

PRISON REFORM AND SOCIAL CHANGE IN INDIA

Shyamali Naidu (PhD Scholar, ITM University, New Raipur)

Dr. Sona Kumar (Associate professor, ITM University, New Raipur)

Abstract:

Prison reform in India has evolved from a punitive colonial legacy to a more rehabilitative and human-rights-centric approach. Historically rooted in harsh treatments and overcrowded institutions, the Indian prison system has undergone various phases of transformation spurred by judicial interventions, social movements, and legislative initiatives. This paper explores the historical development of prison reforms in India, from ancient and Mughal practices to British colonial policies, and charts their trajectory through post-independence recommendations of landmark committees such as the Mulla and Krishna Iyer Committees. It examines the introduction of reformatory frameworks like the Juvenile Justice Act, Model Prison Manual, and initiatives like e-Prisons, highlighting their significance in redefining correctional philosophy. Critical challenges such as overcrowding, custodial torture, poor healthcare, and the plight of undertrial and female prisoners are addressed with reference to key legal pronouncements and contemporary data. The paper further analyzes how prison reform, when effectively implemented, serves as a catalyst for broader social change by promoting rehabilitation, reducing recidivism, and fostering reintegration. Emphasizing the need for empathy-driven correctional practices, it advocates for an inclusive model based on dignity, transparency, education, and post-release care, aligning with international standards like the Nelson Mandela Rules and India's constitutional ethos.

Introduction:

The principal role of all civic societies is to punish criminals. Prisons have been documented throughout history. The origins of prisons may be dated to antiquity. It was assumed that stringent seclusion and jail measures would rehabilitate the perpetrators. Experience, however, contradicted this expectation, and often, jail had the other effect. With the advancement of behavioural sciences, it became evident that the rehabilitation of criminals could not be achieved by incarceration alone.¹

Correctional facilities are atypical environments. The inmates are stripped of liberty and intimate interactions with family and friends. The efficacy of prisons as institutions for the rehabilitation of criminals and their reintegration into society has always been a contentious topic. A significant proportion of criminals, who are generally well-behaved and belong to respectable societal classes, succumb to crime owing to sudden impulsiveness, provocation, or situational conditions. There exists an additional category of convicts who, despite their innocence, endure the hardships of

¹ Jain, Muskan. "Prison Reforms in India." *Indian JL & Legal Rsch.* 3 (2021): 1.

incarceration owing to a miscarriage of justice. Such individuals evidently struggle to acclimatise to the prison environment, seeing life inside it as profoundly distressing and repugnant.²

The primary objective of incarcerating criminals is to rehabilitate them into honest, law-abiding individuals by instilling an aversion to crime and criminal behaviour. In practice, prison officials attempt to achieve convict rehabilitation by coercive and forceful techniques. Thus, the alteration in the convicts is transient and persists only during their incarceration; upon release, they are once again drawn to criminal behaviour. This is why contemporary practices prioritise the rehabilitation of convicts for reintegration into communal life. This goal may be accomplished by probation and parole. The honesty, dedication, and tact of the jail staff also facilitate the rehabilitation process of offenders. In India, jail reforms did not arise from social movements but were a direct consequence of the deplorable treatment endured by political prisoners during their incarceration. They consistently initiated demonstrations against the prison authorities and used all possible efforts to ensure the alleviation of the hardships of prison life and the humane treatment of inmates.

Prisons in India:

A systematically structured jail system is recognised to have existed in India from ancient times. Historical records indicate that Brahaspati emphasised the incarceration of criminals in secure facilities. However, Manu opposed this method. It was a prevalent practice to imprison inmates in isolation to provide them with a chance for self-reflection. The purpose of punishment throughout the Hindu and Mughal periods in India was to discourage criminals from reoffending. The acknowledged forms of punishment were capital punishment, hanging, lashing, flogging, branding, or death by starvation. The inmates endured maltreatment, torture, and extreme inhumanity. They were maintained under stringent oversight and regulation. Consequently, jails were environments of fear and suffering, and prison officials were anticipated to be stringent and exacting in the enforcement of sanctions.³

The British colonial authority in India implemented penal reforms throughout the country. British prison administrators made considerable efforts to improve the conditions of Indian jails and its prisoners. They enacted substantial modifications in the current prison system, taking into account the perspectives of the indigenous community. The prison authorities, mostly British officers, classified the detainees into two categories: aggressive and non-violent offenders. The Prison Enquiry Committee formed by the Government of India in 1836 recommended the termination of the practice of using prisoners for road construction. Suitable steps were enacted to eradicate corruption among the jail staff. The role of Inspector General of Prisoners, the Chief Administrator of prisons in India, was created for the first time in 1855. His principal responsibility was to preserve discipline among the convicts and the correctional personnel.⁴

² Awasthi, Aditya, and Piyush Goyal. "Need of Prison Reforms." *Indian JL & Legal Rsch.* 2 (2021): 1.

