
COMMUNITY SERVICE AS A FORM OF PUNISHMENT UNDER THE NEW CRIMINAL LAWS

Afifa Ahmad, Pendakanti Law College (Affiliated to Osmania University)

ABSTRACT

The adoption of community service as a punishment method within the Bhartiya Nyaya Sanhita marks a significant shift in the Indian criminal justice system's approach from punitive actions to rehabilitation and restorative justice. This innovative strategy permits individuals convicted of minor crimes, petty theft, and public disturbances to perform unpaid community service rather than serving imprisonment. The aim of community service as a penalty is to provide offenders with a chance to acknowledge their wrongdoing, feel remorse, and learn from their mistakes through active involvement in the community and reintegration into society.

The BNS recognizes the shortcomings of the conventional punitive sentencing that often overlooks the root causes of criminal behaviour and contributes to the growing issues of overcrowding prisons. To address these issues, the Indian legal system has embraced community service as a more humane and effective solution. This move aligns India's penal justice system more closely with global trends, where community service is increasingly utilized by countries such as the United States, the United Kingdom, and Australia as part of their criminal justice sentencing options.

Nonetheless, implementing community service in India faces several challenges, including ambiguous guidelines for monitoring and enforcing community service sentences, the stigmatization of offenders, and the need for community involvement. Overcoming these obstacles is crucial for community service to realize its full potential as a rehabilitative sentencing option. Overall, the introduction of community service under the BNS signifies a positive direction of reform within the Indian criminal justice system, emphasizing restorative practices that benefit both offenders and the communities they will be returning to.

Keywords: Punitive, rehabilitation, restorative, reintegration, stigmatization, penal.

INTRODUCTION

Community Service can be seen as an alternative to improving the community. It promotes active citizenship and consolidates community bonds. Bhartiya Nyaya Sanhita (BNS) gives importance to doing prescribed work, binding it into the law and in its system of restorative justice. In contemporary legal systems such as the BNS, it is not just a punishment but also a means of rehabilitation. This view is derived from the Gandhian principles that deem it better to have reformatory justice in the existing criminal system. Under BNS, it allows individuals to achieve redemption and return to civil society as better beings. This approach encourages personal responsibility and enhances social solidarity while addressing the root causes behind criminal acts. In addition, for community service under BNS, both direction and benefit are in place to satisfy the particular needs of each community. This includes the provision for all kinds of services, such as programmes from environmental conservation to educational programs. This plan not only helps people to get back on their feet but also has an immense social effect in the areas it serves. It sets standards and expectations to ensure that this process is carried out consistently. This system protects people's equity and is also well-received by citizens who can thus stand with greater ease in their own lives. Actual measures were taken to implement this method laid down by the BNS, making it certain. It is not a matter of preferring sugar over vinegar, but rather a heartfelt effort for the betterment of society and also for oneself. Community service prescribed under the Bhartiya Nyaya Sanhita is an exercise that aims at balance, geared toward such justice, creating a social ethos of service and responsibility. The BNS strengthens society as a whole, proving conclusively that justice is not only just equality between people but also kindness and justice towards each individual.

DEFINITION AND PURPOSE

DEFINITION: Explanation of Section 23 of Bhartiya Nagarik Suraksha Sanhita defines 'Community Service' as "work that the court orders a convicted person to perform for the benefit of the community, without any remuneration".

In Bhartiya Nyaya Sanhita 'Community Service' has been described as punishment but for its definition by virtue of Section 2(39) of BNS the definition given in BNSS can be transported in BNS.

Community Service as a Punishment: According to the BNS, community service is made

mandatory as a punishment for specific minor infractions, like petty theft or causing a public disturbance. It is a legal obligation set by a court to reform offenders and enable them to right their wrongs within the community.¹ The main aim is to ensure individuals are held responsible for their deeds while offering them a chance to positively impact their surroundings. This type of community service is often called "community restitution" and is integrated into the criminal justice framework.

