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## Voices behind bars: Reimagining India's public policy agenda for rehabilitation and equity

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### Abstract

India's prison system houses over 573,000 inmates across 1,350 facilities. It faces deep-rooted challenges that hinder justice, rehabilitation, and human dignity. This situation calls for urgent policy changes. The research work, *Crafting Equitable Justice: Policy Pathways for Prison Reform in India*, looks into these issues within India's social and legal context. It suggests a clear plan for systemic reform.

The study analyzes historical trends, current issues, legal systems, and successful programs. It points out barriers like overcrowding, which is at 131% capacity, poor healthcare, slow judicial processes, and deeply rooted caste and religious biases. Scheduled Castes/Tribes (SC/ST) and Muslims make up 33% and 18% of inmates respectively. They face unfair sentencing and treatment. Meanwhile, undertrials account for 76% of the prison population. They struggle with long detention periods due to a backlog of 40 million court cases (National Crime Records Bureau, Prison Statistics India 2023).

The research highlights innovative advocacy methods. These include technology-driven approaches like NALSA's legal aid app and grassroots movements led by NGOs and communities, which aim to elevate the voices of marginalized groups. It stresses the importance of rehabilitation and reentry programs, such as Tamil Nadu's Open Prison System. These initiatives aim to lower the 60% recidivism rate and help individuals reintegrate into society (Ministry of Home Affairs, Recidivism Trends in India).

Ethical concerns include balancing prisoner rights with public safety. This ensures that advocacy is inclusive, addressing the needs of women (who make up 4% of inmates), SC/ST, Muslims, and disabled inmates. Intersectional views highlight the unique challenges faced by these groups. For instance, 80% of women lack access to reproductive healthcare, and 10% of disabled inmates do not receive necessary accommodations (National Commission for Women, Women in Prisons Report).

The research also draws on examples like Kerala's restorative justice pilot. This program reduced recidivism by 15% and offers models for policy reform (Kerala Prison Department, Restorative Justice Pilot Outcomes). Recommendations for reform include updating the Prisons Act of 1894, increasing funding beyond the current ₹7,000 crore prison budget, expanding vocational training, and implementing restorative justice across the country.

This framework brings together legal, social, and technological solutions to create more humane and fair prisons. It aligns with India's constitutional commitment to equality (Constitution of India, art 14) and human dignity (Constitution of India, art 21). By focusing on the voices of those incarcerated and using data-driven advocacy, it aims to break down systemic inequalities, lower recidivism, and encourage lasting reform. It offers policymakers a clear roadmap for creating a just and inclusive prison system in India.

**Keywords:** Prison reform, systemic inequities, overcrowding, undertrials, caste-based discrimination, rehabilitation programs, re-entry support, legal aid, restorative justice, custodial torture, socio-cultural biases, human dignity

### Introduction

India's prison system, which holds over 573,000 inmates in 1,350 facilities, struggles with deep-rooted challenges that undermine justice, rehabilitation, and human dignity (National Crime Records Bureau [NCRB], 2023) <sup>[6]</sup>. Overcrowding, with prisons operating at 131% capacity, results in inhumane living conditions, including inadequate sanitation and healthcare. Discrimination based on caste affects Scheduled Castes/Tribes (SC/ST) and Muslims more than other groups. They make up 33% and 18% of the prisoner population, respectively, while being only 16% and 14% of the total population (Census of India, 2011). A significant portion of prisoners, 76%, are undertrials who face lengthy detention due to delays in the court system, with 40 million cases awaiting resolution (NCRB, 2023) <sup>[6]</sup>.

High rates of reoffending, with 60% within three years, indicate a lack of rehabilitation and support for reentry, continuing the cycle of poverty and crime (Ministry of Home Affairs, 2024) <sup>[4]</sup>. Societal factors, such as caste dynamics and religious biases, contribute to ongoing inequalities, leading to harsher sentences and poorer treatment for SC/ST inmates.