³ Sharma, Vikas, and K. B. Asthana. "Analytical study of prison reforms in India: an overview." *Russian Law Journal* 11, no. 11S (2023): 314-321.

⁴ Dhiman, Dr Bharat. "Condition of Women Prisoners in Model Jail, Chandigarh: A Communication Study." *Chandigarh: A Communication Study* (August 26, 2022) (2022).

The circumstances for prisoners in India were worse than those for animals, and they faced hostility. A uniform civil code was lacking to enforce penalties. The objective of the punishment was to subjugate the prisoner. Jailers were ruthless people. In 1835, the concept of reform originated. The second Jail Enquiry Committee in 1862 expressed concerns over the unclean conditions of Indian prisoners, resulting in the deaths of several detainees from illness and disease. It emphasised the need for sufficient nourishment and apparel for jailed folks, along with medical treatment for ailing prisoners. The prisoner's Act was established to provide uniformity in the administration of prisoners in India. The Act established a classification system for convicts and abolished the punishment of whipping. In 1866, the medical provisions for prisoners were improved, and supplementary services were provided to female inmates to protect them from contagious illnesses. The freedom fight directly impacted prison conditions in India.⁵

Why promote Prison Reform?

A life sentence eliminates an individual's right to freedom. Imprisonment impacts both the incarcerated individual and their family enduring financial hardship. When a financially contributing family member is incarcerated, the whole family must endure and adapt to the resultant loss of income. The family incurs financial losses due to the need of hiring a lawyer, providing sustenance for the inmate, and arranging transportation for prison visits. Prisons pose significant health risks. Some convicts suffer from numerous ailments prior to their incarceration or get illnesses after joining the jail. Consequently, the jail lacks a healthy environment. The environment is congested, lacking fresh air, and devoid of enough nutritional food.⁶

Imprisonment undermines relationships and diminishes societal cohesiveness, since the preservation of such cohesion relies on enduring connections. The incarceration of a family member disrupts the familial structure, impacting spousal connections and parent-child dynamics, so altering the family and community across generations. Mass incarceration engenders profound societal changes within families and communities.

Given the aforementioned factors, it is essential to acknowledge that, in assessing the cost of incarceration, one must consider not only the direct expenses related to the upkeep of each inmate, which generally surpass those for individuals facing non-custodial penalties, but also the indirect costs, encompassing social, economic, and healthcare-related expenditures, which, although difficult to quantify, are significant and persistent. The number of pre-trial detainees surpasses that of convicted convicts. The pre-trial detention period is the most vulnerable to the manipulation of the criminal justice system. Notwithstanding the assumption of innocence for pre-trial

⁵ Narayan, Shivangi. "Guilty until proven guilty: policing caste through preventive policing registers in India." *Journal of Extreme Anthropology* 5, no. 1 (2021): 111-129.

⁶ Singh, Deepika. "A Socio-Legal Study of Prison System and its Reforms in India." *Ep Journal of Training and Development* (2023): 105.

prisoners until proved guilty in a court of law, the conditions of pre-trial incarceration may sometimes exceed the harshness of those in institutions for convicted offenders.⁷

The Problem of Overcrowding in Prisons:

Prisons in India are notoriously overcrowded. This results in a lack of distinction between major and small offenders. Consequently, seasoned criminals may exert their influence upon lesser offenders. Individuals who commit felonies for the first time encounter seasoned criminals, hence increasing the likelihood of becoming professional offenders. The strategies to alleviate jail overpopulation include bail release, imposition of fines, and release on probation or parole.⁸ The mechanisms of remission, furlough, and premature release may also be effective in addressing the issue of prison overpopulation.

