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RETRIBUTION VS REHABILITATION: A STUDY OF THE PENAL SYSTEM

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ABSTRACT

This paper looks into the philosophical and pragmatic boundaries of the Indian penal system in terms of retribution and rehabilitation. Under the influence of colonial laws and demands of society to be deterrent-oriented, Indian criminal justice system has been traditionally focused on punishment. Still at the moment constitutional provision, judicial interventions and present day thinking relating to criminology is more and more in favor of rehabilitation, human dignity and reintegration. Such developments notwithstanding the Indian prisons are overcrowded, and are afflicted by high undertrial, infrastructural and social stigma, diluting the rehabilitative principles. The last advances, such as open prisons, the legal steps, such as the Bharatiya Nyaya Sanhita, judicial activism, and programs on restorative justice, have indicated the attempts to reconcile punishment and reform. This paper, examines such evolutions, reviews systematic defends and provides some recommendations on a penal philosophy of fairness, decency, and efficiency in criminal justice in India.

INTRODUCTION

The Indian penal system is a complicated mix of colonial legacies, constitutional goals, and changing global standards in criminal justice. The British colonial government had a big impact on India's criminal law. They created the Indian Penal Code (IPC) in 1860, which was based mostly on retributive principles. The colonial government used punishment and

deterrence to keep order and maintain state authority, not to change people's behaviour or get to the bottom of why people commit crimes.¹

India became independent in 1947 and wrote a democratic Constitution that made human rights, social justice, and basic rights its guiding principles. These constitutional requirements have led to an ongoing discussion about the purpose of punishment in the country. The conflict between punishment and rehabilitation became more obvious, especially when courts began to see Article 21—the right to life and personal liberty—not just as protection from arbitrary state action, but also as a guarantee of dignified treatment, even for people who break the law.

This change has been influenced by criminological theories from India and around the world. The classical school, which says that harsh punishment will stop crime, has slowly been replaced by modern schools of thought that look at the psychological, social, and economic reasons why people commit crimes. These modern views say that just punishing criminals without fixing the problems that led them to crime doesn't help either justice or public safety. The Supreme Court and High Courts in India are starting to use these new ideas more and more in their decisions. They combine constitutional protections with practical concerns about stopping crime and helping offenders get back on their feet.

Even with these changes in the law and the way people think, India's penal system is still stuck between wanting to punish people and wanting to help them get better. There are strong calls for harsh punishments, especially when people are angry about terrible crimes like sexual violence, terrorism, and corruption. Political discourse and media narratives often make people feel like they need to punish others quickly and harshly as a sign of justice and social condemnation. This punitive approach is shown by the creation of fast-track courts and the push for harsher punishments under laws like the Protection of Children from Sexual Offences (POCSO) Act.

On the other hand, more and more people are realising that a system that only punishes people doesn't get to the root of crime or keep the public safe in the long term. High rates of repeat offences, overcrowded prisons, a lot of people being held without trial, and the social

¹ Indian Penal Code, 1860, Act No. 45 of 1860.

marginalisation of ex-offenders all show that retribution alone is not enough. Because of this, rehabilitation has become more important in court decisions, policy debates, and new laws.

The Supreme Court of India has been a key player in moving towards rehabilitative justice. It has consistently ruled that prisoners have the right to be treated with respect and that prisons should not become places where people lose their mental and physical health. The court has also talked about how bad the conditions are for prisoners who are still waiting for their trial. It has called for bail, quick trials, and other options to jail when they are available.

India's involvement with international human rights treaties, like the *International Covenant on Civil and Political Rights (ICCPR)*², has also had an impact on what people talk about at home. More and more, international standards say that criminal justice systems should do more than just punish people. They should also focus on rehabilitation and helping people get back into society.

