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## **Introduction**

Welcome to the Indian Journal of Legal Affairs and Research (IJLAR), a distinguished platform dedicated to the dissemination of comprehensive legal scholarship and academic research. Our mission is to foster an environment where legal professionals, academics, and students can collaborate and contribute to the evolving discourse in the field of law. We strive to publish high-quality, peer-reviewed articles that provide insightful analysis, innovative perspectives, and practical solutions to contemporary legal challenges. The IJAR is committed to advancing legal knowledge and practice by bridging the gap between theory and practice.

## **Preface**

The Indian Journal of Legal Affairs and Research is a testament to our unwavering commitment to excellence in legal scholarship. This volume presents a curated selection of articles that reflect the diverse and dynamic nature of legal studies today. Our contributors, ranging from esteemed legal scholars to emerging academics, bring forward a rich tapestry of insights that address critical legal issues and offer novel contributions to the field. We are grateful to our editorial board, reviewers, and authors for their dedication and hard work, which have made this publication possible. It is our hope that this journal will serve as a valuable resource for researchers, practitioners, and policymakers, and will inspire further inquiry and debate within the legal community.

## Description

The Indian Journal of Legal Affairs and Research is an academic journal that publishes peer-reviewed articles on a wide range of legal topics. Each issue is designed to provide a platform for legal scholars, practitioners, and students to share their research findings, theoretical explorations, and practical insights. Our journal covers various branches of law, including but not limited to constitutional law, international law, criminal law, commercial law, human rights, and environmental law. We are dedicated to ensuring that the articles published in our journal adhere to the highest standards of academic rigor and contribute meaningfully to the understanding and development of legal theories and practices.

# **REBUILDING LIVES THROUGH EDUCATION AND TRAINING**

AUTHORED BY - DIVYAJOT KAUR BHASIN

## **ABSTRACT**

*The Indian Criminal Justice System incorporates the ideal of rehabilitation of the criminals. Many of us mistakenly think that the criminal statute books are just to punish the offenders or for surrendering themselves behind the bars, however, the true ideal behind these punishments is to create a detrimental effect in the society in an order to curb the future offence by inflicting a fear of imprisonment upon the minds of the population and to reform those inside the cells by engaging them in various activities inside the prison along with providing them education and vocational training so that they may improvise themselves as responsible citizens and may not find it difficult to earn a living once they are free from the shackles of the prison. Great tags of humiliation are attached to those who have once lived the life of a prisoner, it may not be easy for such a person to start his life afresh once freed from the handcuffs. The education and vocational training mitigate their rehabilitation into the society and definitely helps them to regain their confidence and to live with pride through self-earning by honest means in the society.*

## **KEY WORDS**

*Education; Vocational Training; Reformation; Rehabilitation; Reintegration; Recidivism*

## **1. INTRODUCTION**

Being a complex social phenomenon, crime is wedged by a sum of social, psychological, structural, and economic aspects. Contemporary criminal justice systems are widening their horizon to realise that reprimand alone is not sufficient to discourse the fundamental causes of criminal behaviour, even though deterrence and retribution were significant fundamentals of traditional penology. Accordingly, the change from punitive to reformative and restorative justice models has made rehabilitation the chief objective of imprisonment. This variation is based on the

belief that criminals can be transformed if they are given structured prospects for education, skill advancement, and individual progress which would assist them in rebuilding their lives. Lineups for vocational training and education inside prisons are more than just welfare ingenuities; they are influential tools for rehabilitation that can influence inmates in reintegrating into society as the law-abiding members.

The prospect of human dignity is affirmed by the Constitution of India under Article 21, for instance in the case of *Bandhua Mukti Morcha v. Union of India*,<sup>1</sup> the Hon'ble Supreme Court of India held that right to live with dignity is a facet to the fundamental right to life and personal liberty. Realization of the worth of mental well-being, and reformation of prisoners, has endorsed this shift towards a reformatory approach in India. The Model Prison Manual incorporates the provisions relating to the education, vocational training, and aftercare services in lieu of prisoners,<sup>2</sup> which serves a basis for the focus upon this subject. However, due to scarce capital, lack of proficient staff, and derisory infrastructure, these agendas have an inconsistent implementation in the Indian prisons.

The impression of education and vocational training as rehabilitative instruments is scrutinized in this paper using a doctrinal, empirical and qualitative methodology. The doctrinal module studies constitutional provisions, judicial rulings, government reports such as the Model prison Manual,<sup>3</sup> UN documents such as the Nelson Mandela Rules<sup>4</sup> and other statutory frameworks. Through the qualitative approach guises mainly at the significant case analysis, case studies and scholarly works. The empirical approach could be observed well through various charts and statistical data based upon the first-hand data collected by the author. When amalgamated, these approaches empower a systematic comprehension of how education and career training actually work in rebuilding the future prospects for the prisoners.

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<sup>1</sup> AIR 1984 SC 802.

<sup>2</sup> Government of India, "Model prison Manual" 159-173 (Ministry of Home Affairs, 2016).

<sup>3</sup> *Ibid.*

<sup>4</sup> UN General Assembly, *United Nations Standard Minimum Rules for the Treatment of Prisoners*, GA Res 70/175, GAOR, UN Doc A/Res/70/175 (December 17, 2015).

## 2. MEANING OF CRIME

Simple speaking in a lay man's language, crime is something which is done in contravention to the law. The word 'crime' has no definite description as what actually means crime or the literal meaning of crime; however, some thinkers and philosophers have made several efforts to describe this term, for instance according to:

- Miller, "*crime is to be the commission or omission of an act which the law forbids or commands under pain of a punishment to be imposed by the State by a proceeding in its own name.*"<sup>5</sup>
- Stephen, "*crime is an act forbidden with the aid of regulation and that's at the identical time revolting to the ethical sentiments of the society.*"<sup>6</sup>

Basically, crime is a wrong against the society as a whole due to which we often denote it as public wrong. It incorporates various heads such as dacoity, cruelty, robbery, outraging the modesty of women, stalking, negligence, fraud, murder, rape, defamation, etc. There are numerous social, fiscal and emotional roots whose stems grow an individual into a criminal; however, no human is a born criminal rather his circumstances push him to become one.<sup>7</sup>

## 3. Need for criminal rehabilitation

Criminal rehabilitation is an indispensable part of present-day criminal justice systems. There may be certain causes due to which a person undertakes to commit a crime, however, their right to human dignity and sympathy cannot be compromised with.<sup>8</sup> The following points assist in explaining the need for criminal rehabilitation:

- **Eliminating the probability of recidivism:**  
Averting recidivism is one of the key goal-line of rehabilitation. There are an increased chances of repetitive offending in case the they do not receive education, vocational training, psychological counselling, or behavioural interventions. Rehabilitation eliminates

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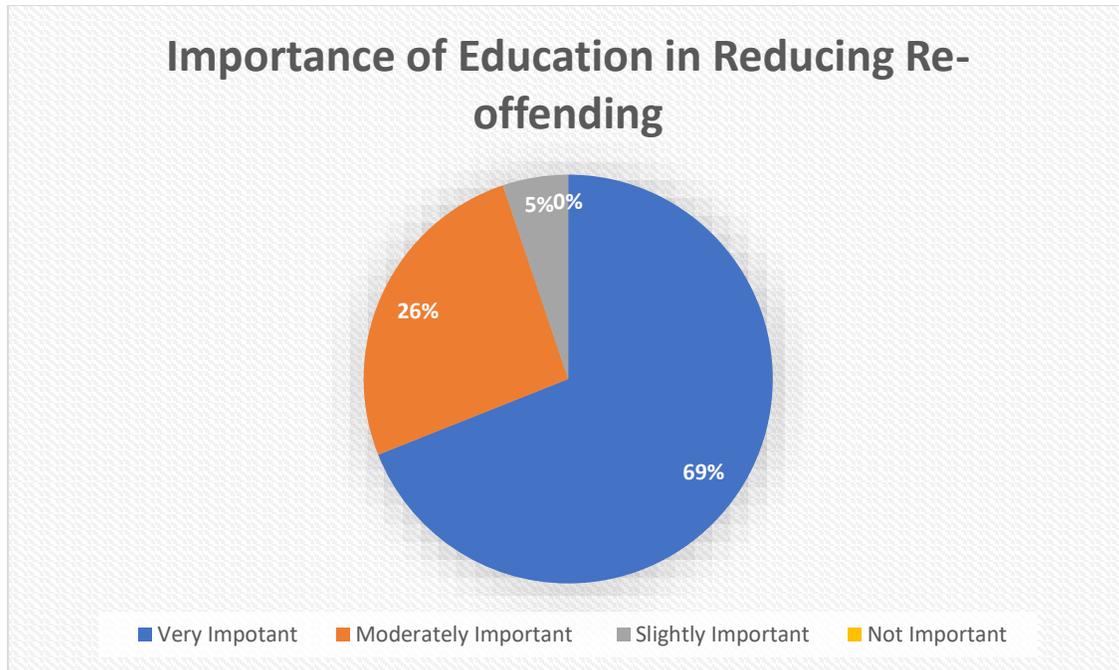
<sup>5</sup> Shreya Chaudhary and Fatime Siddiqui, "Understanding the Concept of Crime and Criminology" 03 *Journal of Legal Subjects* 35 (2023).

<sup>6</sup> *Ibid.*

<sup>7</sup> Sowmya Thotakura, "Crime: A Conceptual Understanding" 4 *Indian Journal of Applied Research* 196 (2011).

<sup>8</sup> *T.K. Gopal v. State of Karnataka*, (2000) 6 SCC 168.

the rate of re-offending by addressing the fundamental causes, such as illiteracy, social stigma, substance abuse, unemployment, trauma, or deficiency of life skills.<sup>9</sup>



**Table 1.1**

As per the above table, we could clearly observe that the majority of the respondents to the questionnaire agree to the fact that education cuts the chances of recidivism. As per the above data the 69% of the respondents hoist a green flag to the fact that education is very important to cut short the chances of reoffending. Whereas, the 31% of the respondents feel that the education is moderately/slightly crucial for reducing the digits in the statistics of reoffending. However, the most representable fact here is that there is not even a single respondent who has voted for the fact that providing education to the inmates would not contribute towards their betterment and reduce the chances of reoffending.