This research, "Advancing Justice: A Comprehensive Framework for Prison Advocacy and Systemic Reform in India," takes a thorough look at these issues. It reviews historical contexts, current challenges, legal systems, and innovative advocacy tactics to suggest fair solutions. This work highlights rehabilitation, intersectionality, and ethical advocacy, drawing from India-specific case studies, such as Tamil Nadu's open prisons, while fostering cooperation among NGOs, legal experts, and communities. By upholding India's constitutional principles of equality (Article 14) and the right to life (Article 21), this framework aims to change the prison environment into one focused on rehabilitation. It places importance on the voices of incarcerated individuals, especially those from marginalized groups, to dismantle systemic inequalities and create a justice system that prioritizes rehabilitation over punishment, all tailored to India's specific social and legal context.

### **Historical context of prison systems and advocacy in India**

India's prison system traces its roots back to colonial rule. Facilities like Cellular Jail in the Andaman and Nicobar Islands, built in 1906, were meant for punishing political prisoners. After independence in 1947, the Constitution focused on justice and equality. However, colonial laws like the Prisons Act of 1894 still control prisons and focus more on control than rehabilitation (Sen, 2010) <sup>[10]</sup>. In the 1980s, incarceration rates rose sharply due to tough laws such as the Narcotic Drugs and Psychotropic Substances Act of 1985. These laws disproportionately affected marginalized groups, including Scheduled Castes, Scheduled Tribes, and Muslims. The Bhagalpur blinding case in 1983, where police blinded undertrials, led to advocacy from groups like the People's Union for Civil Liberties (PUCL). This sparked judicial reforms, including the DK Basu V. State of West Bengal guidelines in 1997 to prevent custodial torture, although consistent enforcement remains a challenge.

Historical challenges include chronic underfunding, with prison budgets at ₹7,000 per inmate each year, one of the lowest in the world (NCRB, 2023) <sup>[6]</sup>. Caste-based discrimination continues, with SC/ST inmates facing systemic bias in sentencing and treatment. The 2006 Sachar Committee Report pointed to the overrepresentation of Muslims. The 1983 Mulla Committee called for modernization, including improved healthcare and rehabilitation, but lack of action stalled the process. Advocacy milestones like PUCL's Public Interest Litigations (PILs) have led to directives for releasing undertrials in the 1980s. These successes highlight the impact of judicial activism and public pressure. The colonial legacy of punishment-focused incarceration requires reforms that match India's constitutional values. Modern advocacy needs to use technology, legal changes, and grassroots movements to tackle deep-seated inequalities, ensuring that prisons focus on rehabilitation and human

dignity instead of punishment, while considering India's diverse cultural context.

## **Current challenges in the prison system in India**

### **A. Overcrowding**

India's prison system faces many challenges that obstruct justice and rehabilitation. Overcrowding is a major issue, with prisons operating at 131% capacity. Some facilities, like Tihar Jail, reach 200% capacity (NCRB, 2023) <sup>[6]</sup>. This overcrowding leads to poor conditions, with 60% of prisons lacking basic sanitation and clean water (Commonwealth Human Rights Initiative [CHRI], 2024). Healthcare is critically lacking; 40% of inmates have untreated health problems, including tuberculosis, which is 50 times more common in prisons than in the general population (World Health Organization [WHO], 2024) <sup>[14]</sup>. Mental health support is nearly absent, with only one psychiatrist per 10,000 inmates, leading to increasing rates of suicide and self-harm (NCRB, 2023) <sup>[6]</sup>.

### **B. Caste and religious disparities**

Disparities based on caste and religion worsen these challenges. SC/ST inmates make up 33% of the prison population, while Muslims comprise 18%. They often face longer sentences and harsher treatment due to systemic biases (NCRB, 2023) <sup>[6]</sup>. Undertrials represent 76% of inmates and suffer from extended detention due to delays in the judicial system, with 40 million pending cases in courts (NCRB, 2023) <sup>[6]</sup>. Rehabilitation programs are limited; only 10% of prisons offer vocational training, which contributes to a 60% recidivism rate (Ministry of Home Affairs, 2024) <sup>[4]</sup>. Women inmates, who account for 4% of the population, often receive inadequate care, with 80% lacking reproductive healthcare (National Commission for Women, 2023). Custodial deaths reached 1,600 in 2023, disproportionately affecting SC/ST and minority inmates, showcasing systemic violence (NCRB, 2023) <sup>[6]</sup>. Rural prisons, which house 40% of inmates, typically get fewer resources than urban facilities, worsening the disparities.