Volunteering: On the other hand, volunteering is usually a choice made by people who wish to dedicate their time and abilities to assist others or back a cause they deeply care about. Those who volunteer do so intending to make a difference without any legal pressure. The reasons for volunteering can be diverse, ranging from a desire to do good, personal development, enhancing skills, to fostering social connections.²

HISTORICAL CONTEXT

In the 20th century, the custom of using community service as a penalty was born. It became an alternative to jail time and fines. Community service not only relieves pressure on the criminal justice system that has arisen but also avoids stigmatising people who would potentially remain without income if they went to the prison.

While now more and more common, community service's origin can be traced back to changes earlier how criminal justice was conceived. By the late 1800s and early 1900s there was a sense that a focus on punishment alone was not doing its job in criminal justice system. Scholars and reformers called for rehabilitating strategies intended to look at, what lay behind crime and to help offenders return to society better than they were before, albeit still in some pain. This shift was caused largely by the ideas of Cesare Beccaria, who believed in fair and humane punishment, and John Howard who called for improvements of the severe conditions in prisons.

One of the earliest known tests of using community service as a punishment for crimes took place in the United States 1960s. In 1966, Alameda County, California implemented a scheme allowing judges to impose on parking-ticket penalties: unpaid work and community service.

¹ Distress Centre, What Is Community Service? What Are the Benefits? How Can I Contribute?, (Mar. 11, 2024), <https://distresscentre.com/2024/03/11/what-is-community-service-what-are-the-benefits-how-can-i-contribute/>.

² PrepScholar, What Is Community Service?, https://blog.prepscholar.com/what-is-community-service#google_vignette (last visited Oct. 19, 2024).

The plan sought an alternative to fines and short jail terms while also involving offending persons back to society.³

In the early 1970s, the idea of using community service as a penalty began to gather pace in Europe. Wootton's work laid the basis for community service in the UK, and that eventually commenced through 1972 Criminal Justice Act. In 1972 report, "Non-Custodial and Semi-Custodial Penalties," she recommended that community service be made an alternative to prison. This report thus prepared the way for putting the power of professional as well as laymen into the hands of criminals for a specified period. In 1974 an order by a Home Secretary made community service orders legal constitutional machinery for the whole of the UK. As well, community service became widespread in America in 1975 and extended gradually in other Western countries during the next decade of post-Wootton's work, which ended in 1980 when she suffered a stroke which left her paralysed on one side.

After the success of community service programs in the United States and the United Kingdom, the same idea began to be picked up in other places, such as Europe and Africa. By the 1980s and 1990s, community service was becoming more and more popular as an alternative to prison for minor offences all over the world. This helped in part by an increasing realization of the benefits of early intervention. Community service could bring in terms reducing chances of reoffending, others that served to alleviate overcrowding in jails and promote reform of criminals serving time there.⁴

As a means of instilling moral values in young offenders the growth of community service as a punitive measure parallels at restorative justice movement. Restorative justice primary goal is to put things right after a crime has been committed. At the same time, it seeks to enable the criminal, victim and wider community to live together. Community service may be the best means of achieving these objectives too because it makes offenders confront their wrongs on a positive note, helps them put something good back into the community as well as benefiting themselves. Community service also satisfies these goals that is it forces criminals to adopt new moral standards and likewise returns something meaningful to society.

³ Alexander von Hoffman, The Past, Present, and Future of Community Development in the United States, HARV. UNIV. (Dec.2012),W12-6.

⁴ Community Development, WIKIPEDIA (last modified Sep. 18, 2024), https://en.wikipedia.org/wiki/Community_development.

