SUGGESTIONS

Some of the important recommendations of made in this regard are enumerated as under, which require immediate implementation for the foregoing reasons. These recommendations are:

- For making the prison system conducive to the achievement of desired objectives, certain basic pre-requisites should be ensured which would constitute the foundations on which the Indian prison system can be restructured.
- All the Acts pertaining to prison administration should be consolidated and a new uniform and comprehensive legislation enacted by the Parliament for the entire country.
- Section 433A of the Code of Criminal Procedure should be suitably amended so that such lifers offer good prognosis for reformation and rehabilitation and they can generally be released after 8-10 years of actual imprisonment.
- Preventive sections of the Code of Criminal Procedure, especially section 109 should be reviewed and amended suitably to restrict their use only in very genuine cases.
- Diversification of institutions should be evolved for basic segregation and treatment of homogeneous groups of prisoners.
- Proper forms of history sheet, initial classification sheet and progress report should be adopted.
- The atmosphere of prisons should be surcharged with positive values and the inmates should be exposed to wholesome environment with opportunities to reform themselves.
- The contacts of prisoners with their family members and the community should be maintained.
- Various incentives of the prison system should be judiciously used to promote self-discipline and modification of behaviour of inmates.
- Prison work programmes and vocational training should be integrated with national economic policies and development plans.
- A sub jail should be located at each place where a Criminal Court functions.
• The necessity of construction of new sub jails should not be brushed aside only for financial consideration.

• Open camp movement should be developed as a positive measure of correctional treatment.

• Conditions of eligibility of prisoners for admission to open institutions should be liberalized.

• The rules of eligibility in respect of various categories of convicted prisoners for earning ordinary and special remission should be reviewed and rationalized.

• The Government of India should lay down uniform guidelines to be followed by State Government/Union territory Administrations for grant of State remission.

• Public participation in prevention of crime and treatment of offenders must be made a part of our National Policy on Prisons.

• An intensive public education drive should be taken up to make the society aware of the role it can play in the prevention of crime and treatment of offenders.

• After care of prisoners discharged from prisons and allied institutions should be the statutory function of the Department of Prisons and Correctional Services.

• There should be a separate Department of Prisons and Correctional Administration in the secretariats of the State. At the Centre, the setup dealing with prisons in the Ministry of Home Affairs should also be upgraded to the status of a Department. Senior Officers having experience of correctional administration should be posted in the secretariats.

• The judiciary must therefore adopt a creative and purposive approach in the interpretation of Fundamental Rights and Directive Principles of State Policy embodied in the Constitution with a view to advancing Human Rights jurisprudence.

• A suitable system should be established for coordination among the three organs of the criminal justice system i.e. the police, the judiciary and the prison and correctional administration, for the effective prevention of crime and treatment of offenders.

• Any effort to identify the optimal or normatively justifiable rate of undertrial detention must account for the pathological failures of the Indian criminal
justice system to convict and imprison despite the overwhelming public concern with the failure of public order and security. If our conviction rate improves, then the proportion of undertrials will drop.

- The legal and public policy responses to the undertrial problem should not proceed solely on the proportion of undertrials in the prison population. The high proportion of undertrials is a reflection of the pathological failure of criminal justice system to successfully vict and thereby secure peace and security. This failure must be resolved by focussing on systematic institutional reform of the investigation and prosecution of offences.

- New rules mandating release on the filing of a charge sheet barring limited exceptional circumstances along with a Centrally sponsored public defenders programme that weeds out the overt or structural discrimination in the criminal justice system is the best bet for a targeted intervention to reduce the length and eliminate the disparate impact in undertrial detention in India.

- The phone facility provided only some of jails only, this facility is providing in all jails, it is very helpful the prisoners to interact with their families and get legal assistance. The High Court and Supreme Court are also take necessary steps to speed up the appeal cases of convicted prisoners. The High Court also take necessary steps to issue bail to them, under appeal stage, it will better to the prisoners to depend their cases in higher courts. Providing intercourse facility to the inmates, it will reduce their abnormal behavior with co-prisoners.

It is worth mentioning here that though in the Prison Manuals of different States the researcher find some reflection of these recommendations and even the Courts also time and again, have advocated these recommendations after mentioning the need for the jail reforms, but there is no uniformity throughout the country in this regard.

I donot claim that these suggestions, if implemented will remove are problems that we have in our prisons. However I am hopeful that they can alleniate the problem considerably.