



## Community Service as an Alternative to Punishment: A Legal Study.

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### ABSTRACT

The field of criminology and penology categories different set of crimes and their corresponding punishments. However, the severity of the offense determines the sentence. The emergence of community service as a form of punishment has contributed to the growth of restorative justice. With special focus on reform and rehabilitation community service has become a popular alternative for conventional punitive measures like jail time and promoting recovery and social integration. Several jurisdictions have developed effective community service models as alternatives to traditional punishments. Although, India has been at slow pace to adopt community service compared to other jurisdictions, it has now finally got statutory recognition through the enactment of the three novel criminal laws such as section 4(1) of BNS and explanation to section 23 of BNSS 2023. This research analyses the efficacy of community service as a punitive measure in India with a particular emphasis on its legal, social and psychological aspects. Moreover, to assess how criminals and society at large see community service, the study looks at the various models of community service, judicial attitude and statutory provisions across various jurisdiction including its position in India

### Introduction

*“Community service is a powerful tool for rehabilitation, allowing offenders to directly give back to the communities they have harmed.” – Judge Jane Doe. (Rai, 2021)*



In recent years, India's criminal justice system has witnessed a gradual yet significant transformation, especially in how punishments are approached and implemented. Traditionally, the system incline heavily on punitive measures like imprisonment, fines, and forfeiture of property. However, there has been a growing recognition that such methods, while serving the purpose of deterrence and retribution, often fall short in addressing the root main causes of criminal behaviour or promoting rehabilitation.

A shift towards a more balanced and reformative model of justice has led the inclusion of community service as a penal measure under the newly introduced BNS, 2023. This inclusion marks a departure from punishment as mere retribution, emphasising instead the ideals of rehabilitation, accountability and reintegration. The purpose is not only to hold offenders responsible for their actions but also to offer them the chance to return the Favor to the communities they may have damaged (Prasanth, and Charumathi, 2024)

Under this new framework, individual convicted of certain lesser offences may be required to perform unpaid work such as cleaning public spaces or assisting charitable organizations. Through such tasks, the offender is expected to acknowledge their wrongdoing, contribute positively to society and begin a process of personal reform. This aligns with the principles of restorative justice that focuses on healing the harm caused by crime and restoring social harmony.

India moving forward with justice reforms under the BNS, community service presents itself as a potentially transformative tool, one that seeks to balance the needs of society, victims and offenders alike by blending accountability with compassion.

### **Conceptualising Community Service**

The IPC has traditionally stated five types of punishment – Death, Life Imprisonment, Rigorous and simple Imprisonment, Forfeiture of property and Fine. However, a significant change was made when section 4 (f) of BNS was introduced, “Community Service “as sixth type of punishment. In the past, the Indian penal Code placed a strong emphasis on punitive measures that were based on the retributive concept, which calls for punishing the criminal and compensating the victim.

Bhartiya Nyaya Sanhita as punishment for pretty offences such as an attempt to commit suicide (Section 226), public servants unlawfully engaged in trade (section 202), property theft less than Rs 5,000 (Section 303), appearing in public places in a state of intoxication (Section 355) and causing annoyance, defamation (Section 356(2)) are some of the sections which entail to community service as a punishment. BNS lacks a definition for the term “Community Service” as these clauses or the conjunction suggest. It's



interesting to note that community service is the only necessary punishment that court must impose for stealing under section 303(2) BNS, not only an alternative punishment. According to the explanation provided under section 23 of BNSS, it refers to “The Labor that a judge may mandate a convicted person to do as a community benefiting penalty” for this job, he will not be paid. (Palak, 2023).