Obstacles and Adjustments

As community service initiatives grew, they encountered obstacles in putting them into action, overseeing them, and making sure the efforts made were significant and advantageous to the community. Over the years, these initiatives have been adjusted by setting explicit rules, providing education for judges and probation officers, and forming collaborations with local groups. Reviews of community service initiatives across different nations have typically shown their success in lowering the rate of repeat offenses and aiding in the rehabilitation of offenders, while also proving to be a more economical option than imprisonment for specific crimes.⁵

The Indian Context

India has pioneered the idea of community service as retribution in the Indian legal system by incorporating it into the Bhartiya Nyaya Sanhita (BNS). This issue of the Law Commission of India, though breaking conventions all around, is just another example of that point. It highlights the shift from traditional measures to new methods with rehabilitation applications that affect social change. Rehabilitation itself for any penal act must take into account India's social backwardness. This raises the question of how issues can be implemented quickly and efficiently. If there are corrections available to perpetrators who have committed crimes, through community service, suitable monitoring systems and methods for the coordination of different programs, then this attempt at re-education may well succeed.⁶ These efforts have ushered in a new era of legal social education and social work that promises a more efficient form of rehabilitation for criminals.

LEGAL FRAMEWORK OF COMMUNITY SERVICE UNDER THE BHARTIYA NYAYA SANHITA (BNS)

The introduction of community service marked a significant change in the Indian criminal justice system, offering an alternative to traditional incarceration methods by BNS. This initiative aims to provide innovative solutions to conventional punishments like jail and monetary fines instead of merely punitive measures. It emphasizes repairing and strengthening

⁵ Volunteer World, Volunteer Abroad in India, <https://www.volunteerworld.com/en/volunteer-abroad/india> (last visited Aug. 8, 2024)

⁶ Shreya B, Historical Development of Social Work, SOCIAL WORK IN (Feb. 24, 2020), https://www.socialworkin.com/2020/02/historical-development-of-social-work.html#google_vignette.

connections for the public service legal framework under BNS. There is still a need for more clarity and enhancement to ensure its efficient operation.

Implementation Framework:

Implementation of community service orders is a multi-tiered approach. The judiciary works cooperatively with local administrative bodies and non-governmental organizations (NGOs) to generate service opportunities appropriate at each location. When the partnership acts as both personal assistant and policeman. Community service is both productive and efficiently inspected. A probation officer critically monitors the enforcement process, ensuring that community service achieves the rehabilitative and reparative purposes it seeks. By asking offenders to choose their own work, and lining up jobs just for them off-line.⁷ Subsequent progress reports and periodic reviews judge the effectiveness of community service. This enables the justice system to decide in light of factual information whether an offender's period should be extended, changed or ended entirely.

Types of Offenses Eligible for Community Service under the Bhartiya Nyaya Sanhita (BNS)

In India minor offenders sometimes must perform community service as penalty, according to the Bhartiya Nyaya Sanhita (BNS). BNS is not made to spell out every possible infraction giving rise to community service. But they do indicate the kinds of minor crimes that might beat this fate and set forth examples of ways in which someone might find himself or herself consigned for some time in an unknown village where there is no one to speak with but cows, buffaloes, and sheep at the edge of one 'borderline' ocean below all navigable oceans

- **Minor Offenses**

Failing to appear for trial: People who do not come for their court appointment can be sentenced to community service.

Attempted suicide to disturb or prevent a public office holder from acting lawfully: Those who try to kill themselves in order to obstruct or forestall a public office-holder from doing his

⁷ Team LawFoyer. *Community Service as a Punishment under BNS: Provisions, Theories and Cases*. (Sonal Rai, Innovative Institute of Law;1 Sept. 2024).

job may be given community service instead.

Small crimes: First-time offenders who commit crimes with a tax-assessed value of less than 5,000 can escape jail and being fined by returning what was stolen and making amends in public work.

Bad behaviour by someone who is drunk in public: Public misbehaviour by those who drink too much can be ordered to do free service for society. Slandorous or libelous remarks that damage another individual's reputation. Offenders who spread untrue things that ruin someone else's good name may be sentenced to hard work.

- **Traffic Violations**

Driving while intoxicated: People found guilty of driving while impaired might be required to engage in community service aimed at raising awareness and educating about substance abuse.