Metric	Value
Total Prison Population	573,220
Official Prison Capacity	436,266
National Average Occupancy Rate (%)	131.4
Percentage of Undertrial Prisoners (%)	75.8
Number of Prisons	1,330

Source: World Prison Brief

Development of thought:

The three primary duties of a contemporary prison organisation are custody, care, and treatment. The concept of prison discipline was to make incarceration a deterrent. The purpose of incarceration evolved from only deterrence to include both deterrence and rehabilitation. This resulted in the cessation of some cruel penalties and the implementation of a system of rewards for exemplary labour and behaviour, including remission, sentence review, compensation for prison employment, treatment in open circumstances, release, furlough, and canteen amenities. Revisions have been implemented to sufficiently address the fundamental requirements of sustenance, apparel, healthcare, etc. Educational and vocational training programs, including scouting training, have been implemented in correctional facilities. Custodial needs for people are now decided in some locations based on their history, behaviour, and performance. The previous penological perspective saw incarceration, namely custodial measures, as the only method to mitigate crime. However, the contemporary penological approach has introduced novel sentencing

⁷ Vij, Sohail. "A Critical Analysis of Major Prison Reforms in India and the Path Ahead." *Issue 1 Indian JL & Legal Rsch.* 4 (2022): 1.

⁸ Dalal, Rajbir, and Rekha Chauhan. "Prison reforms in India: Emerging issues." *Asian Journal of Multidimensional Research (AJMR)* 8, no. 6 (2019): 243-254.

methods that reconcile community demands with the interests of the accused. It is necessary to use alternatives to incarceration, including warnings, probation, sentence suspension, fines, and release on personal bond. The categorisation of criminals based on sex, age, criminal history, and socioeconomic background is a fundamental aspect of the contemporary prison system.⁹

Prisoners Reforms: Prior independence and post-independence

The establishment of the contemporary Indian prison system can be traced back to the efforts initiated by T.B. Macaulay in 1835. In 1836, a body known as the Prison Discipline Committee was formed, and its findings were presented in 1838. This committee advocated for a strict and harsh approach to managing prisons, rejecting any considerations for the humane treatment or welfare of prisoners. Based on the recommendations made by the Macaulay Committee between 1836 and 1838, Central Prisons were established in 1846. The structure of the modern prison system in India is, thus, a remnant of British colonial rule.

A well-functioning criminal justice system is inherently linked to the efficiency of the system that enforces penalties. Without a competent penal system, the effectiveness of the law in administering justice is significantly compromised. In 1864, a Second Commission of Inquiry into Jail Management and Discipline was formed, which issued recommendations closely resembling those of the 1836 Committee. Additionally, this Commission proposed improvements related to the accommodations, food, clothing, bedding, and medical care for inmates.

In 1957, the Government of India established the All India Jail Handbook Committee, tasked with formulating a model jail manual, which was finalized in 1960. The committee's findings were subsequently endorsed by the Eighth Conference of the Inspector Generals of Prisons in 1957. The conference supported Dr. W.C. Reckless's recommendations for a standard format for managing prisons, supervisees, care programs, juvenile detention systems, and correctional treatments. The Indian Jail Reforms Committee, chaired by Sir Alexander Cardio, drafted amendments to the Prison Act of 1894 to implement correctional practice reforms. The committee investigated different correctional establishments and recommended maximum occupancy limits based on facility dimensions. The Jail Reform Committee formed in 1946 examined jail construction and management issues, proposing different treatment for young offenders and developing contemporary facilities. The committee established offender classification systems for women, habitual offenders, and handicapped offenders for precise rehabilitative assistance. After independence, India experienced enhanced prison reform efforts to humanize treatment for the prisoner population, replacing transportation punishment with life imprisonment in 1956 and approving prison labor involvement in road construction in 1949 with established wage rates.

During the 1950s psychological and mental services for prisoners started receiving increasing support as essential components for rehabilitation. G. B. The contemporary prison reforms incorporated psychological treatments and education with training programs for prisoner rehabilitation according to Vold's observation. The Indian government called Dr. W. C. Reckless

⁹ Awasthi, Aditya, and Piyush Goyal. "Need of Prison Reforms." *Indian JL & Legal Rsch.* 2 (2021): 1.

to India in 1951 because he was an expert from the United Nations who specialized in crime prevention and offender treatment to create prison reform recommendations. The All India Jail Manual of 1957 received substantial input through his recommendations. The All-India Jails Handbook Committee established between 1957 and 1959 worked to develop standard jail guidelines while creating nationwide suitable solutions for prison administration. The committee submitted its ultimate report during 1960 which presented both maintenance principles for jail administration operations and research-based inmate rehabilitation approaches.¹⁰

Justice A. N. Mulla Committee on Jail Reforms (1980–1983)

In 1980 the Government of India formed under Justice Anand Narain Mulla a detailed national committee to assess correctional institution conditions and design an integrated reform plan. This panel which became known as the All-India Committee on Jail Reforms received a mission to analyze the prison system in detail while creating methods for improved performance that supported offender reformation and public security objectives.¹¹

The Committee introduced one of its essential recommendations through the establishment of a National Prison Commission. The institution aimed to create a permanent oversight body that would drive modernization and progress in correctional practices everywhere in the country. The proposed institution would function as a guiding body to maintain penal administration development through constitutional values and human rights framework.