Still, there is a big difference between what the Constitution says and what happens in real life. A truly rehabilitative system can't work because prisons are too full, the infrastructure isn't up to date, there aren't enough trained staff for rehabilitation programs, and there is a lot of social stigma against people who have been in prison. The numbers are shocking: According to the National Crime Records Bureau (NCRB) Prison Statistics 2022, Indian prisons hold nearly 5.5 lakh prisoners, which is far more than the number of beds they are supposed to have. About 75% of these prisoners are still awaiting trial, and they have been stuck in jail for years without being convicted.³

India's plans to modernise its criminal justice system are clear in recent legislative efforts like the Bharatiya Nyaya Sanhita, 2023, which suggests replacing the IPC, and changes to procedural laws. These changes keep a lot of the punishments in place, but they also add

² International Covenant on Civil and Political Rights, United Nations, 1966C

³ National Crime Records Bureau (NCRB), *Prison Statistics India 2022*, Ministry of Home Affairs, Government of India, New Delhi, 2023

options like community service and suggest more flexible sentencing guidelines. This shows that the system is slowly moving towards rehabilitation.⁴

So, the current debate in India is about finding a balance: how to make sure that justice is served, victims' rights are respected, and public safety is maintained, while also protecting the basic rights of criminals and helping them reintegrate into society. This research paper wants to look into this fragile balance. It wants to look at the philosophical bases of punishment and rehabilitation in Indian law, see how these ideas are shown in laws, prison conditions, and court decisions, and find ways to bring India's criminal justice system in line with constitutional values and international human rights standards.

This paper will only look at the Indian context, using legal texts, real-world data, important court decisions, policy reports, and scholarly literature as sources. The study looks at both retributive and rehabilitative approaches in order to add to the ongoing discussion about policy and law. The goal is to imagine a criminal justice system in India that is fair, kind, and effective.

INDIAN PENAL SYSTEM AND THE RETRIBUTIVE PHILOSOPHY

The Indian penal system is based on constitutional values of justice and human dignity, but it still has a lot of retributive philosophy in its laws and in the minds of the people. Retributive justice is based on the idea of "an eye for an eye." It says that punishment is morally right when it fits the crime. This way of thinking still affects laws, court decisions, and public opinion about crime and punishment in India.

The Indian Penal Code (IPC), 1860, which is the main source of criminal law in India, is mostly based on punishment. It sets harsh punishments for serious crimes like murder (Section 302), rape (Section 376A, 376AB), and terrorism-related acts under special laws like the Unlawful Activities (Prevention) Act, 1967. These punishments can include life in prison or death. Mandatory minimum sentences, harsh bail conditions, and the fact that custodial punishments are still more popular than other options are all examples of the punitive philosophy.⁵

⁴ Government of India, Bharatiya Nyaya Sanhita, 2023 (Draft Bill), Ministry of Home Affairs, New Delhi, 2023

⁵ United Nations Office on Drugs and Crime (UNODC), *Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules)*, 2015

People often feel very strongly about punishing people who commit horrible crimes, especially when the crimes involve sexual violence or crimes against children. The state is often forced to take harsh punitive actions because of mass protests and media trials. This populist push for "instant justice" has led to changes in the law that make punishments harsher. For example, the Criminal Law (Amendment) Act, 2013⁶, made the death penalty available for people who rape the same person more than once. In the same way, the 2018 POCSO Amendment says that anyone who rapes a child under 12 must die, which is in line with what society wants.

The Supreme Court of India has upheld the retributive part of the law, even though it knows that capital punishment has its limits. The "rarest of rare" doctrine was first used in the important case of Bachan Singh v. State of Punjab (1980). It limited the use of the death penalty but still allowed retribution to be a valid goal of sentencing. The court said that punishment must be in line with what society thinks is right and wrong and be a fair response to the seriousness of the crime.