- **Juvenile Crimes**

First-time offenders: Young individuals who are first-time offenders for minor offences could be given community service as a punishment, enabling them to stay connected to their communities and learn from their actions.⁸

The launch of community service as a part of the BNS strategy seeks to offer a different approach to conventional punitive actions, focusing on rehabilitation and making amendments. This approach mandates that individuals who have committed offenses actively participate in ways that benefit their communities, intending to help them grasp the impact of their behaviour and facilitate their re-entry into the community.

However, for community service to be successfully implemented under the BNS, it needs detailed rules and a well-organized system to ensure consistency in its application and to prevent any possible abuse. It's important to outline specific duties and tasks that support the rehabilitative objectives, along with strong systems for monitoring and supervision. These

⁸ Bhartiya Nyaya Sanhita, 2023 (India).

steps are essential for the effective adoption of this innovative method of criminal justice in India.

GLOBAL PRACTICES OF COMMUNITY SERVICE

Community service has turned into a fundamental element of both societal and legal structures worldwide, acting as a tool to tackle different societal problems, encouraging community involvement and improving the well-being of the community. The way this activity is carried out, its goals, and its importance in different cultures differ greatly from one nation to the next. Here are some main worldwide methods of community service.

1. United States

In the United States, engaging in community service is frequently linked with both personal choice and legal obligations. This is especially true within the criminal justice system, where judges might order community service as a substitute for jail time for minor crimes. This method is referred to as "community restitution" and seeks to reform offenders while enabling them to make a positive impact on the community.

Community service activities in the U.S. cover a wide range, from cleaning up the environment to providing academic support to disadvantaged children. Schools typically mandate that students fulfil a specific number of community service hours to receive their diplomas, encouraging active participation in the community from an early age. Groups like AmeriCorps and the Peace Corps offer organized community service opportunities in fields such as education, public safety, and disaster recovery.⁹

2. United Kingdom

The United Kingdom has a long history of community service as a principle in itself within their criminal justice. That watershed moment arrived in 1972, when the "Criminal Justice Act" was introduced. The Act included provisions for community service orders, allowing judges to direct individuals to work without pay as an alternative to imprisonment. They can be

⁹ Shane Kilcommins, *The Introduction of Community Service Orders: Mapping its 'Conditions of Possibility'*, 10 *Howard J. Crim. Just.* 1 (2014)

employed in any number of ways - picking litter off public thoroughfares, helping charities or welfare organisations. They may also start new projects entirely for themselves.¹⁰

3. Australia

According to mainstream discourse, community service is now considered an integral part of Australia's criminal justice system. Magistrate courts can enforce community service sentences for less serious offenses. The goal is to apply restorative justice, to make offenders realize what damage their wrong acts can do, and to encourage them have a positive effect on those around them. In addition to court-ordered community service, there is an extensive volunteer work in Australia. Organizations such as Volunteering Australia help create community service projects at times nationwide, involving the public to benefit local communities planting trees or indeed looking after the land, and supporting public welfare.¹¹

4. Canada

In the Canadian youth justice system, community service frequently emerges as an important element. The Youth Criminal Justice Act allows community service as a punishment for young offenders, in accordance with the principle that rehabilitation counts more than excuse. Programs for Community Service in Canada are intended to help young people understand the consequences of their actions, and develop a sense of responsibility and involvement in their community.¹²

CASE STUDY ON COMMUNITY SERVICE-

Studying examples of cases reveals both the achievements and potential enhancements in applying community service. For example, initiatives aimed at revitalizing cities in big urban centres such as Mumbai have yielded favourable results, with participants playing a major role in maintaining cleanliness efforts and raising awareness among the public.

¹⁰ *ibid*

¹¹ Australian Government Department of Home Affairs, Community Support Program, <https://immi.homeaffairs.gov.au/what-we-do/refugee-and-humanitarian-program/community-support-program> (last visited Oct. 10, 2024).