- **Amalgamation into society post-prison:**

The reintegration of prisoners into the society after completing the sentence is very crucial for their personal development, however, initially they may have to encounter social

<sup>9</sup> David B. Wilson, Catherine A. Gallagher, *et.al.*, “A Meta- Analysis of Corrections- Based Education, Vocation, and Work Programs for Adult Offenders” 37 *Journal of Research in Crime and Delinquency* (2000).

segregation, unemployment, and stigma in the absence of adequate backing.<sup>10</sup> In order to promote/encourage a seamless return to the municipality and lesser the peril of reoffending, rehabilitation offers resources such as skill development, therapy, educational counselling and community-based programs.<sup>11</sup>

- **Financial advances:**

Instead of enduring to count on the state resources through confinement, offenders can make optimistic contributions to the economy after developing the employable skills.<sup>12</sup>

- **Protection of human rights and dignity of the inmates:**

Every person in India is guaranteed the right to live with dignity under Article 21 of the Constitution of India and the prisoners cannot be denuded of their fundamental right except in consonance with the procedure as laid down by the law.<sup>13</sup> The conservation of inmates' dignity and human rights is even emphasised by international legal frameworks such as the Nelson Mandela Rules, the object behind which is to lay down the principles for the prison management and the treatment which the prisoners ought to receive.<sup>14</sup>

- **Paying regard to criminogenic needs:**

Drug addictions, mental health issues, poverty, non-access to education, and family breakdowns are often allied with criminal behaviour. The rehabilitation programs are specifically designed to address these criminogenic needs and to meagre the probability of reoffending.<sup>15</sup>

- **Augmentation in public safety:**

Rehabilitation makes communities benign by helping the offenders to develop pro-social skills and behavioural changes. Therefore, rehabilitation is a practical method to long-term public protection.<sup>16</sup>

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<sup>10</sup> Maria Berghuis, "Reentry Programs for Adult Male Offender Recidivism and Reintegration: A Systematic Review and meta-Analysis" 62 *International Journal of Offender Therapy and Comparative Criminology* 4655-4676 (2018).

<sup>11</sup> Georgios Chloupis and Despoina Kontompasi, "Examining the relation between education, recidivism & crime prevention" 3 *Discover Global Society* (2025).

<sup>12</sup> Shelley L. Brown, "Cost-effective Correctional Treatment" 12 *Forum on Corrections Research* 58-60 (2000).

<sup>13</sup> *Neelabati Bahera v. State of Orissa*, (1993) 2 SCC 746.

<sup>14</sup> *Supra* note 4.

<sup>15</sup> [Stephanie Brooks Holliday](#), Kirk Heilbrun, *et.al.*, "Examining improvements in criminogenic needs: the risk reduction potential of a structured re-entry program" 30 *Behavioral Sciences & the Law* 431-47 (2012).

<sup>16</sup> Sanne L A de Vries, Machteld Hoeve, *et.al.*, "The Long-Term Effects of the Youth Crime Prevention Program "New Perspectives" on Delinquency and Recidivism" 62 *International Journal of Offender Therapy and Comparative Criminology* 3639-3661 (2018).

- **Victim healing and the community:**

Models of restorative justice system validate how rehabilitation endorses empathy, accountability, and restitution, all of which act as support system in the process of the healing of the offenders. When criminals realize the costs of their deeds, it helps victims find closure and upsurges public confidence in the legal system.<sup>17</sup>

- **Moral and ethical considerations:**

A system with the punishment (i.e., imprisonment) as the only penalty runs the menace of upholding inequality and failing to address detrimental behaviour. Rehabilitation wires the belief that the goals of the legal system should be to reform the criminals and their restoration in surplus to punishment.<sup>18</sup>

## 4. Constitutional and statutory framework

### 4.1. Constitutional Framework:

The Constitution of India is not just the supreme rule book of the country rather it is the spirit inculcated in all the statutory laws of India. The Indian judicial system (i.e., through the Supreme Court) has been entrusted with the authority to declare certain laws as unconstitutional in case it finds those laws violative to the Constitutional provisions.<sup>19</sup> Therefore, below mentioned are certain constitutional provisions which uphold the rights of the prisoners.

- **Article 14:** This provision of the constitution deals with the equality before law, it is a cornerstone for safeguarding the citizens against any kind of mistreatment.<sup>20</sup> Thus, the inmates should also have an equivalent access to education and vocational training as other people outside the bars as the eventual ideal behind imprisonment is to reform them.<sup>21</sup>
- **Article 21:** This article deals with the protection of life and personal liberty of an individual. It incorporates within itself a broad range of rights which are fundamental to

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<sup>17</sup> H Zehr, "Restorative Justice: The Concept" 59 *Corrections Today* 68-70 (1997).

<sup>18</sup> Nandini Devulapalli, "REFORMING JUSTICE: THE INTERSECTION OF REHABILITATION AND PUNISHMENT AND THE ETHICAL IMPERATIVE FOR REHABILITATION IN INDIAN CRIMINAL FRAMEWORK" II *International Journal for Legal research and Analysis* 5-12 (2024).

<sup>19</sup> *Minerva Mills v. Union of India*, (1980) 3 SCC 625.

<sup>20</sup> The Constitution of India, art. 14 states:

*The State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India.*

<sup>21</sup> *State of Haryana v. Mahender Singh*, (2007) 12 SCALE 669.

every human for a dignified living, for example- right to livelihood,<sup>22</sup> right to live with dignity which incorporates within itself the right to minimal subsistence,<sup>23</sup> etc. Thus, education and vocational equipment of the inmates would aid them to earn a livelihood once freed from the bars and promote the ideal of dignified living.<sup>24</sup>

- **Article 39A:** This article directs the Government to organize paralegal camps, NALSA camps, etc. which would inculcate some legal knowledge in the minds of their prisoners in lieu of their rights.<sup>25</sup>
- **Article 41:** This provision positions that the State shall take appropriate measures in an order to secure to its citizens the right to education, right to work and provide them with public assistance in certain cases such as sickness, unemployment, old age or any other situation where it may be deemed to be fit.<sup>26</sup>

#### 4.2. Statutory Framework:

In addition to the constitutional provisions, we are having the statutory provisions as well focusing upon the provision of education and vocational training. Through the analysis of following provisions, we can clearly figure it out that the legislature at several times has put in the efforts to restore the offenders to a life of dignity and self-reliance.

##### 4.2.1. The Prisons Act, 1894<sup>27</sup>

This act consists of the provisions relating to the prison governance and maintenance. For instance, sections 34 to 36-A of the act are concerned with the employment of the prisoners, which are as follows:

<sup>22</sup> *Olga Tellis v. Bombay Municipal Corporation*, AIR 1986 SC 180.

<sup>23</sup> *Francis Mullin v. The Administrator, Union Territory of Delhi & Ors.*, AIR 1981 SC 746.

<sup>24</sup> *Supra* note 20, art. 21 states:

*No person shall be deprived of his life or personal liberty except according to procedure established by law.*

<sup>25</sup> *Supra* note 20, art. 39A states:

*The State shall secure that the operation of the legal system promotes justice, on a basis of equal opportunity, and shall, in particular, provide free legal aid, by suitable legislation or schemes or in any other way, to ensure that opportunities for securing justice are not denied to any citizen by reason of economic or other disabilities.*

<sup>26</sup> *Supra* note 20, art. 41 states:

*The State shall, within the limits of its economic capacity and development, make effective provision for securing the right to work, to education and to public assistance in cases of unemployment, old age, sickness and disablement, and in other cases of undeserved want.*

<sup>27</sup> The Prisons Act, 1894 (Act IX of 1894).

- **Section 34, The Prisons Act, 1894:** This section deals with the employment of the civil prisoners and accords them the right to profess or practice any kind of trade or profession with the permission of the Superintendent.<sup>28</sup>The rules under the Minimum Wages Act<sup>29</sup> would apply upon the Government as well in the cases where the Government gets the labour performed by the prisoners inside the prison.<sup>30</sup> However, the Minimum Wages Act has been recently repealed by the section 69<sup>31</sup> of the Code on Wages, 2019.<sup>32</sup>
- **Section 35, The Prisons Act, 1894:** This section deals with the employment of the criminal prisoners i.e., whoever has been granted the permission to do labour at his/her own will, shall not work for more than nine hours a day but with the written sanction of the Superintendent in the cases of emergency. This section also provides for the regular medical check-up of the labouring prisoners.<sup>33</sup>

<sup>28</sup> *Id.*, s. 34 states:

(1) *Civil prisoners may, with the Superintendent's permission, work and follow any trade or profession.*

(2) *Civil prisoners finding their own implements, and not maintained at the expense of the prison, shall be allowed to receive the whole of their earnings; but the earnings of such as are furnished with implements or are maintained at the expense of the prison shall be subject to a deduction, to be determined by the Superintendent, for the use of implements and the cost of maintenance.*

<sup>29</sup> The Minimum Wages Act, 1948 (Act 11 of 1948).

<sup>30</sup> *Mustaram Sitaram Shinde v. State of Maharashtra*, 1997 Cri LJ 3458 at 3462 (Bom).

<sup>31</sup> The Code on Wages, 2019 (Act 29 of 2019), s. 69 states:

(1) *The Payment of Wages Act, 1936, the Minimum Wages Act, 1948, the Payment of Bonus Act, 1965 and the Equal Remuneration Act, 1976 are hereby repealed.*

(2) *Notwithstanding such repeal, anything done or any action taken under the enactments so repealed including any notification, nomination, appointment, order or direction made thereunder or any amount of wages provided in any provision of such enactments for any purpose shall be deemed to have been done or taken or provided for such purpose under the corresponding provisions of this Code and shall be in force to the extent they are not contrary to the provisions of this Code till they are repealed under the corresponding provisions of this Code or by the notification to that effect by the Central Government.*

(3) *Without prejudice to the provisions of sub-section (2), the provisions of section 6 of the General Clauses Act, 1897 shall apply to the repeal of such enactments.*

<sup>32</sup> Editorial, "Labour experts welcome labour codes, but urge Govt to address likely teething issues" *The Hindu*, Nov. 22, 2025.