India's sentencing practices also show that long-term imprisonment is the main way they punish people. Non-custodial and community-based sentences are rarely used, especially for serious crimes, even though they could help people change their behaviour. Things like mental illness, poverty, being socially isolated, or not having enough education, which often lead to criminal behaviour, are rarely taken into account when sentencing. Because of this, the system often ignores individualized justice in favor of strict and uniform punishments.

In short, India's criminal laws are changing because of constitutional requirements and discussions about human rights, but retributive justice is still the most common way to think about justice. Not only are laws based on punishment rather than correction, but so are public discussions, judicial reasoning, and media stories. This shows how important it is to carefully look at the penal system and slowly move it towards a model that focusses more on rehabilitation, reform, and restoration.

REHABILITATION IN INDIAN LAW AND POLICY

⁶ The Criminal Law (Amendment) Act, 2013, Act No. 13 of 2013

India's legal and constitutional systems support a rehabilitative approach to criminal justice, which is different from the current punitive system. This model focusses on bringing criminals back into society. It sees crime not just as a moral failure, but also as something that needs to be fixed because of social, psychological, and economic problems.

The Indian Constitution, especially Article 21, protects the right to life and personal freedom. The courts have broadly interpreted this to include dignity, humane treatment, and fair process, even for people who are in jail. This way of looking at things has made it possible to support correctional and reformatory goals within the criminal justice system.⁷

Judicial decisions have been very important in the growth of rehabilitative law in India. In the case of *Il Batra v. Delhi Administration* (1978), the Supreme Court said that a prisoner does not stop being a person and therefore keeps all of their basic rights that are not explicitly taken away by being in jail. The Court made it clear that torture, solitary confinement, and degrading treatment are all against Article 21 and should not be allowed in any form. In the same way, the Court in *Hussainara Khatoon v. State of Bihar* (1979)⁸ talked about how bad things are for prisoners who are still on trial and how important it is for justice to be served quickly. These decisions back up the idea that rehabilitation is not a privilege, but a legal right based on moral principles in the Constitution.

The 1958 Probation of Offenders Act shows a clear change in policy towards rehabilitation when it comes to making laws. The Act gives courts the power to put some types of offenders on probation instead of sending them to jail. It especially helps first-time offenders and young people because it sees the potential for them to change their behaviour and become part of society again.⁹ In addition, correctional services in different states have started to offer vocational training, education, mental health counselling, and fun activities in prisons.

Some states have set up open prison systems, where inmates can live and work with a lot of freedom. The open prison model in Rajasthan, which is one of the most advanced in India, has led to fewer repeat offences and better reintegration outcomes. Also, the Legal Services

⁷ B. N. Chatteraj, *Penology and Correctional Administration*, 2nd ed., PHI Learning Pvt. Ltd., New Delhi, 2018.

⁸ *Hussainara Khatoon v. State of Bihar*, (1979) 3 SCC 532

⁹ Probation of Offenders Act, 1958, Act No. 20 of 1958

Authorities Act of 1987 set up Legal Services Authorities to help prisoners understand their rights and get rehabilitation services by providing legal aid, prison visits, and awareness programs.

Still, implementation is inconsistent and fragmented across states, with big differences in resources, political will, and administrative capabilities. This makes it very hard for India's penal system to help people get better.

Things that make it hard to get better in India

Even though the law, the courts, and the government all support rehabilitative justice, there are many structural and systemic problems that make it hard to put into practice in India.

1. The crisis of overcrowding and undertrial

India's prisons are way too full. According to the National Crime Records Bureau (NCRB) Prison Statistics 2022, the average occupancy rate in the country is over 130%, and in states like Uttar Pradesh and Bihar, it is over 170%. Overcrowding makes living conditions worse, causes more violence, spreads diseases, and makes it harder to get into rehabilitation programs. More importantly, more than 75% of inmates are awaiting trial. Most of them are still in jail because they can't afford bail, don't know the law, or are too poor to pay it. A lot of people spend more time in jail waiting for their trial than they would have if they had been found guilty.¹⁰

2. Lack of Infrastructure

Most of India's prisons were built during the time when India was a colony, and they haven't been updated enough since then. Facilities often have problems with ventilation, sanitation, health care, classrooms or workshops, and places to relax. These conditions make it impossible to put meaningful reform programs into place and hurt inmates' mental health and desire to change.