For example, the Delhi High Court in July 2024, directed two people who were accused of insulting their neighbour’s wife’s modesty to serve as community service volunteers at Gurudwara Rakab Ganj sahib for a month. Section 435(3) of the CRPC permits community work to be used as a condition of bail, according to the High court in the case of (*Sunita Gandharva v. State of Madhya Pradesh*)2020, which addressed the breadth and depth of bail conditions. Community service was also mentioned as having social and cognitive benefits and maybe being used in place of pre-trial and post-trial reforms. It generally refers to work performed willingly and without compensation as a beneficial contribution to the community. Nonetheless, community service in the context of punishment refers to unpaid labour or work that the offender is required to perform by the legal system to acknowledge his wrongdoings, accept responsibility for them, and make a positive contribution to the community or society. Examples would include charity works, cleaning work, tutoring the underprivileged etc.

Community service has emerged as a competitive alternative for prison time and other sanctions in the justice system of crime. It was created to overcome drawbacks of conventional disciplinary techniques, especially when dealing with non-violent offenders. Rather than concentrating only on retribution or deterrence, this strategy stresses restorative justice and places an emphasis on the offender’s rehabilitation as well as the good of society. In reaction to the emerging realization that incarceration frequently exacerbates criminal behaviour rather than reducing it, community service arose in the 1960s. It was believed that imprisonment was ineffective, especially for little crimes and that it would increase recidivism rates and overcrowded jails. In India, jail overcrowding is a serious problem.

According to the report published in 2020 by NCRB, India has 1,306 prisons in total, with a capacity of 4,14,033. With a 118.0% occupancy %, the actual prison population of 4,88,511 leads to overpopulation. Some states have even higher rates of overcrowding. The main causes of this overcrowding are the large numbers of prisoners awaiting trial, the prolonged legal system and the common practice of incarceration as a form of punishment. Community service has been used as substitute form of punishment to tackle this issue and reduced the strain on the criminal justice system. Included in this the removal of non-violent offenders from the criminal justice system.



An alternative to punishment that is both more useful and humane is community service. Requiring offenders to make community contributions cultivates a sense of duty and responsibility. In addition, it gives criminals an opportunity to learn new skills, get employment experience and strengthen social bonds all essential for an effortless reintegration. Additionally, because community service prioritizes recovery over punishment, it helps lessen the stigma attached to criminal convictions.

### **Community Service as a punishment – Prior to Bhartiya Nyaya Sanhita**

Community Service as a punishment has been present in India for a considerable long time, though it has evolved significantly. According to Mishra and Dwivedi (2014), the Pakwasa community in the year 1949, realized the value of community service and suggested that prisoners be hired as construction worker. Nevertheless, there have been numerous proposals and recommendations to incorporate community service as a punishment under the IPC. It was through this that the practice of paying convicts for their labour was began. The Indian government was advised to introduce it as an alternative to incarceration. In (*Babu Singh v. State of Uttar Pradesh*, 1978), the Indian Supreme Court ruled that restorative measures such as study sessions, meditation practices and community service should be performed for hours without pay and for a maximum of three years with consent. In the beginning, the IPC attempted to use community service as a form of punishment. According to clause 181 of the IPC modified bill of 1978, section 53 proposed new punishments including as community service, public censure, repair orders and prohibitions from holding public office. According to the bill, the offender should be above 18 years of age to be eligible for community service to work for certain number. Later the 156<sup>th</sup> Law commission report, again took up the amendment suggested by the 1978 which proposed community service under section 53, it was submitted that in the workshops held and it was argued that punishment for community service is not practicable. Furthermore, it was said that community service was a relatively new concept with the open-air jail system and that the workshops designed to redeem the criminals had pointed out its inefficiency. The Malimath committee also recommended the adoption of community service, however, these suggestions were never put into practice. The idea of community service gained attraction in the early 2000s when courts began advocating for it as a rehabilitative alternative. The Juvenile Act of 2015 is the first to formally incorporate community service, under section 18(1)(c) of the JJ Act, 2015, which gives community service as punishment for child offender, Indian courts have increasingly favoured community service over imprisonment, recognizing its rehabilitative benefits.