<sup>33</sup> *Supra* note 27, s. 35 states:

(1) *No criminal prisoner sentenced to labour or employed on labour at his own desire shall, except on an emergency with the sanction in writing of the Superintendent, be kept to labour for more than nine hours in any one day.*

(2) *The Medical Officer shall from time to time examine the labouring prisoners while they are employed, and shall at least once in every fortnight cause to be recorded upon the history-ticket of each prisoner employed on labour the weight of such prisoner at the time.*

(3) *When the Medical Officer is of opinion that the health of any prisoner suffers from employment on any kind or class of labour, such prisoner shall not be employed on that labour but shall be placed on such other kind or class of labour as the Medical Officer may consider suited for him.*

- **Section 36, The Prisons Act, 1894:** This provision deals with the employment opportunities of the prisoners who are undergoing a sentence of simple imprisonment. This section states that the rules and regulations shall be framed by the Superintendent in lieu of the prisoners undergoing a simple imprisonment, however, in cases of neglect of work such prisoners shall not be punished but their scale of diet may undergo such alteration as per the rules.<sup>34</sup>
- **Section 36-A, The Prisons Act, 1894:** This section states that the State Government may decide the amount of remuneration to be paid to the criminal prisoner who is labouring inside the prison if he works to the level of satisfaction. The amount not exceeding more than 20% of the remuneration earned by the convict shall be deducted in an order to compensate the victim(s) via the medium of fund established particularly for such purpose.<sup>35</sup>

#### 4.2.2. The Probation of Offenders Act, 1958<sup>36</sup>

This act mainly builds upon the provisions of probation and admonition, the granting of which depends upon the fulfillment of certain rules and procedure as laid down/stated throughout the act. Thus, some of the important provisions with regard to the same are stated as follows:

- **Section 3, The Probation of Offenders Act, 1958:** According to this section a person can be released after due admonition by the Hon'ble court upon the fulfillment of certain conditions as mentioned in this section without being punished for the offence committed.<sup>37</sup>

<sup>34</sup> *Supra* note 27, s. 36 states:

*Provision shall be made by the Superintendent for the employment (as long as they so desire) of all criminal prisoners sentenced to simple imprisonment; but no prisoner not sentenced to rigorous imprisonment shall be punished for neglect of work excepting by such alteration in the scale of diet as may be established by the rules of the prison in the case of neglect of work by such a prisoner.*

<sup>35</sup> *Supra* note 27, s. 36-A states:

(1) *Every convicted criminal prisoners employed for labour in prison and working satisfactorily shall be entitled to get such remuneration as may be prescribed by the State Government:*

*Provided that out of the amount payable to a convicted criminal prisoner under this sub-section, an amount not exceeding 20 per cent thereof shall be deducted and be paid as compensation to the deserving victims of the offence committed by that prisoner.*

(2) *All deduction made under sub-section (1) shall be credited to a common fund to be created for the purpose.*

(3) *The creation of the fund, credit of amount therein and the operation thereof shall be regulated in such manner as may be prescribed.*

<sup>36</sup> The Probation of Offenders Act, 1958 (Act 20 of 1958).

<sup>37</sup> *Id.*, s. 3 states:

- **Section 4, The Probation of Offenders Act, 1958:** This provision deals with the legal implications of the probation of the offenders on the basis of good conduct in those cases where the crime committed by them is not punishable with the death sentence or life imprisonment. A person can be released on probation for time period not extending three years (as per the directions of the court) by executing the bail bond which may be with or without sureties upon the realization and accomplishment of certain other conditions as may be imposed by the court such as the appointment of a probation officer if required in the public interest.<sup>38</sup>

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*When any person is found guilty of having committed an offence punishable under section 379 or section 380 or section 381 or section 404 or section 420 of the Indian Penal Code, (45 of 1860) or any offence punishable with imprisonment for not more than two years, or with fine, or with both, under the Indian Penal Code or any other law, and no previous conviction is proved against him and the court by which the person is found guilty is of opinion that, having regard to the circumstances of the case including the nature of the offence, and the character of the offender, it is expedient so to do, then, notwithstanding anything contained in any other law for the time being in force, the court may, instead of sentencing him to any punishment or releasing him on probation of good conduct under section 4, release him after due admonition.*

*Explanation.—For the purposes of this section, previous conviction against a person shall include any previous order made against him under this section or section 4.*

<sup>38</sup> *Supra* note 36, s. 4 states:

- (1) *When any person is found guilty of having committed an offence not punishable with death or imprisonment for life and the court by which the person is found guilty is of opinion that, having regard to the circumstances of the case including the nature of the offence and the character of the offender, it is expedient to release him on probation of good conduct, then, notwithstanding anything contained in any other law for the time being in force, the court may, instead of sentencing him at once to any punishment direct that he be released on his entering into a bond, with or without sureties, to appear and receive sentence when called upon during such period, not exceeding three years, as the court may direct, and in the meantime to keep the peace and be of good behaviour:  
Provided that the court shall not direct such release of an offender unless it is satisfied that the offender or his surety, if any, has a fixed place of abode or regular occupation in the place over which the court exercises jurisdiction or in which the offender is likely to live during the period for which he enters into the bond.*
- (2) *Before making any order under sub-section (1), the court shall take into consideration the report, if any, of the probation officer concerned in relation to the case.*
- (3) *When an order under sub-section (1) is made, the court may, if it is of opinion that in the interests of the offender and of the public it is expedient so to do, in addition pass a supervision order directing that the offender shall remain under the supervision of a probation officer named in the order during such period, not being less than one year, as may be specified therein, and may in such supervision order impose such conditions as it deems necessary for the due supervision of the offender.*
- (4) *The court making a supervision order under sub-section (3) shall require the offender, before he is released, to enter into a bond, with or without sureties, to observe the conditions specified in such order and such additional conditions with respect to residence, abstention from intoxicants or any other matter as the court may, having regard to the particular circumstances, consider fit to impose for preventing a repetition of the same offence or a commission of other offences by the offender.*
- (5) *The court making a supervision order under sub-section (3) shall explain to the offender the terms and conditions of the order and shall forthwith furnish one copy of the supervision order to each of the offenders, the sureties, if any, and the probation officer concerned.*

- **Section 5, The Probation of Offenders Act, 1958:** This provision states that if a person is released under the ambit of section 3 and 4 of the Probation Act<sup>39</sup>, in such case, the Court may in its discretion can direct the payment of compensation or costs for the same which may be recovered in the form of fine.  
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- **Section 6, The Probation of Offenders Act, 1958:** This section imposes restrictions upon the sentencing of offenders below the age of 21 years in case they have not committed an offence punishable with life imprisonment by taking into consideration the circumstances of the case, character of the offender and the nature of the case. The first call of the court shall be to deal with the offender under the provisions of section 3 and 4 of the same Act otherwise it may record its reasons for the dissenting opinion.<sup>41</sup>

#### 4.2.3. The Juvenile Justice (Care and Protection of Children) Act, 2015<sup>42</sup>

This act is a special enactment for the children in conflict with law and the children needing care and protection. The belief behind the enactment of this statute is that the children can be reformed if put under the correctional measures at the right age and under efficient supervision. Some of the significant provisions are as follows:

<sup>39</sup> *Supra* note 36.

<sup>40</sup> *Supra* note 36, s. 5 states:

(1) *The court directing the release of an offender under section 3 or section 4, may, if it thinks fit, make at the same time a further order directing him to pay—*

(a) *such compensation as the court thinks reasonable for loss or injury caused to any person by the commission of the offence; and*

(b) *such costs of the proceedings as the court thinks reasonable.*

(2) *The amount ordered to be paid under sub-section (1) may be recovered as a fine in accordance with the provisions of sections 386 and 387 of the Code.*

(3) *A civil court trying any suit, arising out of the same matter for which the offender is prosecuted, shall take into account any amount paid or recovered as compensation under sub-section (1) in awarding damages.*

<sup>41</sup> *Supra* note 36, s. 6 states:

(1) *When any person under twenty-one years of age is found guilty of having committed an offence punishable with imprisonment (but not with imprisonment for life), the court by which the person is found guilty shall not sentence him to imprisonment unless it is satisfied that, having regard to the circumstances of the case including the nature of the offence and the character of the offender, it would not be desirable to deal with him under section 3 or section 4, and if the court passes any sentence of imprisonment on the offender, it shall record its reasons for doing so.*

(2) *For the purpose of satisfying itself whether it would not be desirable to deal under section 3 or section 4 with an offender referred to in sub-section (1), the court shall call for a report from the probation officer and consider the report, if any, and any other information available to it relating to the character and physical and mental condition of the offender.*

<sup>42</sup> The Juvenile Justice (Care and Protection of Children) Act, 2015 (Act 2 of 2016).

