

## **ROLE OF CORRECTIONAL INSTITUTIONS IN INDIA: CHALLENGES AND EFFECTIVE COUNTERMEASURES**

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### **ABSTRACT**

The current penitentiary structure's primary focus on punitive and retributive forms of punishment is ill-suited in safeguarding human dignity. Various sociologists, thinkers, jurists and lawmakers have been advocating various reforms in the prison system all across the world. It is now widely accepted that punishment alone fails to reform the wrong doer. It must be accompanied by some methods to motivate and mould the conduct from bad to good and from wrong to right. It must develop the humane faculties and sensitise them to live and let live. In this light role of correctional institutions becomes important to shift the emphasis from confinement to training; restriction to re-education and; punishment to reform and rehabilitation. The reformatory theory of justice postulates removing the dangerous degeneracy in a criminal and afford them a chance to make a fresh start and lead an honest life. This ensures fundamental human dignity, a most essential constitutional and human right.

In this paper an attempt has been made to discuss the need and justification of correctional reforms in the form of noncustodial sanctions, non-institutional methods to address criminality. It delves into focussing on therapeutic jurisprudence and restorative justice. This paper further focuses on the new alternatives to imprisonment in criminal justice system such as Open-Air Prisons, community services and modernization of prisons. It focuses on means and methods adopted by open air prisons, community services and other prison programs in inculcating vocational training, skills, meditation and yoga as a means to rehabilitate the offender. At the end the paper delves into suggestive correctional reforms, which can be incorporated to shift towards more humane practice and

emphasising on the need of treating the criminality in the prisoners rather than isolating and excluding them from the society.

### A. Introduction

*"The purpose of the criminal justice system is both to rehabilitate and to punish. If we can rehabilitate somebody, that's a huge, huge win."* -**Blake Farenthold\***

Internationally, it becomes a well-accepted rule that the correctional mechanism in criminal justice administration should comply with reformative policies. It is also declared that all prisoners shall be treated with respect due to their inherent dignity and value as human beings. The doctrine behind punishment for a crime has been changed a lot by the evolution of new human rights jurisprudence. The concept of reformation has become the watchword for prison administration. Human rights jurisprudence advocates that no crime should be punished in a cruel, degrading or in an inhuman manner. This concept of reform has led prison systems to be called correctional institutions. With the evolution of prison reforms and prisoners' rights across the globe, the punitive reaction approach paved the way to a scientific societal approach to treat and cure the prisoners. Restoration is not a soft option, as many prisoners find it extremely difficult to face up to the impact of their crimes. The corrective initiative philosophy or rationale was to reform or restoration. Restoration is the shift from retribution and vengeance shall focus on physical, behavioural, emotional, and restoration of dignity. Perseverance of restoration in prisons shall be a continuous process that would be a great investment to everyone.

The fundamental objective of correctional institutions is rehabilitation, whether such institutions are prisons, juvenile homes, observation homes, women protective homes, and other types of shelters. Like many other countries, India has been strongly influenced by the so-called treatment and rehabilitation concepts, and strongly believe in the possibility of being able to treat and rehabilitate offenders. The treatment process within the prisons is clearly directed towards the preparation for an eventual return to the community as law abiding and socially productive citizens. Correctional facilities are an

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\*Quoted by Bhawna Gandhi and Muneeb Rashid Mali, "The Transforming Landscape of Prisons of India: A Radical Approach", *International Journal of Legal Science and Innovation*, Vol. 2 Issue 2; 659

indispensable component of the criminal justice system. The system cannot neglect the correctional and rehabilitative component. Correction in its broadest meaning entails redesigning, re-educating, and reforming the antisocial nature's character traits, mentality, and emotions that led to his incarceration or commitment to a few correctional groups. A person who was formerly a criminal is no longer required to remain a criminal. Criminal behaviour is the outcome of social, psychological, and intellectual factors, which are frequently treatable via compassionate expertise and medical treatment.