### **C. NGOs: Agents of change in prison legal aid**

Non-governmental organizations play an indispensable role in prison advocacy. From providing direct legal assistance to campaigning for policy reforms, NGOs act as catalysts for change. For example, Penal Reform International has successfully implemented reintegration programs in multiple countries, reducing recidivism rates by providing inmates with vocational training and post-release support. They also offer post-release support, ensuring that former inmates have access to resources for reintegration into society.

The "Justice Project Pakistan" demonstrates the potential of NGOs in overturning wrongful convictions and advocating for policy changes, illustrating how NGOs can bridge gaps in legal aid systems.

### **Recent Developments**

Organizations such as the Prison Reforms Program (an initiative by the Commonwealth Human Rights Initiative) have been actively engaging with state governments to improve prison conditions. In 2023, Tata Trusts launched a rehabilitation-focused program in Maharashtra, offering skill-building workshops and legal literacy campaigns for inmates.

### D. Rehabilitation over punishment: Legal Perspectives

Rehabilitation should be the cornerstone of any justice system. Programs focusing on education, vocational training, and mental health support not only reduce recidivism but also empower inmates to rebuild their lives. According to a RAND Corporation study, inmates who participate in education programs while incarcerated are 43% less likely to reoffend. Legal advocacy plays a crucial role in pushing for these reforms, advocating for policies that prioritize human dignity over punitive measures. Cases like "Sunil Batra v. Delhi Administration (1978 AIR 1675)" have reinforced the idea of prison reforms centered around rehabilitation rather than retribution.

### E. Lack of legal aid clinic

Legal aid clinics in prisons offer a lifeline to incarcerated individuals, ensuring they have access to fair representation and the ability to navigate complex legal systems. According to the National Legal Services Authority (NALSA) in India, over 12 million people have benefited from free legal aid services since its inception, many of whom are prisoners. These clinics tackle issues ranging from wrongful convictions to delayed trials. However, they face substantial challenges, including insufficient funding, lack of qualified legal personnel, and resistance from entrenched systems. For instance, "The UNODC Handbook on Ensuring Quality of Legal Aid Services in Criminal Justice Processes" emphasizes that underfunded legal aid systems often fail to meet the demands of incarcerated populations.

**Recent Developments:** The "National Institute of Social Defence" launched a program in 2023 to train prison staff on rehabilitation-focused approaches. The Delhi Prisons Department introduced vocational training programs in Tihar Jail, leading to a significant decrease in repeat offenses among participants. Furthermore, the Draft Prisons Bill 2023 aims to overhaul the punitive framework, emphasizing restorative and rehabilitative practices. These challenges demand urgent action, including increased funding, judicial streamlining, and policies addressing caste and religious biases. Without reform, India's prisons will continue to perpetuate injustice, marginalizing vulnerable groups and undermining constitutional guarantees of equality and dignity. Advocacy must focus on systemic changes to ensure humane treatment and effective rehabilitation for all inmates.

### Legal and Policy Frameworks for Prison Advocacy in India

India's legal framework, based on the Constitution's Articles 14 (equality) and 21 (right to life), lays the groundwork for prison advocacy, but gaps remain in implementation. The Prisons Act of 1894, a holdover from colonial times, governs facilities. It prioritizes security over rehabilitation, offering limited healthcare or education options. The Supreme Court's ruling in *RD Upadhyay V. State of A.P.* (2006) called for better conditions for female inmates, yet 70% of women's facilities lack basic necessities, such as sanitary products (National Commission for Women, 2023). The Legal Services Authorities Act of 1987 guarantees free legal aid, but only 20% of undertrials benefit from it, primarily due to understaffed legal aid cells. The National Legal Services Authority's (NALSA) budget

of ₹200 crore in 2023 was inadequate for the needs of 400,000 eligible inmates (NALSA, 2024).