- **Section 18(1)(g), The Juvenile Justice Act, 2015:** In case a child below the age of 18 years commits an offence or a child below the age of 16 years commits a heinous offence then in such cases an order could be passed by the Juvenile Justice Board regarding sending the child to a special home for a maximum term of three years where the child would be having access to education, skill development and other programs related to child welfare.<sup>43</sup>
- **Section 18(2)(i) and (ii), The Juvenile Justice Act, 2015:** Section 18 (2) states if the Juvenile Justice Board passes any order under sub-section (1) to Section 18 of the same Act then it may additionally pass an order with regard to the juvenile offender to attend the school or vocational training centre.<sup>44</sup>
- **Section 39, The Juvenile Justice Act, 2015:** This section deals with the social reintegration and rehabilitation of the children. This section smoothens the process of restreaming into the society. Even the provision for financial assistance to the children departing from special homes after attaining the age of 18 years is mentioned under this section.<sup>45</sup>

<sup>43</sup> *Id.*, s. 18(1)(g) states:

(1) *Where a Board is satisfied on inquiry that a child irrespective of age has committed a petty offence, or a serious offence, or a child below the age of sixteen years has committed a heinous offence, or a child above the age of sixteen years has committed a heinous offence and the Board has, after preliminary assessment under Section 15, disposed of the matter] then, notwithstanding anything contrary contained in any other law for the time being in force, and based on the nature of offence, specific need for supervision or intervention, circumstances as brought out in the social investigation report and past conduct of the child, the Board may, if it so thinks fit,—*

(g) *direct the child to be sent to a special home, for such period, not exceeding three years, as it thinks fit, for providing reformatory services including education, skill development, counselling, behaviour modification therapy, and psychiatric support during the period of stay in the special home: Provided that if the conduct and behaviour of the child has been such that, it would not be in the child's interest, or in the interest of other children housed in a special home, the Board may send such child to the place of safety.*

<sup>44</sup> *Supra* note 42, s. 18(2)(i) and (ii) states:

(g) *If an order is passed under clauses (a) to (g) of sub-section (1), the Board may, in addition pass orders to—*  
 (i) *attend school; or*  
 (ii) *attend a vocational training centre.*

<sup>45</sup> *Supra* note 42, s. 39 states:

(1) *The process of rehabilitation and social integration of children under this Act shall be undertaken, based on the individual care plan of the child, preferably through family based care such as by restoration to family or guardian with or without supervision or sponsorship, or adoption or foster care: Provided that all efforts shall be made to keep siblings placed in institutional or non-institutional care, together, unless it is in their best interest not to be kept together.*

(2) *For children in conflict with law the process of rehabilitation and social integration shall be undertaken in the observation homes, if the child is not released on bail or in special homes or place of safety or fit facility*

- **Section 47, The Juvenile Justice Act, 2015:** This section directs the respective State Governments to establish and maintain observation homes either by itself or through other voluntary/non-voluntary organizations in each district or a group of districts for the provisional care and rehabilitation of children in conflict with law till any inquiry is pending against them. Also, such observation homes shall be registered under section 41 of this act.<sup>46</sup>
- **Section 48, The Juvenile Justice Act, 2015:** This section prescribes the provision for special homes established and maintained either by the State Government itself or through voluntary/non-voluntary organizations. Such special homes are required to be constituted in a district or a group of districts in an order to rehabilitate those who have committed an offence or have been mandated to stay there by the Juvenile Justice Board. All the rules and regulations relating to the registration of the special homes and the social reintegration of the child are to be framed by the State Government itself.<sup>47</sup>

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*or with a fit person, if placed there by the order of the Board.*

- (3) *The children in need of care and protection who are not placed in families for any reason may be placed in an institution registered for such children under this Act or with a fit person or a fit facility, on a temporary or long-term basis, and the process of rehabilitation and social integration shall be undertaken wherever the child is so placed.*
- (4) *The Children in need of care and protection who are leaving institutional care or children in conflict with law leaving special homes or place of safety on attaining eighteen years of age, may be provided financial support as specified in section 46, to help them to re-integrate into the mainstream of the society.*

<sup>46</sup> *Supra* note 42, s. 47 states:

- (1) *The State Government shall establish and maintain in every district or a group of districts, either by itself, or through voluntary or non-governmental organisations, observation homes, which shall be registered under section 41 of this Act, for temporary reception, care and rehabilitation of any child alleged to be in conflict with law, during the pendency of any inquiry under this Act.*
- (2) *Where the State Government is of the opinion that any registered institution other than a home established or maintained under sub-section (1), is fit for the temporary reception of such child alleged to be in conflict with law during the pendency of any inquiry under this Act, it may register such institution as an observation home for the purposes of this Act.*
- (3) *The State Government may, by rules made under this Act, provide for the management and monitoring of observation homes, including the standards and various types of services to be provided by them for rehabilitation and social integration of a child alleged to be in conflict with law and the circumstances under which, and the manner in which, the registration of an observation home may be granted or withdrawn.*
- (4) *Every child alleged to be in conflict with law who is not placed under the charge of parent or guardian and is sent to an observation home shall be segregated according to the child's age and gender, after giving due consideration to physical and mental status of the child and degree of the offence committed.*

<sup>47</sup> *Supra* note 42, s. 48 states:

- (1) *The State Government may establish and maintain either by itself or through voluntary or non-governmental organisations, special homes, which shall be registered as such, in the manner as may be prescribed, in every district or a group of districts, as may be required for rehabilitation of those children in conflict with law*

- **Section 50, The Juvenile Justice Act, 2015:** According to this section, the State Government may constitute and maintain the Children's home either by itself or through other organizations for the children who are in the need of education, training, care, rehabilitation, etc.<sup>48</sup>
- **Section 53, The Juvenile Justice Act, 2015:** This section mandates the provision of necessities required for the reintegration and rehabilitation of the children while staying in any of the institutions registered under this act, laying emphasis upon the facets of education which maybe supplemental/special/appropriate as per the needs of the child and the skill development as well.<sup>49</sup>

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*who are found to have committed an offence and who are placed there by an order of the Juvenile Justice Board made under section 18.*

- (2) *The State Government may, by rules, provide for the management and monitoring of special homes, including the standards and various types of services to be provided by them which are necessary for social re-integration of a child, and the circumstances under which, and the manner in which, the registration of a special home may be granted or withdrawn.*
- (3) *The rules made under sub-section (2) may also provide for the segregation and separation of children found to be in conflict with law on the basis of age, gender, the nature of offence committed by them and the child's mental and physical status.*

<sup>48</sup> *Supra* note 42, s. 50 states:

- (1) *The State Government may establish and maintain, in every district or group of districts, either by itself or through voluntary or non-governmental organisations, Children's Homes, which shall be registered as such, for the placement of children in need of care and protection for their care, treatment, education, training, development and rehabilitation.*
- (2) *The State Government shall designate any Children's Home as a home fit for children with special needs delivering specialised services, depending on requirement.*
- (3) *The State Government may, by rules, provide for the monitoring and management of Children's Homes including the standards and the nature of services to be provided by them, based on individual care plans for each child.*

<sup>49</sup> *Supra* note 42, s. 53 states:

- (1) *The services that shall be provided, by the institutions registered under this Act in the process of rehabilitation and re-integration of children, shall be in such manner as may be prescribed, which may include—*
  - (i) *basic requirements such as food, shelter, clothing and medical attention as per the prescribed standards;*
  - (ii) *equipment such as wheel-chairs, prosthetic devices, hearing aids, braille kits, or any other suitable aids and appliances as required, for children with special needs;*
  - (iii) *appropriate education, including supplementary education, special education, and appropriate education for children with special needs:*  
*Provided that for children between the age of six to fourteen years, the provisions of the Right of Children to Free and Compulsory Education Act, 2009 (35 of 2009) shall apply;*
  - (iv) *skill development;*
  - (v) *occupational therapy and life skill education;*
  - (vi) *mental health interventions, including counselling specific to the need of the child;*
  - (vii) *recreational activities including sports and cultural activities;*

#### 4.2.4. The Model Prison Manual, 2016<sup>50</sup>

This manual consists of thirty-two chapters in total delving upon the issues relating to the management and administration of the prison. Despite the fact that prison reforms are a subject under the State list as per the 7<sup>th</sup> schedule to the Constitution of India, the Government of India has over the years given the State Governments all the backing and assistance they needed to modernise prisons countrywide. A step in this regard is the Model Prison Manual, the motive behind which is to set a uniform standard that all states should follow and adopt them as the visionary goals in the process of criminal rehabilitation. The Supreme Court for the first time recognised the need for having a model prison manual in the case of *Ramamurthy v. State of Karnataka*,<sup>51</sup> wherein it emphasized upon its standing. The Manual of 2016 strives to reflect the thinking fundamental to trans-boundary agreements, Supreme Court guiding principles regarding jail administration, and constitutional laws by integrating the best practices from across the nations. The stress upon prison computerisation, special provisions for female inmates, emphasis on aftercare services, the inspection of the prisons, repatriation of foreign inmates, and increased attention to prison correctional staff are just few of the salient features pertaining to this manual. It is envisioned that states will recognize the handbook as a supportive tool for jail management in India and to assure consistency in the fundamental rules regulating to the prisons.<sup>52</sup>

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- (viii) *legal aid where required;*
  - (ix) *referral services for education, vocational training, de-addiction, treatment of diseases where required;*
  - (x) *case management including preparation and follow up of individual care plan;* (xi) *birth registration;*
  - (xi) *assistance for obtaining the proof of identity, where required; and*
  - (xii) *any other service that may reasonably be provided in order to ensure the well-being of the child, either directly by the State Government, registered or fit individuals or institutions or through referral services.*
- (2) *Every institution shall have a Management Committee, to be set up in a manner as may be prescribed, to manage the institution and monitor the progress of every child.*
  - (3) *The officer in-charge of every institution, housing children above six years of age, shall facilitate setting up of children's committees for participating in such activities as may be prescribed, for the safety and well-being of children in the institution.*

<sup>50</sup> *Supra* note 2.

<sup>51</sup> AIR 1997 SC 1739.

<sup>52</sup> *Supra* note 2 at 3-4.

Chapters XIV and XV of the manual deal with the provisions relating to the education and vocational training of the prisoners respectively.

## 5. IMPORTANCE OF EDUCATION AMONG INMATES

Education is a basic right for all which transforms an individual's personality and gives him the valor to form his/her independent opinions and to have a stake in the society as a responsible citizen. The hon'ble Supreme Court of India even mandated this right to be a fundamental right for the children belonging to the age group of 6-14 years.<sup>53</sup> Later, developing upon this principle the legislature induced this right to be a fundamental right in India under article 21-A<sup>54</sup> via 86<sup>th</sup> Constitutional Amendment in year 2002, thus, simulating the constitutional base for a statutory enactment in the form of Right to Education Act.<sup>55</sup> Earlier, this right was a part of the Directive Principles of the State Policy under part IV to the Constitution of India inscribed below the head of article 45<sup>56</sup>, however, this article now stands in an amended position (not enforced yet) primarily converging upon the education and care for the children below the age of six years. Also, a new fundamental duty was supplemented under article 51-A(k)<sup>57</sup> via the medium of 82<sup>nd</sup> amendment to the Constitution of India which mandates the parents/guardians of the children belonging to the same group i.e., 6-14 years of age to make available the educational prospects for them so as to encourage active learning.<sup>58</sup>

Despite the above-mentioned initiatives, the government of India has also released numerous schemes for promoting adult education such as the ULLAS Scheme with an approximate budget

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<sup>53</sup> *Unni Krishnan v. State of Andhra Pradesh*, 1993 SCR (1) 594.