Correctional facilities focus primarily on crime prevention and offender rehabilitation. This is comparable to both disease prevention and disease treatment. The assumption of rehabilitation is that people are not permanently criminal and that it is possible to restore a criminal to a useful life, to a life in which they contribute to themselves and to society. A goal of rehabilitation is to prevent habitual offending, also known as criminal recidivism. Rather than punishing the harm out of a criminal, rehabilitation would seek, by means of education or therapy, to bring a criminal into a more peaceful state of mind, or into an attitude which would be helpful to society, rather than be harmful to society.

Correctional facilities are the most essential component of the criminal justice system. The purpose of the correctional system is to rehabilitate offenders so they do not violate the law again. It was hoped that by punishing the offender, many others would be deterred from breaking the law as well. In the penal system, there are two basic options: probation and incarceration, each of which imposes significant restrictions on one's rights. Corrections, centres, and other rehabilitative programs, including courts, juvenile court, correctional homes, rehabilitation centres, and correctional agents are component of the criminal justice system. The present correctional administration in India is making an effort of restoring through education, industrial work, vocational training, and engaging in various activities. In addition, therapeutic methods, yoga, meditation, etc. are practiced to bring a prisoner into a more peaceful state of mind.

### **B. Concept of Correctional Institutions**

No Society can be completely devoid of Crime and Punishment for every Crime is indispensable. Modern Criminologists, however, prefer to perceive criminals as 'sick' person who deserve 'treatment' in form of rehabilitation and reformation, instead of being

inflicted with retributive punishment. With the growing impact of Reformatory theory of punishment accompanied with demand to protect certain rights of prisoners ensuring fundamental human dignity, correctional institutional mechanism has come to light.

The term 'Correction' is more aptly applied to refer the rehabilitation of the offender. It is a generic term which implies to 'correct', 'amend' or 'put right' the criminal behavior. It is a concept of "self engineering chain" where the person is actor as well as reactor, an active participant in the development of self.<sup>†</sup> Some believe that it is a revolving door.

<sup>‡</sup>Rehabilitation is said to be based on consequentialism approach of punishment. The consequentialism approach postulates consequence of sentence. Rehabilitation is the one except deterrence and incapacitation. It has also one major limitation that it can be resorted to only after going through the whole process of criminal justice system.<sup>§</sup> Rehabilitation finds theoretical justification on the premise that offender commits crime because of unfavourable social circumstances. Hence it is an obligation of the society to intervene and right of the offender to take help from the society. Another justification is based on the utilitarianism of **Bentham**. That way should be adopted which produces greatest happiness of the greatest number of people. The rehabilitation theory also advances the concept of restorative justice.

So far as the grammatical meaning of the term "correctional institution" is concerned, it means any place designated by law for the keeping of persons held in custody under process of law, or under lawful arrest, including state prisons, county and local jails, juvenile detention homes, and other facilities operated by the government for the purposes of punishment, correction, or rehabilitation following conviction or adjudication of a criminal offense.

As per the **Websters Dictionary** it means a prison institution maintained by the government or a penal organization maintained with the assistance of the government. Detention camp, detention house, detention residence, residence of detention – A place where adolescent offenders may be temporarily detained (typically below the supervision of a juvenile court) Jail, jailhouse, pokey, poky, slammer, clink – an institution for holding

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<sup>†</sup> Donald T. Shanahan, *The Administration of Justice: An Introduction* 317-318 (Holbrook Press Inc., Boston). Cited in S.P. Singh Makkar, 'Correctional Objectives of Prison: A Critique on Justice Krishna Iyer's Correctional Meditation' 39 PULR 143 (1992).

<sup>‡</sup>*Ibid*

<sup>§</sup> Travis C. Pratt, Jacinta M. Gauet, al., *Key Ideas in Criminology and Criminal Justice* (Sage Publications. Inc., 2011), available at: - [http://www.sagepub.com/upm-data/36811\\_6.pdf](http://www.sagepub.com/upm-data/36811_6.pdf) (Visited on June 11, 2021)

prisoners in government custody (both accused individuals expecting trial or convicted individuals serving a sentence) Penal institution, penal organization – an institution where individuals are incarcerated for punishment and to safeguard the public penitentiary. a pen - a penitentiary for individuals guilty of serious crimes.\*\*

The modern reformatory techniques are institutional corrections which covers:††

1. Observation home
2. Children home.
3. Women protective home
4. Shelter home
5. Aftercare organization
6. Special home.
7. Prison
8. Short stay home.