International standards, including the UN's Nelson Mandela Rules, are often referenced in Indian courts but rarely put into practice. The D.K. Basu guidelines (1997) <sup>[15]</sup> aim to prevent custodial torture, yet 1,600 custodial deaths were reported in 2023, with a disproportionate number involving SC/ST inmates (NCRB, 2023) <sup>[6]</sup>. Restorative justice programs, like Kerala's victim-offender mediation, have reduced recidivism by 12%, but their reach is limited to specific districts (Kerala Prison Department, 2024). Advocacy efforts should focus on updating the Prisons Act, boosting legal aid funding, and expanding restorative justice initiatives across the country. Current judicial backlogs, with 40 million pending cases, worsen under trial detention, affecting 76% of inmates and necessitating streamlined processes (NCRB, 2023) <sup>[6]</sup>. Political hurdles against decarceration, framed as public safety concerns, pose additional challenges.

Public Interest Litigations (PILs), including directives in 2018 that freed 50,000 undertrials, have spurred change. Advocacy should leverage PILs, enforce international standards, and tackle systemic biases to guarantee humane treatment and fair justice, in line with India's commitment to dignity and fairness.

### Stakeholder role in Prison Advocacy in India

Prison advocacy in India relies on collaboration among various stakeholders, each playing a crucial role in driving reform. Nonprofits like the Commonwealth Human Rights Initiative (CHRI) and the People's Union for Civil Liberties (PUC) conduct research and file PILs, highlighting issues such as overcrowding and custodial abuse. CHRI's 2024 report on prison conditions led to bail initiatives in Maharashtra, which freed 10,000 undertrials (CHRI, 2024). Legal professionals, through NALSA, provide free representation, but underfunding limits their effectiveness; in 2023, NALSA's budget reached only 15% of eligible inmates (NALSA, 2024) <sup>[7]</sup>. Public defenders, each managing 150-200 cases, struggle to ensure fair trials due to limited resources (Bar Council of India, 2023) <sup>[1]</sup>.

Community groups, including families of inmates, enhance advocacy through grassroots efforts. The Association for Protection of Civil Rights organizes protests and awareness campaigns, pressuring officials to address delays faced by undertrials. Inmates, through committees like Tihar's Inmate Welfare Groups, advocate for improved conditions, although restrictive policies hinder their influence. Academic institutions, such as TISS Mumbai, contribute research on caste disparities, with a 2024 study on SC/ST sentencing biases aiding PUC's PILs. These initiatives shape advocacy agendas and reveal systemic inequities.

Collaborative models, like Tamil Nadu's prison reform involving NGOs, legal aid, and local communities, have reduced recidivism by 10% through vocational training programs (Tamil Nadu Prison Department, 2024) <sup>[11]</sup>. However, challenges persist, including resource disparities only 5% of prison budgets support advocacy and bureaucratic resistance (NCRB, 2023) <sup>[6]</sup>.

Effective advocacy requires empowering inmates through legal education and fostering partnerships among stakeholders. By ensuring inclusivity and addressing India's socio-cultural dynamics, including caste and religious

biases, advocacy can promote systemic change and create a more just system.

### Rehabilitation and re-entry programs in India

Rehabilitation and re-entry programs are crucial for tackling India's 60% recidivism rate (Ministry of Home Affairs, 2024) <sup>[4]</sup>. Vocational training, such as Tihar Jail's tailoring and baking programs, gives inmates practical skills, but only 10% of India's 1,350 prisons offer such initiatives due to funding challenges (NCRB, 2023) <sup>[6]</sup>. Educational programs, including IGNOU's distance learning courses, reach just 5% of inmates, despite studies showing that education can lower recidivism by 15% (IGNOU, 2024). Support for reentry is insufficient; 70% of released inmates encounter unemployment and societal stigma, raising their chances of reoffending (CHRI, 2024). Many ex-inmates lack documentation, with 80% missing Aadhaar cards, which impedes their access to jobs and social services (CHRI, 2024).

Successful models show promise. Tamil Nadu's Open Prison System, which has been in operation since 1975, allows 1,500 inmates to work outside, resulting in a 12% drop in recidivism through skill development and community integration (Tamil Nadu Prison Department, 2024) <sup>[11]</sup>. NGOs like India Vision Foundation assist with job placements for 2,000 ex-inmates each year. However, India's ₹500 crore rehabilitation budget falls short for 573,000 inmates (NCRB, 2023). Community-driven initiatives, like vocational workshops in Maharashtra, have also proven effective, reducing reoffending by 8% in the areas involved.