<sup>54</sup> *Supra* note 20, art. 21-A states:

*The State shall provide free and compulsory education to all children of the age of six to fourteen years in such manner as the State may, by law, determine.*

<sup>55</sup> The Right of Children to Free and Compulsory Education Act, 2009 (Act 35 of 2009).

<sup>56</sup> *Supra* note 20, art. 45 states:

*The State shall endeavour to provide, within a period of ten years from the commencement of this Constitution, for free and compulsory education for all children until they complete the age of fourteen years.*

<sup>57</sup> *Supra* note 20, art. 51-A(k) states:

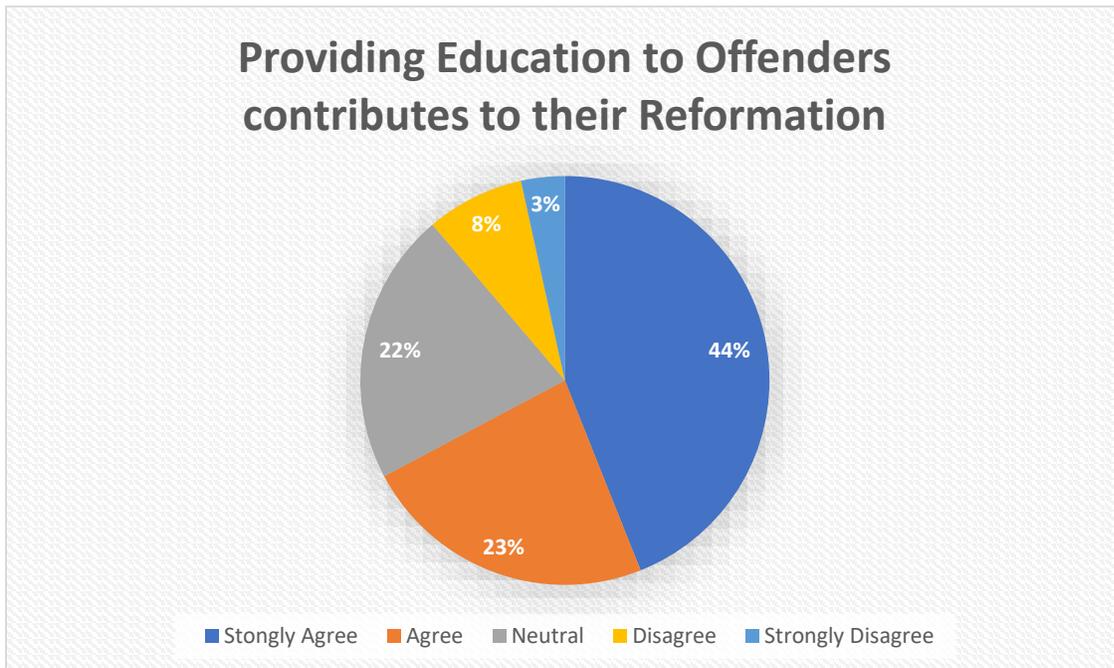
*It shall be the duty of every citizen of India-*

*(k) who is a parent or guardian to provide opportunities for education to his child or, as the case may be, ward between the age of six and fourteen years.*

<sup>58</sup> Landmark Cases on Right to Education in India, available at: [https://lawbhoomi.com/landmark-cases-on-right-to-education-in-india/#Unni\\_Krishnan\\_JP\\_v\\_State\\_of\\_Andhra\\_Pradesh\\_1993](https://lawbhoomi.com/landmark-cases-on-right-to-education-in-india/#Unni_Krishnan_JP_v_State_of_Andhra_Pradesh_1993) (last visited on November 21, 2025).

of Rs. 1037.90 crores for application ranging from the financial years 2022-23 to 2026-27.<sup>59</sup> Other similar missions such as the Saakshar Bharat Mission concentrated upon the development of Adult Education Centres in villages<sup>60</sup> and the Padhna Likhna Abhiyan<sup>61</sup> launched by the central government are a testimony to the vitality of education and learning.

The following data collected (as per the questionnaire) depicts the public views upon the factor that whether or not the education helps in the criminal reformation:



**Table 1.2**

As per the inferences drawn from the above pie-chart, we would suggest that:

44% of the respondents **STRONGLY AGREE** to the fact that education contribute towards the reformation of the offenders

23% of the respondents **AGREE** to the same fact. Therefore, we could state that the 67% of the respondents (representing a sample of the views of the general public regarding the topic)

<sup>59</sup> Government of India, Ministry of Education, “ULLAS – NILP” (ULLAS), DSEL, *available at:* <https://ullas.education.gov.in/nilp> (last visited on November 21, 2025).

<sup>60</sup> UNESCO Institute for Lifelong Learning, “Saakshar Bharat Mission – India”, UIL, *available at:* <https://www.uil.unesco.org/en/litbase/saakshar-bharat-mission-india> (last visited on November 21, 2025).

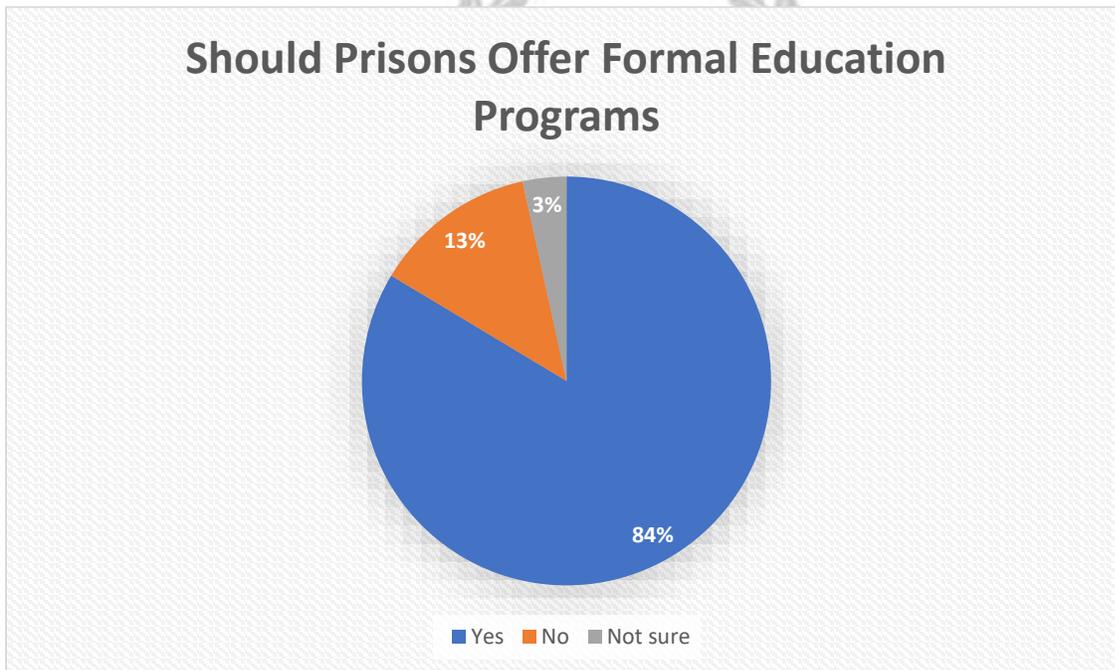
<sup>61</sup> Government of India, Ministry of Education, “Adult Education”, DSEL, *available at:* [https://dsel.education.gov.in/adult\\_education](https://dsel.education.gov.in/adult_education) (last visited on November 21, 2025).

somehow connote with the fact that education works as a helping hand towards the reformation of the inmates.

22% of the respondents are NEUTRAL upon the subject this may represent a deficiency of knowledge on the subject.

However, only 11% of the respondents DO NOT AGREE with the fact that the education helps in the reformation of the offenders.

This clearly defines the legal implications for the policy makers to improve upon the subject by amending the outdated legislations relating to prison education, make preparations for the education of the inmates by providing them access to appropriate infrastructure and diligent staff members along with other fundamentals.



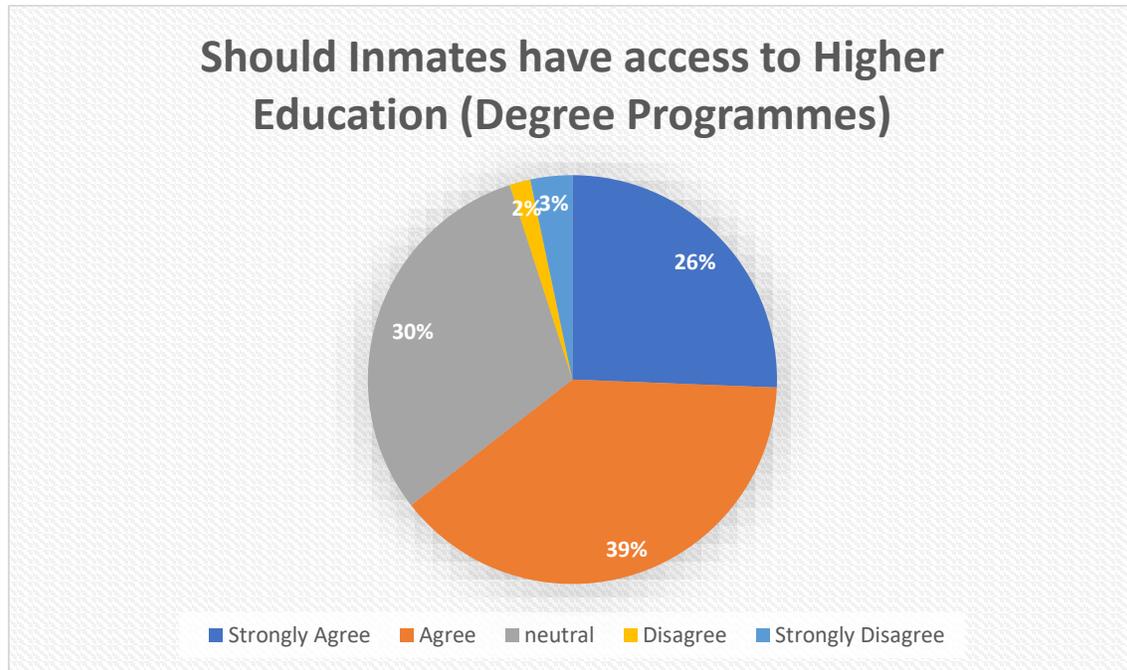
**Table 1.3**

As per the above table we could infer/suggest as follows:

84% of the respondents have AGREED to the fact that the prisons should offer formal education programs.