### **C. Objectives and Task of Correctional Institutions.**

Reformation and rehabilitation are the main objective of correctional institutions. As Gandhi Ji said, *"Hate the sin and now no longer the sinner."* This phrase of Mahatma Gandhi must be stored in thoughts whilst doing criminal justice. The time has come for Indian Criminologists to depend greater on Patanjali Sutra as a clinical & healing for criminogenic elements than at the blind prison time set out within the Penal code & that can be why Western researchers now are looking for Indian Yogic system.

#### **(i) Discipline**

Inmate schooling via way of means of prepared courses, moulds them into the society's accountable people. The prepared and targeted timetable shall we the youngsters set up consistency inside them.

#### **(ii) Yoga**

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\*\* Webster's Encyclopedia Dictionary, 69 (1978, New America ed.)

†† Tapas Kumar Banerjee, Background to Indian Criminal Law 46- 47 (Orient Logmans, New Delhi, 1963).

Yoga is good for a prisoners' mental and physical development. Introduction of adolescent yoga activities such as Pranayama, Soorya Namaskar, Halasana, Vakrasana, Thriconasana, Bhujangasana, Padmasana, Dhanurasana, Mudrasana, Vakrasana, Shavasana, etc. This supports them with their everyday lives, which keeps them healthy during the day.

**(iii) Meditation**

Meditation provides to individual who consistently performs it with various conveniences. Many of the effects of exercise for adolescents or adult prisoners are holds him stress-free, decreases attention span, enhances digestion and metabolism, promotes functionality of the brain and mental health, etc. They will perform a light music early in the morning. Silence and quiet activity place the children in a pleasant and relaxed state during the day.

**(iv) Counseling**

Well-experienced counsellors will periodically educate the youth. Counseling is therefore relevant to improving the emotional health of youngsters. Strengthening their faith and removing the shame and other demoralizing impacts on their minds is an utter prerequisite.<sup>††</sup>

**(v) Vocational and skill training**

Institutions ought to recognise latent strengths and potentials inside a child through careful examination and internal evaluation of growing infant. There are times where the inmates must get additional experience and knowledge to excel in a certain field. A collection of vocational training courses run by NGOs for children in Homes was also prepared during a report on rehabilitation of children in dispute with the law . It has been noted that most organisations provide courses on beauty culture, programming courses that include count, MS Workplace, MS Excel, computers, laptop publishing, etc., and courses for cutting and tailoring that include dressmaking, weaving, apparel design. Typing and stenography are also widely available. Training to the inmates allows the child to learn his / her abilities thus making the inmates gain some income with the aid of appropriate resource persons. <sup>§§</sup>

**(vi) Computer Education**

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<sup>††</sup>Sharma, Parul, "Point of View", JIACAM, Vol. 1, No. 4, Article 6, National Law School of India University (NLSIU), Bangalore, India, (2005).

<sup>§§</sup>Shastri, Paromita and Thukrai, Enakshi Ganguly, Blind Alley Juvenile Justice in India, published by HAQ, Centre for Child Rights, (2010) at 11-24.

We are dependent on machine for everything in this fast-moving age. Of all fields of function machine is an essential element. Inmates have a chance to develop themselves with technological knowledge by digital education. Correctional Institutions help inmates for developing technical skills among them.

**(vii) Cultural Gathering**

Weekly community events will be part of friendly life-style organizations. It is also an important part for inmates overall growth. This will bring out the inmates secret abilities. Every Sunday, numerous programs that involve dance, drama, voice, etc are conducted. A self-disciplined and well-confident community would be created by this cultural gathering. This further inculcates social principles and improves their skills, raises their understanding, and creates a stronger and more optimistic mindset.

**(viii) Farming, Gardening & Animal Husbandry**

Farming, planting, and animal husbandry lead to the growth of entrepreneurial skills among young people, thereby allowing them to be successful until they are released and are alone.

**(ix) Sports & Games**

"All work and no play make Jack a dull kid" the proverb is true to any guy. Build their routine and get revived they need to be physically stressed. Daily sports and games will also be played without risking the health of the juveniles.