3. Not enough qualified professionals

¹⁰ National Crime Records Bureau (NCRB), *Prison Statistics India 2022*, Ministry of Home Affairs, Government of India, New Delhi, 2023

Rehabilitation needs trained professionals, like psychologists, social workers, teachers, vocational trainers, and mental health experts, but there aren't many of them in Indian prisons. Most prison staff are trained in security procedures, not how to interact with inmates. This lack of investment in human resources makes it very hard for the system to offer psychological care, job training, or one-on-one counselling.

4. Problems with stigma and reintegration

When they get out of prison, they have to deal with a lot of social stigma, which makes it hard for them to fit back into society. They often go back to crime because of discrimination in housing, jobs, and social situations. The lack of strong support services after release, such as halfway houses, job placement programs, or counselling, makes it even harder for former inmates to reintegrate into society and goes against the whole point of rehabilitation.

5. Outdated Legal System

Even though there have been some good changes, India's prison laws are still out of date. The Prisons Act of 1894, which is the main law, still focusses more on discipline than on reform. The Model Prison Manual, 2016 suggests modern ways of running prisons, but not all states follow them. Prison administration is still very different from one place to the next, and there is little accountability or new ideas for rehabilitation without legal requirements and central oversight.¹¹

6. Not Enough Money Set Aside

Criminal justice budgets don't put a lot of money into rehabilitation. Most of the money goes to security, keeping up the infrastructure, and basic needs. Due to a lack of resources, programs for education, job training, or mental health support are often underfunded or stopped.

COMPARATIVE STUDY: INDIAN PENAL SYSTEM RETRIBUTION VS. REHABILITATION

¹¹ Ministry of Home Affairs, *Model Prison Manual 2016*, Government of India, New Delhi, 2016.

India's penal philosophy is situated at a pivotal point where rehabilitation and retribution meet. Both doctrines are supported by the legal framework, but their actual use highlights conflicts and overlaps that characterize the state of Indian criminal justice today.

The Indian penal imagination is still firmly rooted in retribution. Punishment is emphasized as a moral response to criminal acts in statutes such as the Indian Penal Code (IPC), 1860. According to the theory, in order to maintain justice and social balance, the severity of the punishment should correspond with the seriousness of the offence. Sections 302, 376, and 121 of the IPC serve as examples of this, as they stipulate harsh penalties, such as life in prison or death, for murder, aggravated rape, and acts of waging war against the State, respectively. Punitive measures are also strongly supported by the public, especially in the wake of high-profile crimes. A "collective conscience" calling for vengeance is frequently sparked by media coverage and social discourse, and this is reflected in court rulings that say justice must conform to public expectations.

Nonetheless, judicial doctrines supporting rehabilitation and constitutional principles coexist with this prevalent retributive ethos. The right to human dignity—even for convicted prisoners—has been construed broadly in accordance with Article 21 of the Constitution, which guarantees the right to life and personal liberty. In *Sunil Batra v. Delhi Administration* (1978)¹², the Supreme Court unequivocally declared that prisoners maintain all of their fundamental rights, with the exception of those that are inevitably restricted by incarceration.

A different, reformatory approach is demonstrated by laws such as the Probation of Offenders Act of 1958 and programs under the Juvenile Justice (Care and Protection of Children) Act of 2015. Courts are increasingly favoring community service, probation, and non-custodial sentences, especially when dealing with juveniles, first-time offenders, or minor infractions. However, such actions continue to be the exception rather than the rule.