The extensive Committee assessments condemned when juvenile delinquents were confined with habitual offenders because this exposure damaged the juvenile prisoners' moral and psychological integrity. Such custodial arrangements must be completely prohibited according to committee recommendations. The report stated that juvenile offenders need rehabilitation-focused environments which oppose their exposure to mature criminals. The Committee proposed that an All India Service named Indian Prisons and Correctional Service should be created to enhance professionalism and purposeful management within the correctional system. The specialized cadet was created for the purpose of recruiting properly trained correctional staff who would dedicate themselves exclusively to prison administration and correctional programming management.¹²

The report underlined the importance of integrating post-release support systems such as after-care services, rehabilitation initiatives, and structured probation mechanisms as fundamental components of the penal framework. These were considered essential not only for preventing recidivism but also for fostering the successful reintegration of ex-prisoners into the social fabric.¹³

¹⁰ Singh, Deepika. "A Socio-Legal Study of Prison System and its Reforms in India." *Ep Journal of Training and Development* (2023): 105.

¹¹ Mishra, Siddhant, and Snehl Raj. "Historical Evolution of the Prison System in India." *Part 1 Indian J. Integrated Rsch. L.* 2 (2022): 1.

¹² Jain, Muskan. "Prison Reforms in India." *Indian JL & Legal Rsch.* 3 (2021): 1.

¹³ Raju, L. P. "Historical revolution of prison system in India." *Indian Journal of Applied Research*, 5 (4) (2014): 298-300.

Krishna Iyer Committee:

Justice V.R. Krishna Iyer led the high-level panel that the Central Government established in 1987 to examine female inmate conditions nationwide through correctional institutions. This expert panel received responsibility to analyze the different challenges of jailed women before proposing practical solutions to the correctional system. The Committee noted that the law enforcement sector had an extreme lack of female staff members. According to the Committee female offenders and juvenile victims require special handling because of their unique circumstances so the body urged more women to join police forces. The panel reached a decision that women law enforcers demonstrate both psychological abilities and social sensitivities which make them optimal for handling matters concerning female and juvenile offenders while offering dignity through empathetic and fair procedures. The recommendation aimed to establish women's presence so the criminal justice system would better address gender-specific problems in a transformative reform process. This highlights why the penal system needs to provide inclusive service with human care alongside institutional sensitivity for protecting vulnerable groups in detention.¹⁴

Prison Reforms:

In the modern jail system, incarceration has evolved from hard labor to a more humane approach. To enhance the effectiveness of jail facilities, several proposed changes are suggested.

The upkeep of jail facilities is a costly endeavor, and criminals should be incarcerated for the shortest duration necessary for their detention. Abolishing long-term sentences would alleviate financial strain on prison budgets. For jail sentences exceeding one year, a remission of about one month every year should be awarded to the offender to facilitate visits to their hometown and interactions with family. This will aid in their recovery and dispel the stigma associated with their incarceration.

Female inmates should receive more lenient treatment and regular visits with their children, especially under-trial convicts. Female inmates should be managed exclusively by female law enforcement officers or correctional personnel. The proposal to establish separate prisons solely for female inmates seems incompatible given the substantial costs associated with such an initiative.

Pensioners from the peasant class should be granted temporary leave passes to tend to their fields during the harvesting season, allowing them to maintain their profession and support the livelihoods of other family members. This will preserve the cohesion of family life and facilitate the rehabilitation of the inmate upon their release from incarceration.

Privacy during these interactions should be maintained, as meetings supervised by prison guards can be humiliating for both convicts and visitors. The current practice of restricting festivals and ceremonial events only to delectable meals for convicts requires reform. The current regulations

¹⁴ Adhikari, Nishant Krishna. "Prison and Prison Reforms in India." *Issue 4 Int'l JL Mgmt. & Human.* 4 (2021): 2161.

governing the limits and oversight of convict postal correspondence should be relaxed to instill trust and confidence among convicts in jail personnel. The prison law should include provisions for compensation for prisoners who are unfairly incarcerated or who suffer injuries due to the cruel or irresponsible actions of prison officials. Educated convicts should not endure harsh incarceration but should engage in intellectually stimulating manual labor.