**(x) Individual care plan**

Section 39 of the JJ Act<sup>\*\*\*</sup> mandates the creation of a comprehensive treatment plan for each adolescent for recovery and social inclusion that addresses the requirements and support alternatives defined in the assessment process. It helps to define and manage all their concerns effectively. The adult care program will be revised at frequent intervals so it is stable and can meet a growing child's needs.

**(xi) Rehabilitation through professional course**

Research have found that deprivation is always the cause, though not the sole factor, for adolescents to fall into violence. Financial stability holds the key to children's sustainable growth. The easiest way to gain financial stability is when these kids pursue jobs in the

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<sup>\*\*\*</sup> Juvenile Justice (Care and Protection ) Act 2015,



best job environment. Technical classes may be connected to organizations via the universities. <sup>†††</sup>

#### **(xii) Post-release follow-up**

Institution will perform daily follow-up services on all inmates discharged to ensure that the inmates is not returned to a stressful position. Institution will hold the inmates and their families in daily touch. Daily follow-up practices aid reduces recurrence rates. Institutions will conduct semi-annual meetings to receive input from the youth on their present condition and to assess the additional measures required for their effective recovery. The programme's core goal is to ensure zero recurrence. Community, social workers from like-minded NGOs, SJPU police officers, Government Correctional Home for Boys Superintendent are also part of such services. The plan, for both parents and teenagers, provides adult and social counselling programs. Daily follow-up services help the children, and their families establish a consistent partnership. <sup>†††</sup>

#### **D. Challenges before the Existing Correctional Institutions.**

The structural system for administering correctional rehabilitations is on the brink of failure and the problems are self-evident, i.e., housing, accommodation, food, clothes, bedding, training, health care, understaffing, exercise, recovery, and reintegration. The jails become overcrowded as inmate population grows. Around the same period, the expense of holding the inmates is increasing, and the operation of the jail has often been ignored in expenditure allocation. Hence the standard of prison life is impaired. The Indian government took numerous measures in the post-independence period to bring in significant changes in the management of the jail. Training and education are the main fields that the jails struggle to tackle. Institutional Related Corrections Accreditation and outsourcing is among the most powerful of the factors that have influenced corrections in recent years. Anything from the global economy and existing public sentiment to drug-related violence to the deterioration of prison facilities will impact the future of corrections.

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<sup>†††</sup>Walter C. Reckless, *The Crime Problem*, 487 (1971, 1<sup>st</sup> ed.).

<sup>†††</sup> Sharma, Parul, "Point of View," *JACAM*, Vol. 1, No. 4, Article 6, National Law School of India University (NLSIU), Bangalore, India, (2005).



Intermediate punishment options, restorative justice, and compassionate care are the patterns that may continue to affect corrections.<sup>§§§</sup> Following are the challenges before correctional institutions.

**(i) Overcrowding in Prisons**

Overcrowding threatens jail facilities 'capacity to satisfy the inmates' fundamental requirements, such as health services, housing, and lodging.<sup>\*\*\*\*</sup> This further endangers prisoners' human freedoms, including the right to decent working conditions and the right to the best attainable physical and mental health requirements.

**(ii) Funding Gaps**

Regardless about how strong the economy may be, corrections never see support improve. Corrections, on the other hand, are considered as a significant source of cost savings when budget cuts are required. It is difficult to explain in our culture that appropriate spending for correctional facilities is as important as funding for our children's education or aid for the vulnerable.

Correctional facilities are costly to create and run until they are functioning. This is particularly true in prisons meant to hold the most violent prisoners. Therefore, we favor the implementation of patchwork repairs to retain the functionality of current facilities over the construction of new ones. In actuality, malfunctioning equipment frequently jeopardizes occupational health.

**(iii) Staff Safety/Inmate Violence**

Personnel health and prisoner abuse are so interconnected that they merit being addressed as a combined issue together. Inmate abuse, particularly in the more violent groups of the prison population, presents a challenge for many prisoners as well as for the

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<sup>§§§</sup>*Ibid.*

<sup>\*\*\*\*</sup>“Manohar, Sujata, “Human Rights of The Child Implementing the Juvenile Justice (Care and Protection of Children) Act, 2000r, SCC 2(1) 2008 Feb at J 1-14”.

workers.<sup>††††</sup> Due to the fact that correctional institutions must maintain the most violent inmates for the longest periods of time, the risk of ongoing abuse within prisons is increased.