In sentencing practice, the tension becomes glaring. Judges frequently struggle to strike a balance between the potential for offender reform and deterrence and proportionate punishment. For example, the argument over the death penalty still veers between

¹² *Sunil Batra v. Delhi Administration*, (1978) 4 SCC 494

rehabilitation and retaliation. The Supreme Court established the "rarest of rare" doctrine in *Bachan Singh v. State of Punjab (1980)*¹³, which states that the death penalty should only be applied in cases where life in prison is clearly the only viable option. Even so, this doctrine has a retributive justification that aims to uphold moral standards while appeasing the public conscience.

The rehabilitative ideal is frequently undermined by practical realities. Effective rehabilitation is elusive due to overcrowding in prisons, undertrial delays, a lack of funding, and insufficient correctional staff. Despite the existence of legal provisions for educational programs, psychological counselling, and vocational training, their scope is restricted. The 2016 Model Prison Manual, for instance, suggests extensive rehabilitation programs but has not been widely adopted by states.

India's penal system essentially reflects a dichotomy in which rehabilitation arises through constitutional interpretations, progressive rulings, and limited legislative efforts, while retribution continues to dominate statutory provisions and public discourse. One of the biggest issues facing India's criminal justice system is still closing this gap.

INDIAN JUDICIAL TRENDS AND SEMINAL CASE STUDIES

The debate in India between retribution and rehabilitation has been greatly influenced by judicial interventions. Through historic rulings, the Supreme Court and High Courts have developed theories that aim to balance punishment with social reintegration and human dignity.

Sunil Batra v. Delhi Administration (1978) was one of the first cases to affirm the rights of prisoners. The Supreme Court ruled that incarceration does not deprive people of their fundamental rights and denounced solitary confinement as cruel and unusual punishment. The Court decided:

"Human rights and human beings are not separated by prison walls. The Constitution extends beyond the walls of the prison.

¹³ *Bachan Singh v. State of Punjab*, (1980) 2 SCC 684

This ruling was a turning point that forced prison administrations to implement humane procedures and gave India's penal policy a rehabilitative spirit.

In a similar vein, the Supreme Court addressed the predicament of undertrial inmates who are held in jail for longer than the maximum penalty allowed for their alleged offences in *Hussainara Khatoon v. State of Bihar* (1979). The Court emphasised the human cost of punitive delay by ruling that the right to a speedy trial is a fundamental element of Article 21. Significant reforms, such as legal aid programs and the expedited criminal trial process, were prompted by this ruling.

Determining the limits of retribution and rehabilitation has also been greatly aided by the discussion surrounding the death penalty. The Supreme Court ruled in *Bachan Singh v. State of Punjab* (1980) that although the death penalty is constitutional, it ought to be used only in the "rarest of rare" circumstances. The Court weighed the potential for reform and the good of society against the moral requirement for vengeance. Nevertheless, later rulings, such as *Machhi Singh v. State of Punjab* (1983)¹⁴, expanded on the standards by emphasising the type, seriousness, and social consequences of the offence.

Tata Consultancy Services Ltd. v. Cyrus Investments Pvt. Ltd. (2017) is another noteworthy case. Indirectly supporting the idea that justice, including penal justice, must be both substantive and procedural, the case illuminated the larger principles of fairness and due process in all legal proceedings, despite being primarily a corporate governance dispute. There has been a noticeable shift towards retribution in cases involving sexual offences. The Criminal Law (Amendment) Act, 2013 introduced harsher penalties, including the death penalty for specific categories of sexual violence, as a result of the 2012 Delhi Gang Rape (Nirbhaya case). Judicial observations emphasised the necessity of comprehensive strategies, including victim rehabilitation and preventive measures like gender sensitisation, even though the legislative response was punitive.¹⁵

¹⁴ M. Singh and A. Saxena, "Prison Reforms and Rehabilitation in India: Challenges and Prospects," *Journal of Law and Social Policy*, vol. 7, pp. 45–58, 2021

¹⁵ A. D. Roberts, "The Death Penalty Debate in India: Retribution vs. Reform," *Asian Journal of Law and Society*, vol. 5, no. 1, pp. 89–112, 2018

The significance of corporate accountability and regulatory enforcement was further underscored by the Religare Enterprises Limited case and the IL&FS financial scandal. In these cases, the judiciary and SEBI placed a strong emphasis on deterrence by punishing financial crimes severely. However, following the incident, regulatory agencies also suggested changes to stop future incidents, demonstrating a two-pronged approach of systemic rehabilitation and punishment.