However, 13% out of the total respondents DO NOT AGREE to the fact while 3% are NOT SURE about it.

This analysis suggests that majority has a reserved a stay with the inference that the requisite measures must be taken to provide formal education to the inmates who are willing to take up. This step would play a significant role in improving their lives as they would be qualified to take up jobs in the formal sector and their eligibility for the employment would not be just limited to the labour options or in the informal sector.



**Table 1.4**

As per the above table we could draw the following inferences:

26% of the respondents **STRONGLY AGREE** that inmates must have access to the higher education (degree programs); and even the 39% of the respondents also **AGREE** to the same fact i.e., we could say that a total of 65% of the respondents **ARE IN THE FAVOUR THAT THE INMATES MUST HAVE A FACILITY TO OBTAIN THE HIGHER EDUCATION.**

30% are the respondents have a **NEUTRAL** view on this subject.

5% of the respondents **ARE AGAINST THE PROVISION OF HIGHER EDUCATION.**

Again, the majority gives a green flag to the accessibility of degree programs inside the prisons.

The results obtained through the last two pie charts i.e., Table no. 1.3 and Table no. 1.4 testify the

standing of education and demonstrates the general public view at the side of accessibility of education both secondary and higher to the inmates.

## 6. Vocational training in prisons

Vocational training is vital to criminal rehabilitation because it gives prisoners employable skills, modifies their behaviour, inculcates the spirit of cooperation and endorses their long-term recuperation into society.<sup>62</sup> The majority of criminals belong to the underprivileged socio-economic backgrounds and have a little formal tutoring or employable skills, which leaves them vulnerable to the clutches of unemployment and poverty thus pushing them towards recidivism. By offering organised, real-world drill and exposure to the crafts like carpentry, welding, fabrication, electric work, baking, stenography, leather work, dairy, poultry, pottery, book-binding, handicrafts, agriculture, tailoring, paper making, toy making, etc., the vocational training directly addresses this gap.<sup>63</sup>

The national policy agenda as provided by the Model Prison Manual<sup>64</sup> which facilitates the concept of skill advancement units, attaches prison training to local industrial demands, and encourages collaboration with NGOs and business organisations for mechanical knowhow. Prisons should establish and cherish active links with the National Skill Development Corporation (NSDC), State Skill Development Missions, and Industrial Training Institutes (ITIs) through the Skill India Mission to offer certified, structured skill-based courses under the National Skills Qualification Framework (NSQF).<sup>65</sup>

The following data collected (as per the questionnaire) depicts the public views upon the fact that whether or not the vocational training helps in rebuilding of lives:

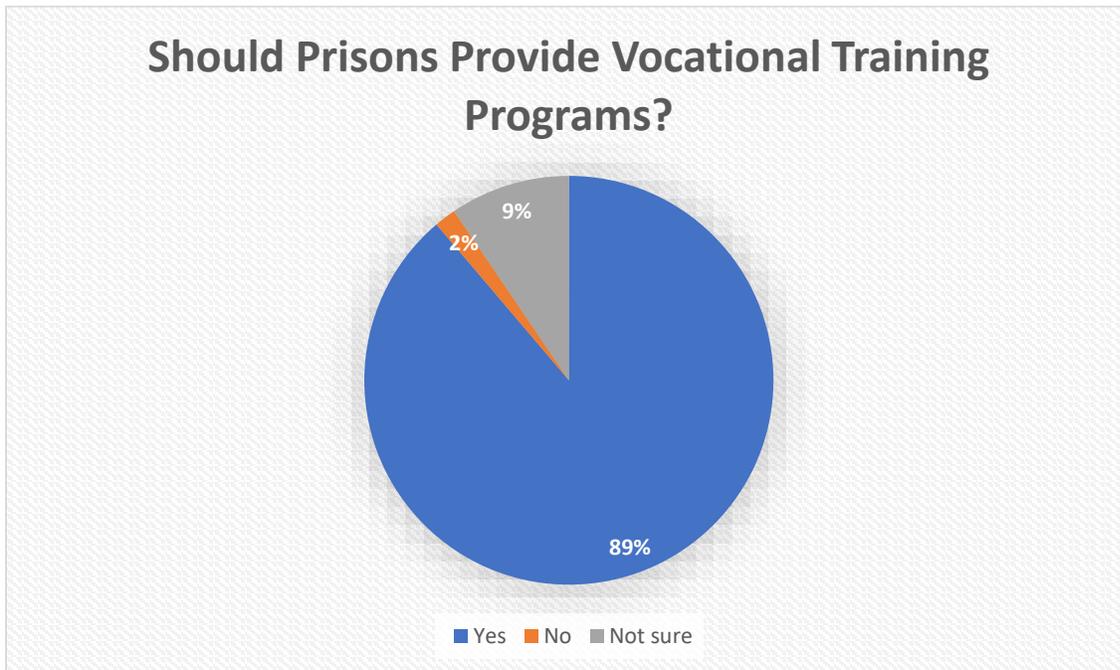
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<sup>62</sup> Vineetha S. and Vijay Raghavan, "Vocational Training in Indian Prisons" *LIII Economic ic & Political WEEKLY* 36 (2018).

<sup>63</sup> Government of India, "Model Prison Manual for the Superintendence and Management of prisons in India" 190 (Ministry of Home Affairs, 2003).

<sup>64</sup> *Supra* note 2.

<sup>65</sup> *Supra* note 2.

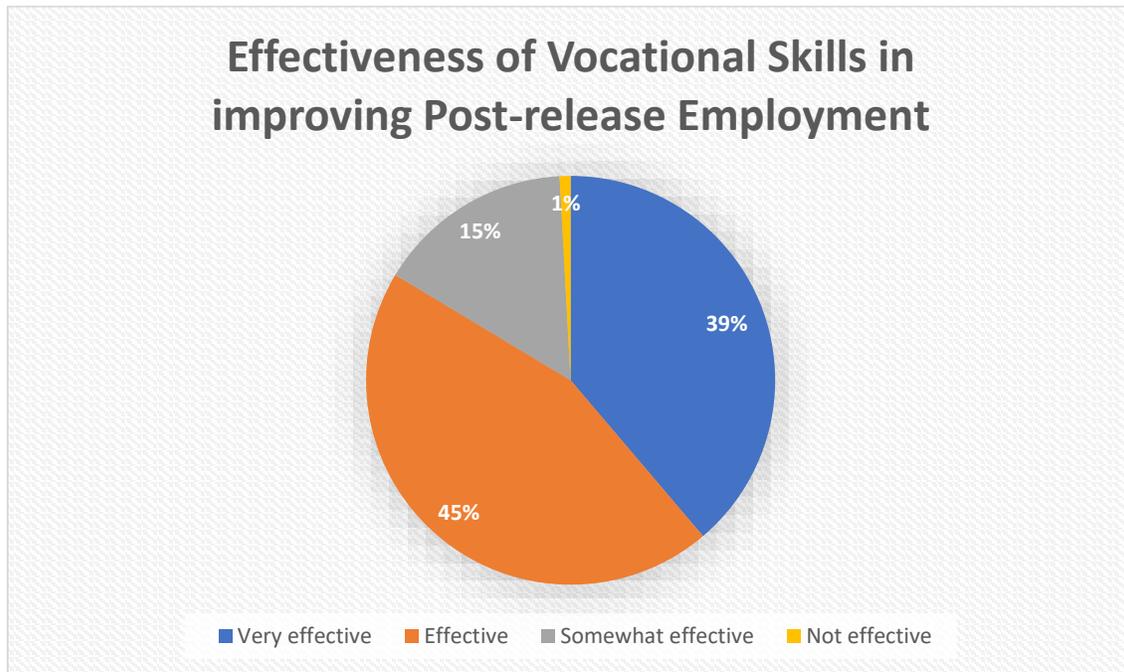


**Table 1.5**

As per the inference drawn from the above table, we could conclude that:

The majority i.e., 89% of the respondents AGREE to the fact that the prisons should encourage and facilitate the availability of vocational training programs in the prisons.

Only 2% out of the total respondents DO NOT AGREE with the same, however, 9% of the respondents are NOT SURE whether the prisons should provide the technical training or not.