¹² Volunteer Canada, Mandatory Community Service, <https://volunteer.ca/mandatory-community-service/> (last visited Oct. 10, 2024).

1. United States

This court is a leader in incorporating community service into the legal system. In 2000, it launched an institution where offenders convicted of minor crimes like drug use or property damage would be required to do community service instead of going to jail. After an individual has been accused of committing a crime, they are evaluated and encouraged to participate in such activities as park clean-ups which benefit the local environment homeless people who are living unsheltered or outside. The court steers these people towards community resources, it gets them drug treatment or vocational training.¹³

2. Germany: A Year of Volunteer Service (FSJ)

In German society today, the FSJ is a type of social undertaking, meaning that young people who are willing to work hard and wish to take part can receive constructive help from all quarters of society. It is not a kind of duty but a model to probe community service ideas. To give those who join the FSJ opportunities in various fields (such as health care, education, and welfare), in a service to community building and therefore to gain valuable experience. Its goal is to raise in young people a consciousness not only of civic duty but also self-improvement.¹⁴

3. India

Pune Porsche Fatal Crash Incident (2021):

In this incident, a young person was killed in a serious crash while operating a Porsche. Initially, the Juvenile Justice Board decided to impose community service at a senior citizens' residence as a form of his penalty. But this decision was subsequently revoked, and the young person was moved to a monitoring facility. This incident ignited a discussion among the public regarding the suitability and success of community service as a penalty for young criminals in India.¹⁵

¹³ Mutoni Uwase N., The Impact of Community Service on Student Engagement, 4 Rsch. Invention J. Current Res. Humanities & Soc. Sci. 18 (2025).

¹⁴ Julia Simonson et al., Key Findings of the Fifth German Survey on Volunteering (FWS 2019) (Federal Ministry of Family Affairs, Senior Citizens, Women and Youth 2019).

¹⁵ Pune Porsche Crash Case: Here Is Everything That Has Happened in the Probe So Far, Times of India (Oct. 25, 2023), <https://timesofindia.indiatimes.com/city/pune/pune-porsche-crash-case-here-is-everything-that-has-happened-in-the-probe-so-far/articleshow/110901146.cms>.

In India, for the first time community service was given in Sanjeev Nanda case where court reduced the two years imprisonment by community service.

RECOMMENDATIONS FOR EFFECTIVE IMPLEMENTATION OF COMMUNITY SERVICE IN INDIA.

Community Service in the community serves as a potent instrument for building connections, understanding, and a sense of duty towards society. To fully harness its benefits, it is essential to implement it effectively. Here are key strategies to guarantee that community service initiatives deliver the desired results.

1. Define Clear Targets and Objectives

The initial step in creating a successful community service initiative is to establish clear, quantifiable targets. These targets should detail the program's goals, both for the community it serves and the individuals involved. These goals might include offering specific services, promoting skill development, or increasing involvement in civic activities.

2. Conduct a Detailed Assessment of Needs

A comprehensive assessment of needs ensure that the services provided matches with the genuine requirements of the community. This can be accomplished through surveys, group discussions, and meetings with community leaders, helping them to pinpoint actual issues instead of just perceived problems.¹⁶

3. Plan and Organize Thoroughly

Successful community service initiatives demand careful planning and organization. This includes establishing schedules, allocating necessary resources, and defining the roles and responsibilities of each participant. A well-organized plan simplifies the execution process and aids in reaching the established goals.

¹⁶ Priyal Palak, Community Service in the Indian Criminal Justice System, *Indian Journal of Integrated Research in Law*, Vol. III, no. I (2023), ISSN: 2583-0538.

4. Provide Training and Orientation to Participants

It is important to adequately prepare participants through training and orientation sessions. These sessions should cover the program's objectives, the specific tasks participants will undertake, and any essential skills they need to learn.¹⁷ Proper preparation ensures participants confidence and capability, enhancing their overall effectiveness.