Upon completion of their sentence, convicts should undergo rigorous 'After Care' supervision to overcome their inferiority mentality and protect them from being derided as felons. A significant transformation in public perception of jail facilities and their administration is urgently required through extensive PR campaigns using the medium of press, platforms, and propaganda efforts. Media personnel should also be permitted entry inside prisons to rectify misconceptions on prison management. The Supreme Court, in its landmark decision in *Ramamurthy v. State of Karnataka*¹⁵, has identified nine major problems which need immediate attention for implementing prison reforms. *"The court observed that the present prison system is affected with major problems of;*

- *Overcrowding*
- *Delay in trial*
- *Torture and ill treatment*
- *Neglect of health and hygiene*
- *Insufficient food and inadequate clothing*
- *Prison vices*
- *Deficiency in communication*
- *Streamlining of jail visits and*
- *Management of open-air prisons."*

Reform in Prison Labour Scheme:

The Indian Jail Reforms Committee of 1919-20 aimed to deter recidivism by rehabilitating offenders through contemporary work practices. Prisoners were assigned work based on factors such as health, sentence duration, and trade expertise. Post-independence, punitive work was prohibited, and more beneficial programs were implemented to educate convicts as technologists. Over the last three decades, efforts have been made to educate convicts, mostly from agricultural backgrounds, in contemporary agricultural and animal husbandry techniques. Initially, the remuneration of convicts was contested as they were already a liability to the State. However, the need for motivation and financial incentives became apparent, leading to the belief that a financial incentive would foster interest in labor and provide necessary encouragement. Post-independence, many open jails compensate inmates with market-rate earnings, from which they remit maintenance costs to the State. A liberal pay structure is now recognized as a way to enhance motivation and productivity. Maharashtra was the first state to implement a comprehensive wage system in 1949. The Apex Court in *State of Gujarat & another. Hon'ble High Court of Gujarat (AIR 1998SC 3164)* observed, "Reformation and rehabilitation is basic policy of criminal law

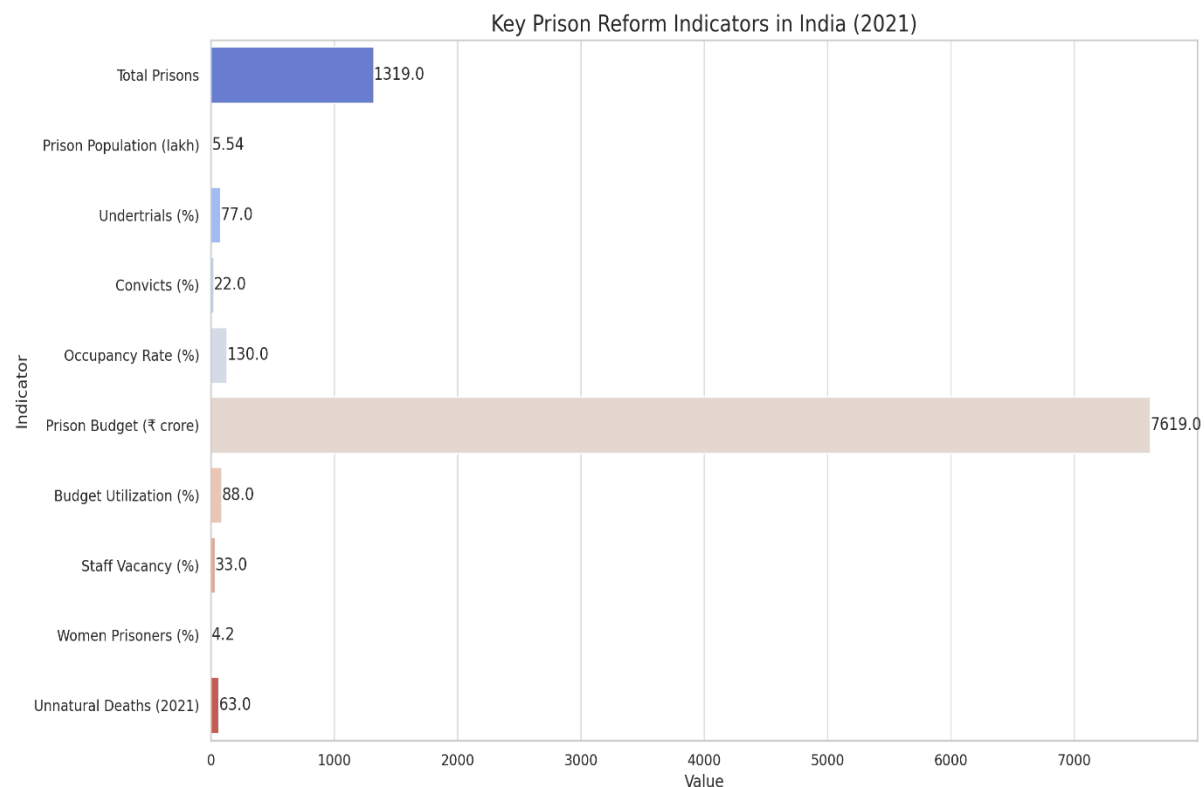
¹⁵ (1997) 2 SCC 642

hence compulsory manual labour from the prisoner is protected under Art. 23 of the Constitution. Minimum wages must be paid to prisoners for their labour after deducting the expenses incurred on them'.¹⁶