**Table 1.6**

As per the above table, we could state as follows:

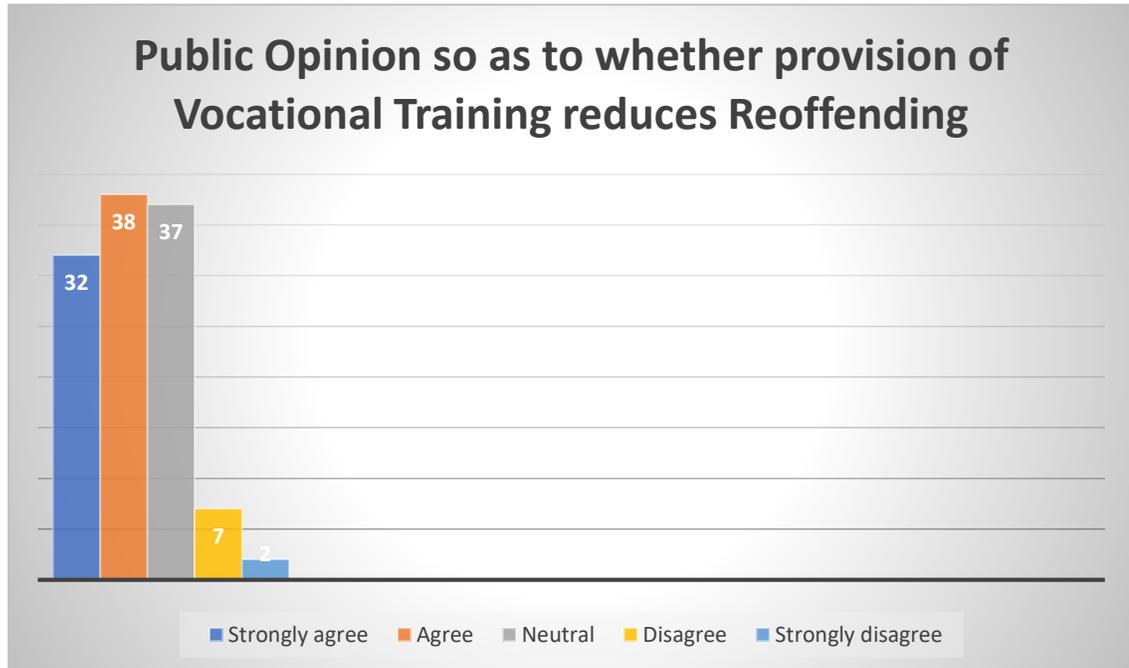
39% of the respondents vote that the facilitation of vocational skill programs to the inmates are **VERY EFFECTIVE** in improving the scale of post release employment, however, 45% vote for the option **EFFECTIVE** i.e., we could say that a clear-cut majority of 84% is in the support of the idea that facilitating or initiating the vocational skills programs in the prisons would definitely help the prisoners to find an employment for themselves somewhat fastening their source of livelihood once they are free from the jail.

Only 15% of the respondents feel that this campaign is **SOMEWHAT EFFECTIVE**.

While only a bleak number of respondents i.e., 1% of them feel that this initiative is not fruitful for the post release employment.

Thus, we could conclude from this data that running vocational training programs in the prisons is a step towards the ultimate betterment of society, as if people are able to find a suitable livelihood and able to fulfill their basic needs then there would be no want to beg or steal.

**Table 1.7**  
The public



opinion so as to whether vocational training lessens reoffending is as follows:

A total of 70% (32% STRONGLY AGREE + 38% AGREE) of the respondents have voted for an affirmative answer, however, 37% are NEUTRAL on the fact, as according to them the answer is very subjective i.e., the inmates after being unconfined may or may not be able to find the employment as various social factors are attached to this point, incase they are not, then it poses high risks of reoffending.

Almost 9% (7% DISAGREE+ 2% STRONGLY DISAGREE) of the respondents have answered the question in negative i.e., they do not agree to the statement that provision of vocational training to the inmates cuts down the chart of reoffending.

## 7. Case studies

### 7.1.Tihar Jail (Delhi):

The Tihar jail is also known as the Tihar Prisons Complex. It is one of the largest correctional facilities in India, housing thousands of prisoners, including those whose trial is pending and the convicts.<sup>66</sup> However, it is factually linked to hitches like overcrowding, fierceness, and the lack of

<sup>66</sup> Central Jail, “Tihar Prisons Official Website”, Government of NCT of Delhi, available at: <https://tiharprisons.delhi.gov.in> (last visited on December 2, 2025).

resources.<sup>67</sup> This complex is one of the best instances of reformatory prison management in India, its transformation is greatly influenced by the inculcation of education, vocational training, cultural programs highlighted by the name of “*Ethnic Tihar*”, sports competitions in various championships such as the kho-kho, volleyball, carrom, cricket, chess, kabaddi, etc., under the head of “*Tihar Olympics*”, behavioural programs, and correctional industries.<sup>68</sup>

### 7.1.1. Historical Context and Reformatory Initiatives

The rehabilitation model of the Tihar jail gained its momentum under the aegis of IPS Dr. Kiran Bedi, who envisioned the prison cells as the correctional homes but incarceration. Her philosophy was backed by the belief that offenders must be armed with prospects that shape discipline, dignity and employability. During this period several significant reforms were executed, such as the introduction of meditation and Vipassana centres, founding of the Tihar School of Art, thus, facilitating the prisoners to showcase their artistic talents. The prison industries were restructured to lay the foundation of the currently famous Tihar Jail’s brand. The association of the jail authorities with the IGNOU, NIOS, NGOs, and skill development bodies for formal education and training of the inmates opened as gateway for the Tihar's institutional identity, thus raising the bar from the groundwork to the long-term rehabilitative dealings.<sup>69</sup>

### 7.1.2. Educational Programmes at Tihar Jail

The first towards changing one's behaviour is to refine the soul of the person with the values gained through the education. In an order to bring this vision into reality the Tihar created a multi-tiered educational system for inmates heading from the varied backgrounds:

- **Basic and Functional Literacy:** Majority of the inmates coming to the Tihar are illiterate or have undergone the minimal level of schooling.<sup>70</sup> Literacy programmes are steered along with the assistance of the instructors associated with the Mission of National Literacy Local NGOs in correctional facilities

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<sup>67</sup> Harish V Nair, “Tihar jail strength exceeds capacity by 221 per cent” *India Today*, Feb. 10, 2016.

<sup>68</sup> Central Jail, “Reformation”, Government of NCT of Delhi, available at: <https://tiharprisons.delhi.gov.in/tiharprisons/reformation> (last visited on December 2, 2025).

<sup>69</sup> Editorial, “Happy Birthday, Kiran Bedi: Story of a wonder woman” *India Today*, June 9, 2019.

<sup>70</sup> Editorial, “Educating the Criminal Mind: Tihar Shows a Way Out” *The New Indian Express*, March 2, 2014.

helping the inmates to read, write, numbering, life skills, and legal rights awareness as the core topics of these classes. Not only this, but the inmates are also provided other necessities such as notebooks and pens all free of cost.<sup>71</sup>

- **Higher and Secondary Education:** Tihar's tie up with the National Institute of Open Schooling (NIOS) and Indira Gandhi National Open University (IGNOU) has enabled the inmates to pursue the secondary and senior secondary education, bachelor's and master's degree programs along with diplomas and certificate courses.<sup>72</sup>
- **Library and Academic Resources:** The jail complex has a library, established with the help of an NGO that gives the inmates access to the scholarly publications, thus, encouraging towards intellectual incentive.<sup>73</sup>

### 7.1.3. Vocational Training and Skill Development

The Tihar jail is largely regarded for providing the most inclusive vocational programs within prison cells in India. By training the prisoners towards inculcating the relevant market skills, they anticipate to produce a workforce which is all set to find an employment after being free from the jail.

- **Available Fields for the Vocational Training:** The Tihar jail is the largest prison compound in the continent of Asia which incorporates a wide array of options which the prisoners can opt for their vocational development, accredited by the Delhi Skill and Entrepreneurship University (DSEU).<sup>74</sup> The skills offered are as follows: tailoring, weaving, carpentry, basic information technology and computer literacy, confectionery and baking, handicraft production, pottery and ceramics along with courses for beauticians, plumbing, electrical work, paper production and recycling, etc.<sup>75</sup>

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<sup>71</sup> Central Jail, "Educational Facilities", Government of NCT of Delhi, available at: <https://tiharprisons.delhi.gov.in/hi/node/1003> (last visited on December 2, 2025).

<sup>72</sup> *Ibid.*

<sup>73</sup> *Supra* note 71.

<sup>74</sup> "DSEU signs MoU with Tihar jail, launches programme for inmate rehabilitation" *The New Indian Express*, May 27, 2022.

<sup>75</sup> Delhi Prisons, "Annual Review 2012: Jail Factory and Backing Schools", Government of NCT of Delhi, available at: [https://tiharprisons.delhi.gov.in/sites/default/files/generic\\_multiple\\_files/annual\\_review\\_2012\\_jail\\_factory\\_and\\_backing\\_schools.pdf](https://tiharprisons.delhi.gov.in/sites/default/files/generic_multiple_files/annual_review_2012_jail_factory_and_backing_schools.pdf) (last visited on December 2, 2025).

- **Tihar Jail's Industrial set-up:** The most pioneering reform led by the Tihar jail is the creation of its own Brand i.e., The Tihar Jail brand, under the label of which the inmates make and sell the products such as: furniture, stationery, bakery goods, textiles, processed foods and blankets, disinfectants which are sold in the public stores, prisons outlets and the government offices.<sup>76</sup>
- **Optimization of the Revenue:** The revenue generated through these skills is optimally utilized for providing the compensation to the victims, wages to the inmates and for the purpose of prison welfare.

#### 7.1.4. Analysis and Result

- **Shortfall in Recidivism:** The reoffending is considerably low among the prisoners who accomplish their education or vocational training.<sup>77</sup>
- **Financial Gains:** The money earned by the residents of the Tihar jail industries helps them in supporting their families, gather money for themselves once they are released and to gain pecuniary freedom.<sup>78</sup>
- **Reintegration into Society:** These programs not only sharpen the skills of the inmates but also reward them with the financial gains. The Social Welfare Department under the Government of Delhi provides loans to the released offenders for the establishment of the self- employed units, thus, facilitating and smoothening the journey of reintegration.<sup>79</sup>
- **Institutional Discipline:** Inmates engaged in education and labour exhibits develop better interactive skills, have a higher self-esteem and comply with prison rules in a better way as compared to those who did not receive such training.<sup>80</sup>

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<sup>76</sup> Manasi Mithel, "Tihar Jail products find their way to more shelves: *Business Today*, Sept. 16, 2012.

<sup>77</sup> Manoj Kumar Gupta and Manish Tiwari, "Study of Educational and Vocational Training Programs for Reformation of Prisoners: A Case Study of The Central Jail, Delhi. 30 *Educational Administration: Theory and Practice* 7410-21 (2024).