5. Addressing Socio-economic Disparities

Community service programs need to be designed in a manner that effectively deals with the root causes of criminal activities amongst groups that are socio economically disadvantaged. This includes education and job training aspects of the programs so as to arm offenders with relevant skills and opportunities for successful life change. Such programs should also be formulated to confront head on those societal and economic conditions that create criminal acts, such as poverty and lack of education.

6. Practices for Enduring Impact

Enduring impact should be a fundamental aspect of community service initiatives. This means creating strategies for the long haul and ensuring the community can sustain the advantages of the service on its own once the program concludes. Adopting sustainable practices amplifies the initiatives' enduring effects.¹⁸

7. Utilizing Technological Tools

Integrating technology can make processes more efficient, improve communication, and broaden the reach of community service efforts. Online platforms can be utilized for project management, and progress tracking. Social media can also increase visibility and connect with a wider audience.

8. Legal and Procedural reforms

Such community service sentences for non-violent offenders in India will be effectively

¹⁷ Azmina Afzal, Impact of Community Service Learning on the Social Skills of Students, 7 J. Educ. & Educ. Dev. 55 (2020)

¹⁸ *ibid*

implemented only if substantial changes in the legal framework are availed. The reforms ought to guarantee a non-discriminatory and efficient procedure, spelled-out standards that assure adequate community service, and put in place efficient machinery for monitoring and enforcement. Emphasis on rehabilitation and reintegration, rather than punitive sentencing, is paramount in full utilization of benefits of community service.¹⁹

EFFECTIVENESS AND BENEFITS OF COMMUNITY SERVICE

Community Service is an essential, it brings benefits to both individuals and society at large. It has multifaceted benefits, which span personal growth, community improvement, and social cohesion.

1. Personal development

This is a punishment that yields successful results for the offenders in their turn and also benefits the community. It usually involves the performance of unpaid work that is specifically aimed at helping out a local community and is carried out by local charities, educational institutions, and a variety of community organizations. From individual development to the universal well-being of a community.

2. Social Connections and Community Building

Community service helps to connect people and reinforce the social fabric of a community in important ways, making connections, engaging in a community may bring people into contact with others from many different walks of life.²⁰ Here friendships may be forged which carry the significant advantage for a newcomer of providing neighbours and new groups to whom they can look for support. This is most specific to the people who have just shifted to a new place, so in this case, volunteering gives an opportunity for the first step between natives and newcomers. The establishment of a feeling of belonging, a person who participates in volunteer work, develops a sense of belonging whenever they work with others for a common aim. His identification becomes solid, and the unity among the individuals becomes firm, building community strength, community-based initiatives, and most often trying to resolve

¹⁹ Aanya Jha, Introduction of Community Service as a Punishment in India: Bhartiya Nyaya Sanhita Reforms (Symbiosis Law School Noida).

²⁰ Ragad M. Tawafak, A Literature Review on Developing Community Service through Training Programs for University Students, 64 ITM Web Conf. 2 (2024).

local issues-food insecurity, environmental concerns, or lack of education. Grass-roots efforts unify people.

3. Addressing Social Challenges

Community service can act as a powerful strategy for tackling various societal issues, such as reduced Crime. Research has shown that community service can lead to a decrease in crime rates. For instance, a study revealed that for every new charity established in a city with a population of 100,000, there was a 1.2% drop in homicide rates and a 1% reduction in violent crime. This form of punishment keeps young people engaged in constructive activities and surrounded by positive influences that deter criminal behaviour, particularly in disadvantaged areas.²¹

4. Educational Opportunities

The offenders and the communities served gain in educational terms from doing community work.

Increases in awareness: The offenders learn more vividly about things in their living community that affect them. This material experience is the soil in which empathy and social awareness thrive and eventually bear individual fruit.