Prison Reform Indicators in India

Indicator	Data	Source
Total Number of Prisons	1,319 (as of 2021)	Prison Statistics India (PSI) 2021, NCRB
Total Prison Population	5.54 lakh (as of 2021)	
Undertrial Prisoners	77% of total prison population	
Convicted Prisoners	22% of total prison population	
Prison Occupancy Rate	130% (as of 2021)	
Budget Allocated for Prisons (2021-22)	₹7,619 crore	
Actual Expenditure (2021-22)	₹6,727 crore (88% of allocated budget)	
Vacancy in Prison Staff	33% positions vacant	
Women Prisoners	4.2% of total prison population (as of 2019)	
Increase in Female Prisoners (2014-19)	11.7% increase	
Prisoners in for 3-5 Years Without Trial	24,033 undertrials	
Unnatural Deaths in Prisons (2021)	63 deaths	
States with Occupancy >150%	Uttar Pradesh, Madhya Pradesh, Uttarakhand, Chhattisgarh, Sikkim, Meghalaya, Delhi	
Model Prison Manual Adoption	Varies by state; not uniformly adopted	Model Prison Manual 2016, Ministry of Home Affairs
Recent Reform Initiatives	Introduction of Model Prisons Act 2023 to modernize prison system	Ministry of Home Affairs, Government of India

¹⁶ Balaji, Sanjana. "Prison Labour: A Comprehensive Analysis." *Issue 1 Indian JL & Legal Rsch.* 5 (2023): 1.



Reformation of Under-trial Prisoner:

The under-trial prisoners are rightly not obliged to work under the law but remaining unemployed is not only against their own interest but also a national waste. A policy of persuasion rather than coercion to engage under trial prisoners in work was thus advocated and if they chose to work, they were to be paid wages. But in practice when they opt to work, they are employed on prison services and are in lieu thereof given labouring diet and no wages. Recently, the criminal law has provided that the period of detention as under trial shall be counted towards the sentence of imprisonment. This will mitigate some hardship but will not by itself encourage under trials to volunteer for work. Quite a large number of under trial prisoners are detained in jails for long periods as they are unable to afford fees of lawyers to defend them. In recent years the government has given some attention to this problem and efforts are being made to give free legal aid to the poor. If this facility is extended to a large number of poor persons, it would not only in the long run result in the shortening of the period of detention of under trials but might in some cases result in acquittal also.

Reformation of Women Prisoners:

The women prisoners should be treated more generously and allowed to meet their children frequently. This will keep them mentally fit and respond favourably to the treatment methods. A liberal correctional and educational programme seems necessary in case of women delinquents. Particularly, the women, who fall prey to sex offences, should be treated with sympathy and their illegitimate children should be assured an upright life in the society. The idea of setting up separate jails for women provides the free environment for providing special treatment to them. The first women jail was established in Maharashtra at Yarwada. Conformity with strict prison discipline is no guarantee that the prisoner has really transformed into a law-abiding citizen¹⁷.

Prison Reform as a Catalyst for Social Change in India

The reform of the prison system is often based on the belief that it can be achieved without fundamental societal changes. The liberal perspective suggests that fundamental changes in the prison system can occur without societal changes, while the radical perspective suggests that these changes can only occur through radical changes in society. Prisons are crucial institutions that protect society from criminals and confine people against their will. Social change is driven by human psychology, as humans are naturally curious and eager to discover new experiences. As a result, traditions and customs in society constantly evolve, and new methods are developed to replace old ones. Change is the law of life, and when it doesn't occur at the right time, revolutions occur. The causes of social change can be short-term trends or long-term developments, and can be cyclic or one-directional. The mechanisms of social change can be varied and interconnected, and several models can be combined to explain social change. Criminal law aims to protect society from crime and criminals, and courts must award proper sentences based on the nature of the offense and the manner in which it was committed.¹⁸ It is expected that the courts would operate the sentencing system so as to impose such sentence which reflects the conscience of the society and the sentencing process has to be stern where it should be. Law relating to prisoners is the main area where the instrumentality of law has proved social change in the punishment of offenders. The journey was started from the Giasuddin Case¹⁵, in 1977.