<sup>78</sup> "Outlet selling products made by Tihar jail inmates inaugurated" *The New Indian Express*, July 27, 2021.

<sup>79</sup> Central Jail, "Rehabilitation", Government of NCT of Delhi, available at: <https://tiharprisons.delhi.gov.in/tiharprisons/rehabilitation> (last visited on December 2, 2025).

<sup>80</sup> Suman O, Nishchal Sigdel, *et. al.*, "The Effectiveness of Rehabilitations in Prisons and the Criminal Justice System" 11 *The International Journal of Indian Psychology* (2023).

### 7.1.5. Difficulties and Limitations

The Tihar jail complex has several shortcomings, such as the severe overcrowding, inadequate and under qualified staff to teach the inmates, limited access to technology and scarce post-release support. These challenges need systemic policy reforms for long-term sustainability.<sup>81</sup>

### 7.2. Telangana Open Prisons:

Telangana's prison system emphasises rehabilitation and reformation along with confinement. The Departmental policies of the prisons in Telangana aim to provide education, vocational skills, recreation, counselling and support after the release of the prisoner to that ensure inmates are well equipped for their reintegration, striving to make incarceration highly productive for the inmates.<sup>82</sup>

#### 7.2.1. Educational Prospects

- **Basic or Primary Education:** The Vidyadaan Yojana seeks to provide literacy and numeracy coaching to the prisoners who are not literate. Many former illiterate prisoners have learnt to sign and read newspapers, which is in an effort towards promoting the self-confidence and communal reintegration. The ideal behind this program is to realize the motto of "Thumb in – Sign out".<sup>83</sup>
- **Secondary Schooling:** Telangana prisons facilitate the secondary-level education via the medium of National Institute of Open Schooling (NIOS). In 2025, 108 inmates from various prisons enrolled for the class 10<sup>th</sup> examination, who studied the subjects including Social Science, Business Studies, English, Economics, and local languages. Thus, giving the inmates a golden opportunity to add laurels to their educational credentials.<sup>84</sup>
- **Higher Education:** Inmates who have been sentenced for a long period of time can pursue the undergraduate and postgraduate studies via Dr. B.R. Ambedkar Open University (BRAOU). In the year 2025, twenty- eight inmates efficaciously completed their undergraduate programmes.<sup>85</sup>

<sup>81</sup> Mansi Tewari, "Bail problem: Tihar Jail faces space and staff crunch" *India Today*, Nov. 10, 2014.

<sup>82</sup> Telangana Prisons Department, Reformation & Rehabilitation, available at: <https://prisons.telangana.gov.in/Reformation.html> (last visited on December 2, 2025).

<sup>83</sup> Telangana Prisons Department, Welfare Activities, available at: <https://prisons.telangana.gov.in/welfare.html> (last visited on December 2, 2025).

<sup>84</sup> M Srinivas, "108 Inmates From 5 Telangana Prisons Enrolled For Class X" *Deccan Chronicle*, Apr. 30, 2025.

<sup>85</sup> "Telangana jail reforms: 28 inmates complete graduation from BRAOU", *Newsmeter Network*, Oct. 1, 2025.

### 7.2.2. Skill Enhancement

Telangana prisons along with the education also lay emphasis upon the vocational training, seeking to open up path ways for the practical skills to facilitate and positively boost the post-release employment opportunities.

- **Scale of Vocational Training:** Inmates are able to receive training in skills such as masonry, plumbing, tailoring, nursery management, electrical work, weaving, etc. Collaboration with institutions such as the National Academy of Construction (NAC), the Rural Self Employment Training Institute (SBI-RSETI), and Jan Shikshan Sansthan (JSS) ensures well-structured and certified skill development.<sup>86</sup>
- **Industrial set up at Prisons:** Prisoners are sought to engage in manufacturing activities such as producing steel furniture, soaps, textiles, herbal products, etc.<sup>87</sup> In year 2025, the Central Prison at Nizamabad has recently inaugurated a weaving unit which offers a hands-on experience and potential wages.<sup>88</sup> Inmates also have an option to opt for farming, horticulture and related field activities in the agricultural colonies like Cherlapalli, enhancing the skills appropriate to rural livelihoods.<sup>89</sup>
- **Quality Checks and Market Incorporation:** Training programs emphasis on the standardisation of the prison products to improve and retain the marketability of the products prepared by the prisoners. This ensures inmates acquire not only the technical skills but also workplace discipline, quality management, and entrepreneurial mindfulness.<sup>90</sup>
- **Wages and Post-Release Employment:** Working in the prison industries and agricultural earnings enables the inmates to make modest wages, thus, it could be utilized for supporting families during the period of incarceration and

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<sup>86</sup> *Supra* note 83.

<sup>87</sup> Telangana Prisons Department, Prison Industries, available at: <https://prisons.telangana.gov.in/industries.html> (last visited on December 2, 2025).

<sup>88</sup> "Telangana's Nizamabad Central Prison gets weaving unit, will employ 26 inmates" *Telangana Today*, Feb. 3, 2025.

<sup>89</sup> Telangana Prisons Department, Prisoner's Agricultural Colony, Cherlapalli, available at: <https://prisons.telangana.gov.in/paccherlapalli.html> (last visited on December 2, 2025).

<sup>90</sup> "Training on standardisation of prison products held at Cherlapalli jail" *Telangana Today*, July 15, 2025.

building finances. Furthermore, the department aids people in finding jobs after being released, which improves the chances of their reintegration into the mainstream of life.<sup>91</sup>

### 7.2.3. Impact and Outcome of these Programs

- **Increase in the Literacy Rate:** Under the aegis of ‘Vidya Dan’ programme, tens of thousands of illiterate prisoners grabbed the opportunity to attain literacy, thus, empowering themselves for daily life.<sup>92</sup>
- **All-inclusive Rehabilitation:** The blend of education, vocational skills, work, and social reintegration reflects a modern-day reform-oriented approach of the prison administration.

## 8. Recommendations

The following recommendations are proposed to strengthen the role of education and vocational training in criminal rehabilitation in India:

- **Creation of a Uniform National Policy grounded upon Prison Education and Skill Development:** As of now, prison education and vocational training are not precisely covered by any comprehensive central legislation rather they are scattered under the different heads. To guarantee homogeneity in prospectus, assessment, funding, and oversight across all States and Union Territories of India, a single national policy aligned with the Model Prison Manual 2016<sup>93</sup> should be enacted and implemented.
- **Introduction of the Market-Relevant Skill Programs:** Carpentry, baking, agriculture and tailoring, etc. are examples of traditional trades that are still crucial, but training needs to adapt itself according to the lines of the changing needs of the society. Prisons should open the access for digital literacy programs, basic coding programs should be accessible for the interested inmates, installation of the solar panels, e-commerce logistics, etc.
- **Specialized and well qualified Staff:** Vocational mentors and prison tutors should receive

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<sup>91</sup> *Supra* note 87.

<sup>92</sup> Over a lakh prisoners in Telangana educated under ‘Vidhya Dan’ programme; prisons department aims for 100 percent literacy, Firstpost, July 4, 2018, available at: <https://www.firstpost.com/india/over-a-lakh-prisoners-in-telangana-educated-under-vidhya-dan-programme-prisons-department-aims-for-100-percent-literacy-4772271.html> (last visited on December 2, 2025).

<sup>93</sup> *Supra* note 2.

a specialised training in correctional pedagogy. The government should initiate a program in this regard so as the mentors in the prisons are firstly well equipped themselves. Training of the staff members in psychology, pedagogy, criminology, and counselling should be a mandatory measure.

- **Increase in Funding and Strengthening Infrastructure:** Basic amenities, paraphernalia, and educational materials are often lacking in the prison schools and training facilities. A fund especially dedicated to the prison education and vocational training should be established by the Ministry of Home Affairs. Some of the measures which are need of the hour are the introduction of digital classrooms using smart boards and extension and upgradation of the libraries.
- **Inspire Public-Private Partnerships (PPP) in the Prison Sector:** Successful models such as the TJ's (Tihar Jail's) brand at Tihar Jail should be simulated nationally. Corporate entities who are enthusiastic to engage in rehabilitation efforts can facilitate the setting up of the micro-units inside prisons via funding.
- **Establishment of the "Post-Release Reintegration Cells":** The Government should establish such "Post-Release Reintegration Cells" in every prison whose job would be to ease employment fairs with private and public sector participation, keeping a record of the activities undertaken by the inmates throughout their imprisonment, issuing skill certificates that do not mention the word "prison" over it to avoid stigma. Employment exchanges and relations with District Skill Centres can help thwart relapse into criminal activity.
- **Reform Public Perception by arranging Community Programs:** Awareness drives, community sensitisation programmes also known as the '*nukkad-natak*' and acknowledgement of successful ex-prisoners would definitely encourage the society to view reformed offenders as prolific individuals rather than perpetual threats.
- **Mandatory Monitoring, Research and Evaluation by the Regulatory Authority at the National and State Levels:** It is essential to create a national data repository with its state agencies to monitor the trends concerning recidivism, employment status after release, levels of skill acquisition, and the participation rates. Frequent evaluation would ensure accountability and data-driven augmentations towards the prison rehabilitation initiatives.

## 9. Conclusion

This paper demonstrates that education and vocational training are vital instruments for accomplishing substantial rehabilitation and rebuilding the lives of the prisoners. These intrusions target the mechanical, psychological, and socioeconomic factors that stimulates the criminal behaviour; by equipping offenders with knowledge, employable skills, and positive behavioural alternatives which in turn enables the imprisoned individuals to break cycles of poverty, marginalisation and recidivism once they are set free. Provision of education and vocational training signify a swing from a punitive justice system to the one that prioritises socioeconomic rehabilitation, compassion, and human dignity. A reformed prisoner is an asset if he designs himself efficiently and not a burden upon the nation. Thus, rehabilitation is not a mere legal or administrative mission, rather it is a moral and social requirement that is vital to create safer societies which are more inclusive and just.