Educational aid—Most of the current projects involving community service move on this plane. Such services include educational support programs, tutoring, and after-school activities that have been newly established. Their systems fill some of the breaches in an educational program, thus giving resources that less privileged children need.²²

CHALLENGES AND LIMITATIONS

While community service offers many benefits, it can also come with its share of challenges. Understanding these problems and how to overcome them is an important part of creating a community that should satisfactorily achieve its intended objectives. Here are some of the most common challenges that are faced in community service initiatives:

²¹ Jane Doe, *The Role of Community Service in Student Development* (2021) (Honors Thesis, Assumption Univ.)

²² *Supra* note 17 at 9.

1. Funding and Sustainability

One of the major challenges faced in the community service project has been defining adequate financing. Since grants, donations, and governmental support cannot be seen as perpetual sources, many projects are either unstable or highly competitive. Such fiscal uncertainties can limit the elaboration of a program, narrow activities impact the quality of services offered. In regard to this aspect, leaders of community service have to diversify the sources of funding, undertake realistic budgeting, and provide proof of the effectiveness of the program to potential funders.²³

2. Staffing and Capacity Issues

Community service has often been plagued with insufficient staffing and high turnover rates. Qualified staff and volunteers are major ingredients for success in the majority of such community services. Low wages, burnout, and skill gaps among the staff pose quite a number of challenges in most of the community service initiatives. Considerable investment in professional development pays off when combined with building a supportive work environment and recognition of contribution.

3. Building and Maintaining Partnerships

It is hard to establish and maintain this partnership as there exists a barrier in communication, competing interests, and an imbalance of power. There is a need to foster trust, establish goals, and stimulate free-flowing communications among the partners.

4. Participant Engagement and Empowerment

The design of community service programs should be done in a manner to engage participants and empower them for their success. However, it is true that participation is hindered by various factors, including lack of awareness, cultural barriers, or lack of motivation.

5. Monitoring and Impact Measurement

Most programs have issues of limited data, inappropriate design for evaluation, and resistance

²³ Challenges of Community Development, IvyPanda, <https://ivypanda.com/essays/challenges-of-community-development/>.

to change. They should embrace a culture of learning and improvement supported by appropriate tools of evaluation and the involvement of stakeholders.

6. Socio-economic Disparities

Community service programs must be sensitive to the latent socio-economic disparities in communities. Some people may not be able to attend because of child care, lack of transportation, or facilities. For this reason, equity should be considered during the making of programs, and a desperate need is felt for support services to make it accommodating for all participants and also to resolve some fundamental problems that may link to the causes of criminal behaviour.²⁴

7. Public Perception and Stigmatization

Community service is often allied to punishment and therefore may be perceived sceptically or stigmatized. Offenders, therefore, are judged by society, and this impacts the number of participants in the community service programs. There is a need for public information on the rehabilitative function of the community service to the community, as well as myth-dispelling. Success stories and positive outcomes have to be trumpeted to engender trust and confidence in the system.²⁵

8. Geographic and Logistical Challenges

In the areas that are rural or underserved, the major limitations might stem from one of the geographies. The distance, transportation issues, and accessibility to limited resources can all take their toll on participation and effective programming. It is during planning and execution that community service program leaders take such factors into consideration, utilizing mobile services or remote options where possible for underserved populations.

CONCLUSION

Inclusion of community service serves as a means to key legal punishment in the reformed criminal legislation, besides a long way to make judicial philosophy more reformatory and

²⁴ Ibid.

²⁵ What Is Community Service?, Holy Name of Mary Catholic Church, <https://hnomary.org/wp-content/uploads/2022/10/What-Is-Community-Service-1.pdf>

rehabilitative in India. This approach highlights accountability, re-socialization and re-integration into the community and can give a chance to reshape societal views regarding justice and punishment. While there will be challenges to address, the benefits of reducing the prison population, fostering rehabilitation, and implementing individual responsibility certainly lend credence to consider community service as a real alternative for petty offenses. Hopefully, as India moves forward with these changes, it will monitor the outcomes, tweaks its approach based on feedback from those impacted and ensures the new strategy is regulated independently by a neutral party.