pardon.<sup>25</sup>

## V. DIVERTING CERTAIN OFFENDERS FROM THE CRIMINAL JUSTICE SYSTEM

Certain types of offenders should be diverted from the traditional criminal justice system and not incarcerated. Instead, alternatives to imprisonment should be explored for:

- a. Children;
- b. Drug-dependent offenders; and
- c. Individuals with mental health disorders

## VI. ROLE OF JUDICIARY IN PRISON JUSTICE ADMINISTRATION

The Indian judiciary, especially the Supreme Court, is actively engaged in prison rehabilitation and administration. Prior to the 1980s, the Indian courts maintained a status quo jurisprudence, displaying little concern for prison operations through a "hands-off" attitude. However, in 1974, the Supreme Court introduced new prison jurisprudence. The Court in *D. Bhuvan Mohan Patnaik v. State of Andhra Pradesh*<sup>26</sup> held that "mere confinement does not divest inmates of the basic rights guaranteed by our Constitution," marking a significant milestone. In the *Hiralal Mallick v. State of Bihar*<sup>27</sup> case decision in 1977, the Supreme Court emphasized the importance of prisoner rehabilitation and reform.

The *Sunil Batra v. Delhi Administration*<sup>28</sup> case is considered a turning point in Indian prison justice and inmate rights. It established that "lawful imprisonment does not prevent the use of Habeas Corpus to protect other fundamental rights." In the *Prem Shankar Shukla v. Delhi Administration*<sup>29</sup> case, the Court held that "no one should be routinely handcuffed or shackled solely for the convenience of the escorting guard." The Supreme Court in *R.D. Upadhyay v. State of A.P.*<sup>30</sup> declared that "the right to fair treatment and the right to judicial remedies are prerequisites for prison justice administration." In the *Hussainara Khatun*<sup>31</sup> case, the Court adopted a proactive and constructive approach to prison reform, emphasizing the need to improve prison conditions in India.

Consequently, the active involvement of the Indian judiciary signifies a shift in attitude toward inmate rights and prison reform, recognizing prisons as rehabilitative correctional institutions.

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<sup>25</sup> *Supra* note 24.

<sup>26</sup> AIR 1974 SC 2092.

<sup>27</sup> AIR 1977 .SC 2237.

<sup>28</sup> AIR 1978 SC 1675.

<sup>29</sup> AIR 1980 SC 1535.

<sup>30</sup> AIR 2001 SCC 437.

<sup>31</sup> AIR 1979 SC 1369.

## VII. CONCLUSION

The persistent overcrowding in Indian prisons indicates that alternatives to imprisonment have not been adequately explored. The Supreme Court recently dismissed the state of Uttar Pradesh's appeal, challenging the release of three prisoners on socioeconomic grounds. The Tokyo Rules provide a range of alternatives to imprisonment, including verbal sanctions, conditional discharge, status penalties, financial penalties, confiscation orders, restitution to the victim, suspended or deferred sentences, probation and judicial supervision, community service orders, referral to an assistance center, house arrest, other non-institutional measures, or a combination of any of the listed measures. Despite numerous countries having gone as far as closing their prisons, the current approach in India has only considered a limited number of options. A gradual decrease in prison population would free up financial resources for other developmental activities.

### **(A) Recommendations**

After examining the challenges faced by prisoners and the various available or potential alternatives, the author proposes the following recommendations to enhance the lives of prisoners and their families while reducing prison overcrowding:

1. Ensure prisoner complaints are addressed by placing a mobile complaint box outside inmates' cells, with the key accessible only to the designated inspection authority.
2. Transform waste collected in prisons into biofertilizer and sell it to companies, allocating profits to the convicts or their families.
3. Establish a Prisoner Assistance Fund in each state using government contributions, which will implement welfare programs for released prisoners and their families.
4. Create a State Board of Visitors to regularly inspect prisons and report on conditions for state government consideration.
5. Improve sanitation and hygiene by providing well-equipped laundries, maintaining a 1:7 inmate-to-latrines ratio, 1:10 inmate-to-bathroom cubicle ratio, covering open gutters in prisons, and conducting regular inspections by local Public Health Officers.
6. Conduct facility inspections by the advisory board at regular intervals without jail authorities' involvement.
7. Instead of incarcerating parolees and first-time offenders, consider using ankle trackers to grant them some freedom, saving costs on housing, feeding, and caring for them. However, develop a system to monitor and ensure compliance with GPS tracking.

8. Increase the use of Probation Services in deserving cases by amending relevant sections of the Offenders Parole Act of 1958, enhancing Parole Services infrastructure, and organizing regular awareness programs for court officials, prosecutors, and police.
9. Amend Section 53 of the Indian Penal Code to include community service as one of the penalties.
10. Consider releasing lifers with a strong potential for reform and rehabilitation under the Advisory Board Scheme before completing 14 years of actual incarceration, such as after 8-10 years.
11. Encourage NGOs and philanthropists committed to inmate welfare to participate in various aspects of prison management, including classification, education, vocational training, medical and healthcare, sanitation, recreational activities, and more.
12. Display Prisoner Responsibilities, Rights, and Privileges in large print in local languages in prominent locations within the facility for inmates to see.
13. Ensure investigating officers have a minimum defined time frame to complete investigations and trials in a timely manner.
14. Enhance the role of the National Human Rights Commission in addressing prison-related issues.

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