### **Key Doctrinal Principles / Theories**



Several theories of criminology that encourage community service, emphasizing its capacity to promote social justice. Some of these are:

### **Rehabilitation Theory**

This theory of punishment is based on the premise that criminal behaviour frequently arises from social, psychological or economic disadvantages and that with constructive intervention, offenders can be reformed. This theory stresses the importance of transforming the offender into a responsible and productive member of society, rather concentrating only on retribution. In this context, community service acts as an effective means of rehabilitation. It permits offenders to engage into work at socially positive sites like schools, hospitals, public parks and community centre, where they encounter the value of empathy, responsibility and discipline. Such work, due to its structured nature, promotes self-reflection regarding one's behaviour, diminishes the chances of reoffending and offers offenders a chance to develop skills and reintegrate into society constructively. (Manu, 2023)

### **Deterrence Theory**

Deterrence theory is based on the premise that punishment should serve as a warning to both the individual offender and society at large, thereby preventing future criminal acts. It operates through two forms: Specific deterrence, it aims to set an example for others and prevent the offender from committing the same crime again. Community service, though less severe than incarceration, can still have a deterrent effect. The obligation to commit hours of unpaid labour in sometimes menial or physically exhausting tasks imposes a burden that acts therefore for the offender. Additionally, the visibility and social stigma attached to such punishments can reinforce the seriousness of the offense. Thus, it serves as a moderate yet effective deterrent, especially for nonviolent or first-time offenders.

### **Restorative Theory**

According to Shaikh and Ahmed (2025), through restorative justice, the emphasis of punishment is shifted from the offender to wide effects of crime on relationships, communities and victims. It placed a strong emphasis on recovery, responsibility and re-establishment societal peace. Community Service is a good fit for this paradigm as it allows offenders to atone for the harm they have caused. It enables the criminal to immediately improve the lives of people they have harmed, frequently by performing deed that have symbolic or useful significance, such as cleaning public areas, supporting neighbourhood groups or helping with social projects. In addition to helping the public, this also enables the criminal to comprehend the practical repercussions of their behaviour, encouraging moral introspection and a feeling



of societal duty. In some cases, community service can be tailored in consultation with victims or local leaders, making the justice process more inclusive and restorative in nature.

### **Social Learning Theory**

In Albert Bandura's social learning theory, people pick up some new behaviour by seeing and engaging with other people. This hypothesis holds that bad influence in one's social surroundings is frequently the source of criminal behaviour. On the other hand, putting criminals in constructive and organized community service settings gives them the chance to unlearn their criminal impulses and develop prosocial behaviours. Offenders usually have community mentors or authority persons watching over them as they complete their community service and they are surrounded by others who are doing positive and legal things. This exposure fosters civic involvement, a work ethic, and feeling of accountability by encouraging imitation of positive role models. Additionally, community service routine and punishment can assist modify the offender's behavioural patterns, lowering the long-term likelihood of recidivism.

### **Community Service Model across various Jurisdictions**

Community sentencing is becoming increasingly accepted by the international community especially in Western Europe. "The United Nations Standard Minimum Rules for Non-custodial (The Tokyo Rules)" and the "Kampala Declaration on Prison Conditions in Africa" recommend that member states are obligated to adopt alternatives to custodial measures such as community sentencing, specially encourage countries to embrace community service as an alternative to penal sanction. (Agarwal, 2019)

Although community service models are implemented differently in different jurisdictions but for criminal sentencing, they typically entail offenders carrying out unpaid labour that is mandated by the court while being supervised. In many nations, community sentencing has evolved into a sanction that falls somewhere between probation and jail time. So, to understand various nation efforts towards integration of community sentencing few models of different jurisdictions is discussed below.

#### **USA**

According to Das (2025) the 1800s, the United States implemented the Community Corrections procedure. During that period, the entire system was not well developed. The four main alternatives to jail or prison were recognition, judicial reprieve, sanctuary, and the benefits of clergy. Later in 1970s due to its popularity in United Kingdom the judges and court system in United States began implementing Community service is considered as an essential condition of probation.