If inmates threaten each other, staff may interfere to regain care of the incident. The interference jeopardizes workers. However, it is not just inmate-on-inmate abuse that is raising fear for the health of personnel; aggressive prisoners are often attacking workers. It explicitly relates to a recently stated issue about ageing jails and repairs in patchwork in buildings. When jails mature and facilities deteriorate, there are more ways for the prisoners to take advantage of compromised structures, thus growing the danger to staff welfare.

#### **(iv) Staff Retention**

Personnel management is a major problem in the field of corrections. The field of corrections is the most violent in the criminal justice system. Correctional officers are compelled to operate in a secure facility teeming with deviants aggressively seeking ways to harm others. In time, the discomfort that is induced by repeated attention to deviance and safety risks can become too severe to bear. Therefore, so many successful employers want to abandon the corrections sector for other work opportunities.<sup>††††</sup>

#### **(v) Human Rights Violations**

This is the ideology of the Indian criminal justice system whereby convicts are deprived all the human freedoms whereby they normally enjoy not simply because of the prosecution. In jail the convict is stripped of his rights and self-determination. Prison is a location where the inmates' human rights are inadmissibly abused and officially denied. The Regional Human Rights Commission's review of Jail Tour Data from several States provides a mixed picture of inmate recovery. Many prisons are overcrowded. For other prisons in UP, the system is over one hundred years old. Hardcore prisoners who have government security are talking of abuse on jail workers. Health and medical services are not up to the

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<sup>††††</sup>Saran, Vineet J, "Child in need of Care and Protection," Allahabad Law Magazine, 2008, at 278

<sup>††††</sup>"Ministry of Woman and Child Development, Government of India, Building a Protective Environment for Children, (2006) at 23".

mark either. The most critical aspect in recovery is a poorly trained and obsolete technical training in the lack of rivalry and non-modernized correctional system, it impacts the post-release rehabilitation of the prisoner into community. §§§§The Ministry of Home Affairs announced to parliament in August that from April 1, 2012, to February 15, 2013, 318 instances of custodial torture have been identified from various states. \*\*\*\*\*The ministry also claimed that there were 126 cases of custodial death registered by the states during the same period.

#### (vi) Difference in Punishing

There are no Rules for Punishment in India. The Indian Criminal Code enforced for the same crimes and punishments. Sometimes the highest penalty is given for certain crimes, and the lowest could be recommended for other crimes. The Judge has a wide power to grant the penalty under the prescribed limits. Despite the conditions of the situation, the Judge now has little advice on choosing the most suitable punishment. Through Judge thus exercises independence according to his own decision. There is absolutely no uniformity. The Supreme Court reaffirmed the dictum in *Bachan Singh v. State of Punjab* †††††he standardization of sentences is almost unlikely, and therefore the design of the sentencing program is the role of the legislation which the court cannot embark on.

The Supreme Court in Bachan Singh's case refrained from extending its arms in the issue of granting death sentence. Subsequently, in the *case of Macchi Singh* †††††, it opened its doors to rationalize the concept of the rarest of rare values and was not implemented universally in the decision of the death penalty or life imprisonment. In *Swamy Shraddhananda v. State of Karnataka* §§§§§ the Supreme Court noted that the sentence procedure lacked a fair playing field.

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§§§§ Ashuthosh, Rights of Accused, 2nd Edition, Universal Law Publishing (P) Ltd, New Delhi.p.143

\*\*\*\*\* *Ibid.*

††††† AIR (1973) 1 SCC 20

††††† AIR 1980 SC 898

§§§§§ AIR (2008) 13 SCC 767

Recently the Supreme Court noted in **Sangeet v. State of Haryana**<sup>\*\*\*\*\*</sup> that a balance sheet could not be drawn up to equate the two. Both aspects are separate and incompatible. The Sentencing has been a judge-cantered punishment rather than a substantive rule

There will be analysis of the criminal justice system in our nation to make it more purposeful and efficient. When an infant is brought into detention for performing a felony, he is held at home for monitoring before his appeal. He is facing two forms of attack whilst in observation house. The first form of attack is physical in nature and the other is psychological in nature.