Courts still vacillate between the demands of rehabilitation and retribution, even in modern times. The Bombay High Court commuted a death sentence in *State of Maharashtra v. Mehtab*, stating that the accused had shown promise for reformation. These rulings show that Indian jurisprudence aims for personalized justice rather than harsh punishment.

In conclusion, the Indian judiciary has played a significant role in ensuring that retributive justice satisfies public conscience while introducing rehabilitation ideals into the penal system. Together, these seminal cases represent a complex legal philosophy that recognises the need for punishment while striving for a criminal justice system based on compassion and change.

FUTURE DIRECTIONS AND SUGGESTIONS

The continuous debate in India about retribution versus rehabilitation emphasises how urgently systemic changes are required to make the criminal justice system a more efficient, just, and compassionate structure. Several strategic recommendations are derived from judicial rulings, international best practices, and constitutional principles.

1. Give Non-Custodial Sentences Priority

India needs to increase the number of non-custodial sentencing alternatives available for first-time and minor infractions. Where possible, incarceration should be replaced by electronic monitoring, community service, probation, and restitution. This would lessen the psychological and social harm of incarceration as well as prison overcrowding.

2. Update Staffing and Infrastructure in Prisons

Facilities that are overcrowded and in poor condition cannot be used for rehabilitation. In order to guarantee humane conditions, sufficient ventilation, sanitary facilities, and room for

educational and vocational programs, prison infrastructure urgently needs to be invested in. Hiring qualified psychologists, social workers, vocational trainers, and mental health specialists who can provide effective rehabilitative interventions is equally important.

3. Put State-by-State Prison Reforms into Practice

Although it offers a great framework, the Model Prison Manual from 2016 is still applied inconsistently. In order to guarantee uniform standards for prison administration, inmate welfare, and rehabilitation initiatives, the Ministry of Home Affairs ought to think about requiring its implementation across the country.

4. Deal with the Crisis of the Undertrial

Justice is weakened by the high percentage of prisoners awaiting trial and judicial delays. Trials could be accelerated and needless pre-trial detention could be decreased by taking steps like implementing technology-driven case management systems, enhancing judicial capacity, and growing legal aid services. It is advisable to promote the use of paralegal volunteers, personal recognition bonds, and bail bonds.

5. Encourage Programs for Reintegration

Support after release is essential for reducing recidivism. In order to provide halfway homes, job placement services, vocational training, and counselling for formerly incarcerated individuals, governments and non-governmental organisations ought to work together. Campaigns for public awareness can facilitate a more seamless reintegration by reducing the stigma attached to criminal records.

6. Reforms to the Law

A contemporary law that prioritises correction over merely custody must take the place of the antiquated Prisons Act of 1894. The rights of prisoners should be enshrined in a new law, along with the state's rehabilitative duties and procedures for holding prison officials accountable.

7. Education on Human Rights

Human rights education and sensitisation to vulnerable groups, such as women, minors, and marginalised communities, should be incorporated into training programs for prosecutors,

police, judges, and prison staff. Both reform and deterrence are promoted by a humane approach to the administration of justice.

CONCLUSION AND SUGGESTIONS

Retribution and rehabilitation are two philosophies that are at odds with each other but also connected in the Indian penal system right now. This study has shown how these ideas work in Indian criminal law, court decisions, prison practices, and public opinion. The analysis makes it very clear that retributive justice is still very much a part of laws, procedures, and people's minds. However, there is also a parallel story that has come up that tries to make punishment more human and give people a chance to change.