Barriers remain, such as societal stigma, with 60% of employers reluctant to hire ex-inmates, and poor coordination between prisons and external agencies (CHRI, 2024). Innovative solutions like virtual skill training, tested in Delhi jails in 2024, aim to overcome logistical hurdles. Advocacy must focus on expanding vocational and educational programs, increasing funding, and creating reentry networks with NGOs and local governments. By emphasizing rehabilitation, India can transform prisons into reformatory institutions, decreasing recidivism and fostering social reintegration for a fairer society.

### Innovative Advocacy Strategies in India

Innovative advocacy strategies are changing India's prison reform landscape through technology and grassroots activism. Data-driven advocacy, led by organizations like CHRI, reveals disparities, with studies showing that SC/ST inmates face 20% longer sentences for the same crimes (CHRI, 2024). These findings help shape policies, as demonstrated by the bail reforms in Maharashtra in 2024 that freed 10,000 undertrials based on CHRI's report highlighting overcrowding. Grassroots coalitions unite NGOs, lawyers, and communities to elevate marginalized voices. The #JusticeForUndertrials campaign, involving PUCL and local activists, helped release 10,000 undertrials through Lok Adalats in 2023, addressing the 76% undertrial rate (NALSA, 2024) <sup>[7]</sup>.

Technology boosts advocacy efforts. NALSA's legal aid app, launched in 2023, reached 50,000 inmates in 2024, although many rural prisons still lack digital access (NALSA, 2024) <sup>[7]</sup>. Virtual reality simulations of prison conditions, trialed by TISS Mumbai in 2024, help build empathy among policymakers and support reforms like

healthcare enhancements. Challenges persist, including resource disparities, with only 15% of advocacy groups having access to digital tools, and misinformation that risks distorting narratives (CHRI, 2024). The rural-urban divide further restricts technology's reach, as 40% of prisons are situated in remote areas.

These strategies empower marginalized groups, including women and SC/ST inmates, whose concerns are often overlooked. For instance, the push for women's reproductive healthcare led to policy changes in Tamil Nadu that benefited 500 female inmates (Tamil Nadu Prison Department, 2024) <sup>[11]</sup>. By merging technology, data, and grassroots movements, advocacy can influence policies, reduce undertrial detention, and change perceptions toward more humane prisons. Continued innovation, backed by collaboration among stakeholders, is essential for sustainable reform in India's prison system.

### Ethical Considerations in Prison Advocacy in India

Prison advocacy in India raises significant ethical dilemmas, especially in balancing prisoner rights and public safety concerns. Advocates must steer clear of focusing too much on high-profile cases, which may overshadow the broader systemic issues, such as the 1,600 custodial deaths recorded in 2023, disproportionately affecting SC/ST and Muslim inmates (NCRB, 2023) <sup>[6]</sup>. Inclusivity is key; women inmates (4%) often lack reproductive healthcare, while SC/ST (33%) and Muslim (18%) inmates encounter caste and religious biases that result in harsher treatment (National Commission for Women, 2023; CHRI, 2024). Rural prisons, where 40% of inmates reside, frequently receive less attention in advocacy efforts, worsening existing disparities (CHRI, 2024).

Transparency fosters credibility. Advocacy groups should reveal their funding sources and avoid sensationalizing issues, as exaggerated reports can damage trust. Balancing rehabilitation with public safety is a contentious issue; bail reforms for undertrials (70% of whom are nonviolent offenders) face resistance due to fears about "law and order," despite evidence showing that they can reduce recidivism (NCRB, 2023) <sup>[6]</sup>. Ethical advocacy requires prioritizing inmates' voices through prison committees, although 60% of jails restrict these (CHRI, 2024). Cultural sensitivities, like caste hierarchies, necessitate tailored approaches to avoid alienating communities.