#### **(vii) Physical Assault**

Torture, typically in the form of extreme beatings with hands, lathis, or other devices, and punching is a frequent aspect in street children's police discipline. Physical violence in policing crime, especially in property crime investigations, often as a means in retaliation or deterrence is known as police conduct characteristics. There are several reports and incidents where the police officers beat up a child as soon as he is placed in an observation home and then by the senior inmates.<sup>†††††</sup> Their presence in court trials is placed upon them. Several critics have reported the police's propensity to apprehend and hold children in cruel treatment for no reasonable cause. A research on the status of street children in Mumbai financed by the Indian Ministry of Labour and UNICEF noted: The most prevalent accusation of street children without families are that they are just for suspicion being collected up and locked up by police for two to three days. This they clarified was required to fill up the 'quota' anticipated of police. An NGO leader and human rights activist further claimed that 'The police lock up a few kids and majors every day for their records and to earn money, just to free them only after they have taken their money and/or beaten them up. Only a couple are given to the judge to provide proof that the officers are fulfilling their duties.'<sup>†††††</sup>

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<sup>\*\*\*\*\*</sup> AIR 2013 SC 447

<sup>†††††</sup> "Gurbax Singh, Law Relating to Protection of Human Rights and Human values, Vinod Publications (P). Ltd, Delhi"

<sup>†††††</sup> Manuel Theodore D'Souza & Another, Bombay High Court (Justice Rebello), II (two thousand) DMC 292.

### **(viii) Sexual Assault**

Sexual attack is also common in juvenile observations home. There are many surveys and suggested incidents of sexual abuse on special houses. Many sufferers are threatened with knife and blades for sexual abuse. This use of pressure additionally effects in considerable accidents to sufferers' genitalia, which facilitate transmission of sexually transmitted diseases (STDs). They are touched in stressful ways, compelled to reveal genitalia, and compelled into sex. It has been discovered that during many instances the perpetrators are body of workers individuals along with caretakers, protection guards, and many others within the statement houses. In maximum of the instances, the sexual attack keeps for an extended duration as sufferers are not prepared to dissent and undergo quietly within the absence of inspection. A 2013 document with the aid of using the Asian Centre for Human Rights (ACHR), states that juvenile justice houses have end up India's hell holes wherein inmates are subjected to sexual attack and exploitation, torture, and sick-remedy, other than being compelled to stay in inhuman conditions. It highlights many instances of repeated sexual attack on kids in juvenile justice houses, along with government-run statement houses, kids' houses, and orphanages. Recently, the National Commission for Protection of Child Rights has suggested that it has registered seventy-seven complaints/instances regarding infant abuse, sexual exploitation, torture, sick remedy, disappearance, strolling away of kids, loss of residential facility and others. §§§§§§

### **(ix) Cruelty by other inmates**

Another situation which needs to be critically taken into consideration is the character and age of inmates within the remark home. Under the Act, juvenile speculated to have dedicated a bailable or non bailable offence are delivered earlier than the Juvenile Justice Board, wherein they are launched below the supervision of a probation officer. Those juveniles, who are not launched on bail via way of means of the Board, are despatched to the remark home, pending inquiry. §§§§§§ The juveniles who had been speculated to have

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§§§§§§ Gaurav Jain V. Union of India AIR 1990 SC 292

§§§§§§ Sharma, Renu." "Legal-Framework for Children in Conflict with the Law in India." *"The Indian Journal of Social work: Tata Institute of Social Sciences* (2010)."

dedicated a severe offence had been additionally housed in observations homes during the duration of inquiry, which influence the attitude of junior inmates or individuals who had been now no longer celebration to severe offences. It has been stated via way of means of the inmates that the ones juveniles who are alleged of committing offence for the second one time or more, takes the placement of senior inmates. Then seniors' inmates torture junior inmates.