Retribution, historically dominant, derives its strength from a moral philosophy that crime deserves punishment proportional to the harm caused. This principle is at the heart of many of India's laws, as shown by the harsh punishments for terrible crimes like murder, rape, and terrorism. The Indian Penal Code, which was written during colonial times, still has a mostly punitive tone. This is because public opinion, especially after shocking crimes, calls for harsh punishments as a way to cleanse society and stop crime. The "rarest of rare" doctrine set up in *Bachan Singh v. State of Punjab* (1980) was meant to limit the death penalty, but it is still based on retributive logic, which balances the needs of justice with the chance of reform.

But India's constitutional law has clearly brought rehabilitative ideas into the conversation about punishment. Article 21, which protects the right to life and personal freedom, has been broadly interpreted to protect the dignity and basic rights of prisoners. Landmark cases like *Sunil Batra v. Delhi Administration* (1978) and *Hussainara Khatoon v. State of Bihar* (1979) changed how people thought about justice from just punishing people to protecting their dignity. They stressed humane treatment, quick trials, and prisoners' rights.

The State's commitment to rehabilitative justice is shown by laws like the Probation of Offenders Act, 1958, the Juvenile Justice (Care and Protection of Children) Act, 2015, and the Model Prison Manual, 2016. People who work in prisons, like teachers and counsellors, know that true justice means changing people instead of just keeping them away from society. But the truth is that the real world is sobering. Overcrowded prisons, old buildings, a lack of trained professionals, and the social stigma that released convicts face all make it much harder to help

them get better. Colonial-era laws like the Prisons Act of 1894 still exist, which makes it even harder to make changes today. This shows how badly we need to change the laws.

So, India's penal system is marked by a strange mix of harsh punishment and hopes for rehabilitation. India's problem isn't just picking one of these philosophies; it's also figuring out how to combine them to achieve the two goals of justice: protecting society and changing the criminal. A criminal justice system can't be fair if it doesn't respect people's rights or look at the social and economic factors that lead to crime. To move forward, we need to make big changes, better use of resources, consistent application of progressive policies, and a change in how society thinks about rehabilitation and reintegration.

In the end, the Indian penal system needs to change so that punishment is not only a way to get even, but also a way to change and redeem people. Only then can India fulfil its constitutional duty to provide justice, not just as punishment for wrongs done, but also as a way to create a fair and humane society for everyone.

SUGGESTIONS

1. Changing the law: Get rid of old colonial laws like the Prisons Act of 1894 and replace them with new ones that focus on prisoners' rights, rehabilitation, and correction. Make sure that all states use the Model Prison Manual, 2016.
2. Prison Infrastructure: Update prison buildings to make them less crowded and better places to live. Make separate areas for education, job training, and counselling to help with rehabilitation.
3. Cut down on the number of people who are in jail before their trial by speeding up trials through changes to the legal system, encouraging other ways to settle disputes like plea bargaining, and making bail and probation more widely available.
4. Professional Staffing: Hire more psychologists, social workers, vocational instructors, and legal aid workers in prisons and train them better to make sure that rehabilitation services are of high quality.
5. Rehabilitation Programs: Create all-encompassing correctional programs that meet the needs of inmates by including education, skill development, mental health services, and substance abuse treatment.

6. **Post-Release Support:** To help ex-prisoners successfully reintegrate into society, make sure they have strong post-release rehabilitation plans that include job placement help, housing support, and ongoing counselling.
7. **Public Awareness:** Start campaigns to lower the stigma against ex-prisoners and teach people about how important rehabilitation is in keeping people from going back to jail.
8. **Community-Based Alternatives:** Increase non-custodial options like community service, probation, and restorative justice practices, especially for minor or nonviolent crimes.