## Legislations

The draft “Federal Criminal Code Revision Act 1979” recognises community service by court order as an important condition of probation. The federal law 18 U.S.C s 356 (b) (12) states that the court. The oldest documented court ordered community service in US was the Alameda County in late 1960s. The scope of this community service was limited only to female traffic violators to avoid jail in failure of non-payment of fine. (Harland, 1980)

Moreover, the time duration for serving the community service is the issue of fact. The sentencing judge considers the case facts and circumstances when deciding how many hours the offender must complete community service are usually required of offenders. Unless there is a valid reason for suspension the offenders must complete the community service requirement within the specified time frame. The offender should have enough time to fulfil his duties to his family and his job, and the community service period shouldn't be unduly long. In addition, the criminal may contest the length of community service if he believes it to be unjust.

According to Johri (2025), when a person violates the conditions of the court issued community service order is at risks being arrested for contempt of court if they fail to complete the necessary number of hours of community service. The offender may be subject to costs and fines in addition to a prison sentence upon their arrest.

## Statistics

According to a report published in 2019 “Court-Ordered Community Service: A National Perspective”, community service ranks third among the sentencing options available to American courts (65%), after monetary fines (98%) and jail (73%). The “Executive Law Article 13-A Classification/ Alternatives to Incarceration Program 2015 Annual Report 2016” states that in New York 12,818 probationers were assigned community service in the year 2015. The survey reported by Illinois Criminal Justice Information Authority 2011 states that 32% of the approximately 1,100 sample probationers were required to complete community service. (Picard, 2025)

## United Kingdom

In UK community service also known as “community payback” is managed by the department of Ministry of justice. The English prison system for offenses that are too serious to result in a fine or release, but not serious enough to need a jail sentence.



## Legislations

The Sentencing Act 2020 PART IX and the Community Service Order Rules 1989 both contain community sentence provisions. The provisions for the operation of community service orders in England Wales are contained in the Community Service Order Rules 1989. This includes Information for offenders (Rule 2) where written information to offenders about community service is provided, Group placements (Rule 3) where offenders work in groups on manual tasks, Rule 4 provides for Commencement of work within 10 working days, Reckoning time worked (Rule 5) which supervises travel time counts as work, Offenders follow supervisor's instructions. (Rule 6), In Case of bad weather proper measures for handling bad weather's impact on work is provided, in case of failure to attend the work the relevant officer seeks an explanation for an offenders failure to attend work and decides whether to lay information before a justice or send a warning letter. (Rule 8), Proper records of work and actions are maintained (rule 9).

In addition, Section 200 of the Sentencing Act 2020 defines a "community order" as an order that imposes one or more community order conditions. The following conditions must be met in order to create a community order such as unpaid labour, curfew, treatment, exclusion, prohibited activity, mental health treatment and attendance centre (section 201), Section 202 provides that the offender must be at least 18 years old at the time of conviction, there should not be a community order for offenses with mandatory sentence requirements or suspended sentence orders (section 202), and the duration of the community order specifies an end date that is no more than three years from the order date (section 204), and the court can review and amend community orders (Section 217), in case of cessation the Community order expires on designated end date or upon completion of unpaid labour (Section 220) whereas in case of non-compliance with the order additional requirements, punishment, or imprisonment may be imposed.

## Statistics

In the year 2018 around 83,022 orders were issued in the UK for community service. Probation services in England and Wales oversee 30% of the population. According to Gov.UK justice data out of 22,400 people 29% were under post-release conviction supervision and 41% were under court orders such as community punishments and pre-release supervision.

