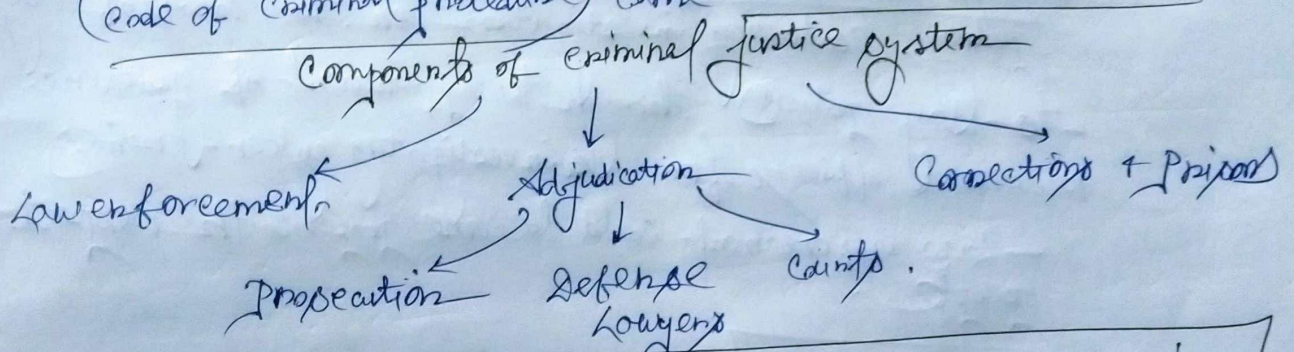


Q(5) The problems in India's criminal justice system must be addressed comprehensively to help the people ~~by~~ response faith in governance. Analyse [200 words].

⇒ Introduction

India has a long history of criminal justice system. Since the ancient period, several criminal justice system has been evolved & got the prominence with respect to the regional divisions under different rulers. With respect to the modern outlook, the codification of the criminal laws during the British period is now seemed to be less effective.

Indian Penal Code (IPC) is the official draft of Indian criminal code drafted in 1860 under charter act of 1833. Then further forward, CrP (Criminal Code of Code of Criminal procedure) came as enactment in 1873.



Problems with criminal justice system + the solutions

(i) Law enforcement agencies

Problems

(a) Lack of adequate resources

with respect to the per square km population, policemen are less in number; therefore, they face extra-ordinary workloads. The investigation ability get hampered by the lack of adequate forensic labs in India.

(b) Ethical view of Law enforcement

Due to the lack of proper training, the policemen are taking the aggressive approaches, which leads to the violation of human rights + adoption of

unethical means of encounter - killing, fake encounter, sometimes  
(most of cases) illegal bribery cases are not rare.

### (c) Change in the social structure

Due to the acceleration of the social mobility, it, giving birth of new crimes, like improvement of IT acts/technologies, rate of cyber-crimes are increasing, also, social disparities, anomalies, juvenile delinquency, alcoholism, socio-political instabilities etc. come under it, which ~~are~~ ~~not~~ are not the rare scenes at present.

### Solutions

Requirement of highly motivated, skillful, self-sufficient, sophisticatedly trained police forces are needed - by the opinion of Padmarajah  
- aish committee. And, modernization of the state policy, conducting investigation on the basis of day-to-day policies through the appointment of grievance redressal officers for investigating cyber-crimes  
- law enforcement could become proper with respect to people.

### (ii) Adjudication Problem

By the economic survey of 2018-19, there were about 3.5 crore pending cases in the judicial system especially in district & subordinate courts, which leads to the actualisation of maxim "Justice delayed is justice denied"

### Solution

By the opinion of criminal justice commission, requirement of strengthening of the present adversarial system of common law to increase the rate of conviction. More judges are required for pre-litigation measurements & plea-bargaining measures through the way of addition of "electronic filing system"

(iii)

## Correction & Services of Prisoners

Problem - According to the ~~my~~ reports of NERB-prison statistics India (2015), almost 68% of an total population of prisoners are comprised of under trial prisoners. India is comprised of one of the World's longest number of under trial of prisoners.

## Solution

Strategic government measurements should be required along with NGOs in related to prison administration. The open prison system has now come as a effective and alternative idea of closed system of imprisonment. Government-initiatives should be required through which class prisoners can meet their own livelihood through the government-services like newspaper, tea etc in their imprisonment ~~to~~ lives.

## Way forward

- what kind of reforms exactly, system should adopt - in this purpose, Malimath Committee + Madhav Menon Committee reforms related to the criminal justice system comes in.
- Account - which makes the recommendations that criminal codes should be made available in all the regional languages, so that accused can be aware of his/her rights.
  - Police investigation must be there on the basis of proper law & order.
  - Adequate number of judges should be there in lower courts.
  - Enhance the safety/security of the ~~the~~ lives of the witness person under law.
  - also, vacations of the court must be reduced on account of long pendency of cases.