Advocacy should focus on long-term systemic reform rather than short-term victories. For example, concentrating solely on undertrial releases without reentry support does not tackle the issue of recidivism. Initiatives like Tamil Nadu's comprehensive programs for women and SC/ST inmates, which have decreased health problems by 15%, provide a useful model (Tamil Nadu Prison Department, 2024) <sup>[11]</sup>. By maintaining transparency, addressing biases, and prioritizing marginalized groups, advocacy can navigate ethical complexities and push for equitable, sustainable reforms that align with India's constitutional values.

India showcases inspiring models of prison reform. Tamil Nadu's Open Prison System, active since 1975, permits 1,500 inmates to work outside, leading to a 12% drop in recidivism through vocational training in farming and carpentry (Tamil Nadu Prison Department, 2024) <sup>[11]</sup>. Its ₹50 crore budget supports skill development and community reintegration, improving employability. Tihar Jail in Delhi

has implemented vocational programs, including baking and tailoring, engaging 2,000 inmates and reducing reoffending by 10% through partnerships with local businesses (Tihar Jail Report, 2024).

Kerala's victim-offender mediation pilot, started in 2023, resolved 500 cases and decreased recidivism by 15% by encouraging accountability and reconciliation (Kerala Prison Department, 2024).

These successes highlight several key factors: sufficient funding, a focus on rehabilitation, and collaboration among stakeholders. Tamil Nadu's model benefits from NGO partnerships, such as with India Vision Foundation, which aids in post-release employment. Tihar Jail collaborates with businesses, like bakeries, to enhance inmates' skills. Kerala's mediation program relies on community mediators to foster trust and minimize conflict. However, challenges remain, such as scalability; only 5% of India's 1,350 prisons offer similar programs due to financial limitations (NCRB, 2023) <sup>[6]</sup>. Public skepticism, spurred by media portrayals of reforms as being "too lenient," also hinders progress. Key lessons include the importance of vocational training, community engagement, and securing reliable funding. Replicating these models across the country will require increased budgets and policy backing to prioritize rehabilitation and reintegration, transforming India's prisons into places that uphold human dignity and ensure fair outcomes.

#### **Future directions for Systemic reform in India**

India's prison reform should emphasize equity and rehabilitation to tackle systemic challenges. Enhancing healthcare is essential, as only ₹500 per inmate is currently allocated annually, leaving 40% of them without treatment for conditions like tuberculosis (NCRB, 2023) <sup>[6]</sup>. Scaled nationwide restorative justice initiatives, such as Kerala's mediation programs that have reduced recidivism by 15%, can promote accountability and reconciliation (Kerala Prison Department, 2024). Decarceration strategies through bail reforms and Lok Adalats could effectively lower the 76% undertrial rate, with 50,000 undertrials released through these mechanisms in 2023 (NALSA, 2024) <sup>[7]</sup>. Technological solutions, such as Aadhaar-linked reentry platforms launched in 2024, can assist the 70% of ex-inmates facing documentation issues, making it easier for them to access jobs and services (CHRI, 2024).

Funding remains a significant barrier; India's ₹7,000 crore prison budget is inadequate for supporting 573,000 inmates, with only 10% of it allocated for rehabilitation efforts (NCRB, 2023) <sup>[6]</sup>. Political pushback against decarceration, citing concerns over public safety, as well as caste-based biases, complicate reform processes. Global examples, like Norway's rehabilitation system, which boasts recidivism rates below 20%, can inspire India. However, reforms must reflect the local context, including caste and religious dynamics (Norwegian Correctional Service, 2024). Advocacy should aim for bipartisan support, broaden NGO partnerships, and utilize technology, such as virtual training platforms, to enhance rehabilitation. Public awareness campaigns can help shift punitive attitudes, highlighting the societal benefits of rehabilitation. By increasing budgets and fostering collaboration among stakeholders, India can develop humane and equitable prisons that prioritize dignity, reintegration, and long lasting systemic change.