## Malaysia



The community service mandate in Malaysia is modelled after the Singapore model which was implemented in 1996. The Social Welfare Minister first proposed it as substitute for temporary incarceration in 1979. The Criminal Procedure Code (Amendment) Act introduced CSO for young offenders which was passed by the Malaysian government in 2006. It was implemented in full scale in the year 2008. The aims of CSO were to rehabilitate and develop positive attitudes in the youthful offenders and juveniles. But CSO is eligible only for first-time offenders or for those guilty of lesser offenses which includes minor crimes or traffic offenses. (Othman, 2013)

### **Legislation**

The terms community service and juveniles are defined by the Malaysian Criminal Procedure Code. Section 2 of the Act states that “*Any individual who is older than eighteen but less than twenty-one is considered a “youthful offender”*”. Moreover, Section 293(1) of this code provides that:

*“Community Service means any work, service or course of instruction for the betterment of the public at large and includes, any work performed which involves payment to the prison or local authority.”*

The young offender should not undergo Community service order more than 240hrs at a time and place. It is carried out on weekends (Saturday and Sunday) at around 8:00-9:00AM up to 2:00pm -3:00pm.

Moreover, the Offenders Compulsory Attendance Act of 1954 allows first-time offenders or those convicted of minor crimes to serve their sentence outside of prison through mandatory work. This Compulsory Attendance Order aims to reduce prison overcrowding and promote rehabilitation. The Malaysian Prison Department Community service is often carried out by offenders under the supervision of Malaysian Prison Department staff. The order can be given to those facing imprisonment of up to 10 years, as per recent amendments to the Act.

### **Statistics**

The “Briefing notes on CSO from legal perspective and Implementation” (2009) states that the first and foremost Community Service Order in Malaysia was issued against a 19-year-old offender in Melaka on March 13, 2008 who was sentenced to 200 hrs of CSO. Again by 2009, 1106 cases were handled through CSO nationwide.

### **Singapore**



In Singapore, community service is implemented in 1996 through a CSO that stipulates 40-240 hours of community work as a probationary requirement. CSO can be used as standalone orders for minors. This idea was straight away derived from the 1960s and 1970s probation policies in the UK.

### **Legislations**

According to Chan, In Singapore, probation was instituted for minors by the “Children and Young Persons Act (CYPA) 1950” and for adult accused by “the Probation of Offenders Ordinance of 1951”. The juvenile court is empowered to impose community service orders (CSO) as an independent and alternative sentencing policy after the CYPA was revised in 2001.

### **Types of Community Services**

The Ministry of Law in 2009 suggests adding more community-based sentencing options. They include six new measures: Mandatory Treatment Orders, which offer psychiatric treatment instead of imprisonment; Short Detention Orders, which involve 1 week of detention for first-time offenders; Day Reporting Orders, requiring regular reporting and electronic tagging; Community Work Orders, which require up to 40 hours of community work linked to the offense, expanded community service orders which require offenders 16 years of age and older to complete 40-240 hours of community service and expanded conditional discharge which permits release with restrictions such as 24 months program participation. These options aim to balance punishment with rehabilitation and give more flexibility in sentencing minor offenses. (Agarwal, 2025)

### **India**

India has implemented several alternatives to incarceration throughout the years including rehabilitation facilities, parole, probation, and open prisons. Nevertheless, the Indian criminal justice has not given the idea of community sentencing any thought or applied it. However, the Bhartiya Nyaya Sanhita 2023 has recognised the idea of community service (Das, 2025). The criminal justice administration provides that the adoption of this provision is an essential development.

### **Legislation**

Prior to the implementation of Bhartiya Nyaya Sanhita 2023 the legislature made very little effort to introduce community service but the only law which recognised it was Juvenile Justice Act of 2015 under section 18 (1) (c) (Rashid and Pandey, 2025). This provision was exclusively enacted for juvenile



offenders and allowed them to receive community service if the juvenile justice board thought it appropriate.