#### **(x) Hygiene in Observation homes**

According to a report from Care Share India, it is even called "Pila Prison" due to the excessive load of the inmates. As outlined by the Indian government in juvenile justice, children's lives are more frightening than the family environment in which they fled, and often worse than street life. According to one study, the food the government supplied to these shelters, or. Meals of three times a day, little nutritional value, almost inadequate. Many of them show obvious signs of malnutrition when consumed from hunger. They gave them a painful stomach cramp. "Tableware is not always washed after every meal. With the old rice given for lunch and dinner, children often crawl on the leftovers from the previous meal that are still clinging to the dishes. Find out. "Children's health is a cause of concern. Poor hygiene, poor nutrition, and lack of space make children prey to many contagious diseases. Children are rarely allowed to change clothes. Security guards do not clean corridors and bathrooms that are infested with cockroaches and lice. As a result, many children develop skin infections, dysentery, shingles, genital warts, and sexually transmitted infections. The house also does not provide medicine or labor to take children to public hospitals. Water shortages, lack of drainage systems, and functioning toilets all have exceptionally low levels of hygiene in homes.<sup>†††††††</sup>

#### **E. Conclusion and Suggestions**

##### **Suggestions**

1. The new law needs to clearly define the general goals of the correctional institutions.

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<sup>†††††††</sup>Muncie, John." "Institutionalized intolerance: youth justice and the 1998 Crime and Disorder Act." *Critical Social Policy* 19.2 (1999): 147-175."

2. Each state government / Union territory government must set specific goals and objectives not only for departments but also for individual agencies.
3. Organizational and institutional goals should be reviewed at least annually.
4. The National Prison Commission needs to work functionally with the state's criminal organization to consider the achievement of goals and objectives, and to consult with them to plan future organizational, human and functional structures. there is.
5. Headquarters in prisons and correction services under the direct control of each state and federal territory require well-staffed planning and research units.
6. Each state / Union territory needs to develop a long-term and short-term planning integration process and establish a management and operational plan. The National Committee on Prisons needs to coordinate these plans and monitor their progress in order to have a nationwide perspective on prison development.
7. The National Prison Commission needs to develop and fund several pilot projects that will serve as demonstration projects for the development of prison management.
8. Prison research must be problem-oriented and practical. This work should also require cooperation with external agencies.
9. It is necessary to systematically collect statistical data on uniform patterns nationwide. The National Prison Commission is required to publish an annual statistical report on prisons.
10. Prisons and National Plans Correction and rehabilitation programs for criminals should be part of our national plan.
11. Funds for the renovation and new construction of old buildings will be provided to the state government by the central government as planned.

## **F. Conclusion**

It can be canvassed from the discussion herein that, correctional establishments have positive function to play for the most important role in the society with the aid of using reforming the inmates. But on this technique, the fundamental human rights ought to now no longer be infringed, or curtailed, and fundamental decency ought to be maintained. The prisoners also humans and be handled like human-beings and



now no longer like animals and chattels. At the identical time, the precautions need to be taken the ones correctional establishments aren't transformed into luxurious houses to draw elevated people. The major problems being experienced by India's correctional institutions are overcrowding, prolonged detention of under-trial prisoners, unsatisfactory living conditions, lack of treatment Programs's, indifferent and even inhuman approaches of prison staff, **Abuse of Prisoners, Custodial Tortures /Deaths, Corruption, Poor Budget for Health and Care in Prison etc.** In order to face these challenges authors already suggested some effective counter measures in the previous part of this paper.

The motto of correctional institutions is the social, economic, and ethical rehabilitation of the crook. The schooling and the remedy given to the inmates ought to foster all-spherical improvement to the individual. Such a expert feature calls for the cooperation and co ordinations of the experts like medicine, education, vocational, recreation, administration, security, and social work. Rehabilitation is the technique wherein the crook need to experience, as though attained, extra socially suitable existence on go back to society. The diverse programmes like social case work, network hyperlink offerings, academic programmes, vocational schooling, and leisure offerings and after care offerings are followed in India for the rehabilitation programmes. The success of the whole venture is eventually contingent upon the dedication with which the state devotes its time, energy and resources in making this peno-correctional institution a success. When the faith of the society in these institutions takes firm root, only then is one assured of the true reintegration of these prisoners.