“The law indicates that the germs of the crimes are within the society, then why to punish the offenders, in fact they should be reformed and rehabilitated. He is like a sick person and by becoming a prisoner, he does not cease to be a person. Justice Krishna Iyer has stated that ‘prisoners are built with the stones law. The prisoners have many rights while serving their sentence, some of them are;

- *Reading and writing books in jail*
- *Liberal use of parole*
- *Segregation of prisoners*
- *Right to interview*
- *Releasing the prisoner on temporary bail to perform sacred ceremonies*
- *Release on bail of under trial prisoner under NDPS, etc.”¹⁹*

¹⁷ Jyotsna Shah: Studies in Criminology & Probation Services in India.

¹⁸ Sevaka Permual v. State of Tamil Nadu, AIR 1991 SC 1463. ¹⁵

Mohd. Giasuddin v. State of A.P., AIR 1977 SC 1926.

¹⁹ Penology: Sentencing Process and Treatment of Offenders.

Prison reform in India is not merely a matter of infrastructure or administration; it is intricately linked to the ideals of human rights, social justice, and rehabilitation enshrined in the Indian Constitution. The prison system in India has historically been rooted in colonial-era policies, focusing more on punishment than reform. However, in recent decades, especially with the active role of judiciary and civil society, there has been a paradigm shift towards a reformative and rehabilitative model of imprisonment, aimed at reintegrating prisoners into society. The increasing population of undertrial prisoners, overcrowding in jails, poor living conditions, lack of access to healthcare, and instances of custodial violence underscore the urgent need for comprehensive prison reforms.²⁰

The Indian Constitution, under Entry 4 of List II (State List) of the Seventh Schedule, places the subject of prisons under the jurisdiction of State Governments. Despite this, the Supreme Court of India has laid down numerous guidelines ensuring minimum standards for prisoner treatment, recognizing that prisoners do not lose their fundamental rights merely because of incarceration. Article 21, which guarantees the right to life and personal liberty, has been expansively interpreted to include the right to live with human dignity even within prison walls. Further, Article 14 (Right to Equality) and Article 19 (Freedom of Speech and Expression) also find limited yet significant application within the prison setting.

Statutory provisions include the Prisons Act, 1894, which governs prison administration but has often been criticized for being outdated. Additionally, the Model Prison Manual, 2016, developed by the Ministry of Home Affairs, seeks to modernize prison administration by recommending practices like open prisons, vocational training, conjugal visits, and more effective grievance redressal systems. However, adoption of these recommendations varies across states.

Judicial intervention has been a cornerstone in the transformation of prison conditions in India. The Supreme Court in “Sunil Batra (I) v. Delhi Administration [(1978) 4 SCC 494]” laid down the foundation by holding that the use of bar fetters and solitary confinement without due process violated Article 21. More recently, in *Inhuman Conditions in 1382 Prisons, In Re*, [(2021) SCC OnLine SC 462], the apex court, continuing from earlier orders, emphasized the need for implementation of proper living standards, monitoring custodial deaths, and addressing mental health issues in prisons.²¹

In “Supreme Court Legal Services Committee v. Union of India [(2021) 5 SCC 453]”, the Court directed the Union and State Governments to make efforts to reduce the number of undertrials through speedy trials, plea bargaining, and adoption of technology-based alternatives like video conferencing. It reaffirmed that the presumption of innocence until proven guilty cannot be negated by long incarceration of undertrials, which forms a major part of India’s prison population (approx. 77%, as per NCRB 2022).

²⁰ Dalal, Rajbir, and Rekha Chauhan. "Prison reforms in India: Emerging issues." *Asian Journal of Multidimensional Research (AJMR)* 8, no. 6 (2019): 243-254.

²¹ Jain, Muskan. "Prison Reforms in India." *Indian JL & Legal Rsch.* 3 (2021): 1.

A significant case in the direction of humane prison administration was “Shaheen Welfare Association v. Union of India & Ors., (W.P. (C) No. 553/2021)”, where the Bombay High Court held that jails are overcrowded and that alternative mechanisms such as community service, bail liberalization, and non-custodial sentencing must be explored for non-violent offenders.

In “Mohd. Arif v. State (Govt. of NCT of Delhi) [2022 SCC OnLine Del 3602]”, the Delhi High Court raised concerns over the treatment of mentally ill prisoners and stressed that prison authorities must implement the Mental Healthcare Act, 2017. The Court held that failure to provide adequate mental healthcare to prisoners was a breach of their fundamental rights under Article 21.