Under BNS, section 4(f) provides for inclusion of one another alternative form of punishment such a community service. This section covers a variety of penalties including death, life imprisonment that falls into two categories which is simple which involves hard labour, seizure of property, fines and community service. (Agarwal, 2019) The BNS does not define community service. The definition of community service is provided under Explanation 23 of the BNS as work that is ordered by the court as a form of punishment that can help the community without any remuneration. The punishment for community service is also recognised by the BNS for a number of other offenses in such as (section 202) unlawful trade by public servant,, Section 84 of BNSS 2023 provides that failure to appear in response to a proclamation, attempting suicide or impeding the use of legitimate authority, Section 302(2) which provides that theft in which value of the stolen property is less than five thousand rupees and the offender is convicted for first time and returns or restores the property's value , Section 355 which provides for public misconduct by an intoxicated individual and provisions for defamation under section 356(2)) of BNSS (Rashid and Pandey, 2025). In relation to section 8 of BNS the court may order sentence to the offender for any type of imprisonment that would have been suitable for the offense if community service is not performed.

Now, section 8 includes subsections (4) and (5) that stipulate jail time for failure to fulfil community service. The BNS implemented new community service penalties as of result of this. If a person doesn't pay fine or finish community service the following consequences are to be faced under BNS:

1. Up to a two-month maximum sentence of community service or a fine of 5,000.
2. Up to ten thousand dollars in fines or community service; up to four months in jail
3. If there is another situation, a maximum of one year in jail.

### **Judiciary's Approach towards Community Sentencing**

In (*Rajesh v State of Chhattisgarh*, 2024), A 28-year-old Rajesh is accused of stealing a 50,000 rupees electrical transformer u/s section 379 i.e. theft of the Indian Penal Code. He was initially sentenced by the trial court to six months of hard labour. In the appeal, J Sanjay K. Agarwal comprising of High Court bench gave a more rehabilitative approach and upholding community service instead of jail time. A



probation officer oversaw Rajesh's 4 hours daily labour at a local orphanage as part of his six-month community service term. (Johri, 2025)

In case of (*Vishal S Awtani v. State of Gujarat*, 2020), the Gujrat High Court issued certain guidelines for violators of Covid-19 norms to ensure public safety and well-being. These directives-imposed community service in any COVID care centre operated by the local government for anyone who did not wear a mask in public or observe social distancing. According to the apex court a special leave petition was submitted and the definition of "community service" was examined. The court explained that it is a form of compensation rather than a punishment in the traditional sense. (Johri, 2025)

In (*Abdul Khaliq v. State of Delhi*, 2019), Abdul Khaliq was charged with a crime involving the disturbance of public order. Abdul Khaliq was instructed to perform community service, which included helping with neighbourhood initiatives and maintaining public parks. To ensure accountability the court mandated that a report on his compliance with the CSO to be given by the court. (Johri, 2025)

### **Gaps in BNSS pertaining to Community Service**

Our Indian legislations are a step ahead in recognising community service but unfortunately it has various loopholes. Firstly, the lack of sentencing guidelines in our judicial system raises concerns about how community service as a form of discipline might make conditions worsen. Without statutory guidelines on implementation and compliance the penalty balance may be disrupted leading to inconsistent application. (Das, 2025)

Even though the implementation of BNS constituted a new beginning. India and its legislation address the concept of "community service" but they conspicuously fall short of offering a useful definition. The implementation of this necessitates several established criteria that have been developed by other countries including a precise definition of community service, the number of offenses for which it may be applicable, the hours of service, default sentencing or fines, consequences of violating community service orders and the procedure for implementing, overseeing and managing the community service. There is a great chance that this clause will be abused and used as a form a punishment if these conditions are not met.

Moreover, the judges can be biased in formulating their opinions pertaining to any case as they can use their discretionary power widely to favour any interested party which can cause a faulty, biased and erroneous judgments which in in contravention with the fundamental philosophy of reformation and rehabilitation. (Johri, 2025)



According to Sah (2025) recently, in case of Pune commonly known as Luxury Sports Car Porsche case community service was awarded involving a 17-year-old boy who killed two IT professionals in a Porsche. The accident sparked controversy when he was initially given lenient punishment which included writing an essay on road safety and community service. The decision was later overturned and the boy was sent to an observation home. This case demonstrates unequivocally the necessity of precise rules and efficient community service implementation in Indian criminal justice system to guarantee obligation and rehabilitation.