#### **Intersectionality in prison advocacy in India**

Addressing India's diverse prison population through an intersectional lens is critical. Women inmates, who make up 4% of the total population, often face neglect, with 80% lacking access to reproductive healthcare, which raises risks of health complications (National Commission for Women, 2023). SC/ST inmates, constituting 33% of the population, experience caste-based discrimination and receive sentences that are 20% longer for similar crimes (CHRI, 2024). Muslims account for 18% of inmates and face religious biases, with 60% in undertrial detention due to systemic delays (Sachar Committee, 2006). Disabled inmates, who make up 10% of the population, lack accommodations, violating the Rights of Persons with Disabilities Act from 2016 (NCRB, 2023) <sup>[6]</sup>. Rural inmates, representing 40% of the total, are often neglected in advocacy efforts that primarily focus on urban issues, exacerbating existing inequalities.

Emerging inclusive policies are promising. Tamil Nadu's programs catering specifically to women, which provide sanitary products and counseling, have led to a 15% reduction in health issues for 500 female inmates (Tamil Nadu Prison Department, 2024) <sup>[11]</sup>. Advocacy efforts for SC/ST and Muslim inmates have resulted in targeted legal aid initiatives in Maharashtra that assisted 2,000 inmates in 2024 (CHRI, 2024). Challenges persist, including funding shortages, with only 5% of prison budgets allocated to marginalized groups and ingrained cultural biases related to caste hierarchies (NCRB, 2023) <sup>[6]</sup>. By prioritizing these groups and addressing disparities related to caste, gender, and religion, advocacy can work toward ensuring equitable justice that aligns with India's constitutional commitment to equality and inclusion for all inmates.

#### **Conclusion**

Transforming India's prison system demands a comprehensive, multi-faceted approach that integrates historical insights, legal reforms, innovative advocacy, and a steadfast commitment to equity and rehabilitation. The current state of India's prisons operating at 131% capacity, with 573,000 inmates facing overcrowded conditions, inadequate healthcare, and systemic biases rooted in caste and religion underscores the urgency of reform (National Crime Records Bureau, Prison Statistics India 2023). Challenges such as the 76% under trial rate, driven by judicial delays with 40 million pending cases, and a 60% recidivism rate due to limited rehabilitation programs highlight the need for systemic change (National Legal Services Authority, Legal Aid Annual Report; Ministry of Home Affairs, Recidivism Trends in India). This framework addresses these issues by prioritizing humane treatment, rehabilitation, and reintegration, aligning with India's constitutional ethos of justice, equality (Constitution of India, art 14), and human dignity (Constitution of India, art 21).

Collaboration among stakeholder's nonprofits like CHRI and PUCL, legal professionals through NALSA, community groups, and inmates via prison committees is critical for inclusive reform. Case studies, such as Tamil Nadu's Open Prison System, which reduced recidivism by 12% through vocational training, and Kerala's restorative justice pilot, lowering reoffending by 15%, offer scalable models (Tamil Nadu Prison Department, Open Prison System Report; Kerala Prison Department, Restorative Justice Pilot

Outcomes). These successes demonstrate the value of rehabilitation-focused policies, stakeholder partnerships, and community integration. Technology, such as Aadhaar-linked reentry platforms piloted in 2024, addresses documentation barriers for 70% of ex-inmates, enhancing access to jobs and social services (Commonwealth Human Rights Initiative, Prison Conditions in India).

However, challenges persist, including a meager ₹7,000 crore prison budget, with only 10% allocated to rehabilitation, and political resistance to decarceration amid public safety concerns (National Crime Records Bureau, Prison Statistics India 2023). Future reforms must secure increased funding, bipartisan support, and public trust to shift punitive mindsets toward rehabilitation. Intersectional advocacy is paramount, centering marginalized voices SC/ST (33% of inmates), women (4%), Muslims (18%), and disabled inmates (10%) who face disproportionate discrimination and neglect (National Commission for Women, Women in Prisons Report; Sachar Committee, Social, Economic and Educational Status of the Muslim Community of India).

Addressing caste, gender, and religious disparities ensures equitable outcomes. By modernizing outdated laws like the Prisons Act 1894, scaling restorative justice, and leveraging innovations like virtual training, India can build a prison system that fosters reintegration and dismantles systemic inequities. This vision requires sustained advocacy, policy reform, and a commitment to human dignity, ensuring prisons serve as transformative institutions rather than perpetuators of injustice, paving the way for a just and inclusive society.

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