Moreover, in “People's Union for Civil Liberties v. Union of India & Others [W.P. (C) No. 116/2021]” hearing before the Supreme Court the Court stressed the need for video conferencing facilities plus regular parole systems and digitized prisoner documentation to improve prison management transparency and efficiency. The courts show increasing agreement that correctional approaches should surpass punishment by focusing on rehabilitation and reintegration of prisoners. The Indian government developed multiple schemes for upgrading prison facilities through the entire country. The Government of India uses e-Prisons and ICJS (Inter-Operable Criminal Justice System) as part of National Mission for Justice Delivery and Legal Reforms to modernize prison documentation and develop better coordination between courts and legal organizations and penitentiary institutions. The Model Prison Manual from 2016 presents a range of progressive measures which include prisoner risk assessment and behavioral classification and conjugal visits combined with gender-responsive care and mechanisms to deal with prisoner complaints.²²

Several non-governmental organizations (NGOs) like “Tihar Jail’s Prison Reforms Programme, India Vision Foundation”, and “Commonwealth Human Rights Initiative” (CHRI) have played instrumental roles in providing legal aid, vocational training, and psycho-social counseling to prisoners, thereby bridging the gap between the prison world and society.²³

Prison reform evaluation requires proper legal analysis and an organized approach to develop comprehensive social progress. A prison policy must function through rehabilitation platforms while simultaneously providing training sessions with education that leads to an active return to society. Programs in prisons that enhance prisoner welfare conform to the international law set by the UN Standard Minimum Rules for the Treatment of Prisoners (Nelson Mandela Rules). The Indian correctional system needs to modify its approach through global human rights conventions since the country adopted the international agreements. The prison reintegration process faces multiple challenges due to prisoner experience of social devaluation and lack of stable employment combined with feelings of isolation. Two essential reform elements should be integrated into prisons: post-release monitoring for all inmates and housing programs while encouraging business

²² Amrit, Pratyay, Anshika Jaiswal, Vaibhav Uniyal, Radhey Shyam Jha, and Ambar Srivastava. "Prisoner's rights and prison reform in India: A legal critique." *International Journal of Health Sciences* 6, no. 3 (2022): 10933-10943.

²³ Chatterjee, Chandrani. "Life of a Prisoner: A Legal Study System and Its Reforms in India." *Indian JL & Just.* 9 (2018): 141.

participation. Lawmaking should establish direct provisions for gender-specific prison requirements while also defending both LGPTQ+ prison inhabitants and female prisoners.²⁴

Conclusion

Indian prison reform serves as proof of national justice evolution because society now understands justice should focus on transformation rather than punishment. These days Indian justice has evolved from punitive laws of colonial times to use constitutional values such as dignity and equality and liberty as its foundation. Even though the Constitution and judiciary enforce Articles 14, 19, and 21 the current conditions of Indian prisons persist in being poor. The Indian prison system suffers from severe difficulties including high inmate densities along with insufficient personnel and a lack of appropriate healthcare services and a high frequency of deaths while in custody and extraordinary lengths of undertrial incarcerations. Through notable decisions the Indian judiciary has developed into a force that emphasizes respect and protections during legal proceedings.

The Model Prison Manual of 2016 alongside the Model Prisons Act of 2023 serve as two major reform initiatives that push for standardized prison management and bring in open prison programs and vocational training facilities as well as electronic record systems. The advancement of aftercare programs together with legal aid and psychosocial assistance is primarily due to the efforts of committees and NGOs. The focus on gender-sensitive and child-specific correctional frameworks, particularly through the Juvenile Justice Act, affirms India's commitment to restorative justice.

The process of prison reform remains isolated from broader social reforms while requiring integration between the two approaches. Restoring offenders including women together with juveniles and mentally ill people demands sustained post-release support from communities and businesses in addition to population-wide participation. Prison authorities need to see inmates beyond their past criminal actions because each inmate holds potential for transformation. India needs to take two parallel actions: first physically redesign prisons and secondly reshape public perspectives about the meaning of imprisonment. A newly reformed prison system will evolve personal development in inmates alongside driving societal progress towards both social inclusivity and fair treatment of all citizens through its correctional institution reforms.

²⁴ Amrit, Pratyay, Anshika Jaiswal, Vaibhav Uniyal, Radhey Shyam Jha, and Ambar Srivastava. "Prisoner's rights and prison reform in India: A legal critique." *International Journal of Health Sciences* 6, no. 3 (2022): 10933-10943.