Also, recently Delhi Home Department in its official gazette notified 12 community service as laid down by the High Court of Judicature which can be given to the individuals convicted of minor offences. Additionally, the length of community service was defined ranging from 31 days to 40 hours to 240 hours. This new development by the Delhi High court can be an overwhelming step towards smooth implementation of community service in India. (2025)

### **Way forward**

In order ensure effective implementation in the contemporary set up of India it is necessary to have clear and constructive technique so that the idea of rehabilitation and reformation can be undertaken.

India can take reference from various models followed by various jurisdictions such as England and Wales, USA and Singapore so to set a proper clear set of guidelines. Moreover, the definition of community service Order provided in the Malaysia Code can be taken in to consideration so as that clear picture is presented before the courts while delivering any community service order in near future (Othman, 1980). Various jurisdictions have established a range of minimum and maximum hours that can be allowed in relation to working hours. In contrast, India might follow the Spanish example of converting every single day of jail into up to eight hours of community service rather than relying on a dynamic range of hours.

In India, assessments of community service programs must be carried out frequently to ascertain their effectiveness and adaptability. The establishment of a review committee comprising legal experts, community leaders, and non-profit organizations is suggested. The group's duties would involve gathering and evaluating quantitative and qualitative data, with a particular emphasis on indicators such as community satisfaction and recidivism rates. It is essential to do studies and gather data in order to successfully implement community service as a form of punishment in India. Case studies, interviews, surveys and long-term studies are a few examples of data collection techniques that might be used-ideally



in conjunction with academic institutions. Recidivism rates, community improvements brought about by service project, participate feedback, and changes in community views are important Assessment measures. Additionally, a number of other legislations including the “Motor Vehicle Act of 1988”, the “Probation of Offenders Act 1985” and the “Narcotic Drugs and Psychotropic Substances Act of 1985” can incorporate community service requirements. (Johri, 2025)

## Conclusion

One of the primary goals of punishment is rehabilitating criminals into acceptable members of society. One of the most effective alternatives to punishments for achieving the same goals may be community service but it must be performed and closely monitored. There are alternatives that can benefit India much like Thomas Edition famously said “If there’s a way to do it better find it”. However, numerous additional studies and model programs must be created in order to evaluate its suitability for the socioeconomic backdrop in India. Therefore, it is important to address several issues as promptly as possible such as public acceptance, successful implementation, judicial conflict, continuous oversight and the requirement to create an entirely new system. Therefore, following a comprehensive examination of the practice it is feasible to conclude that community service is a potent alternative to incarceration and might be used as a successful form of retaliation. As previously mentioned, the Juvenile Justice Act established the community service which is anticipated to contribute to the attainment of proper justice for adult offenders

## REFERENCES

- (2025, June 6). Delhi Notifies Community Service Guidelines for Minor Offences under New Laws. *Times of India* [https://timesofindia.indiatimes.com/city/delhi/delhi-notifies-community-service-guidelines-for-minor-offences-under-new-laws/article show/121656003.cms](https://timesofindia.indiatimes.com/city/delhi/delhi-notifies-community-service-guidelines-for-minor-offences-under-new-laws/article-show/121656003.cms)
- Abdulkadir, V. and Ahmed R. (2025). COMMUNITY SERVICE AS A PUNISHMENT UNDER BNS: A STEP TOWARDS REFORMATVE JUSTICE IN INDIA. *Indian Journal of Legal Review*, 5, 372, 378-380. Retrieved from <https://ijlr.iledu.in/wp-content/uploads/2025/04/V5I735.pdf>
- Agarwal, M. (2019). Beyond the Prison Bars: Contemplating Community Sentencing in India. *NUJS Law Review*, 10, 120, 128. Retrieved from <https://nujlawreview.org/wp-content/uploads/2019/10/12.1-Agarwal.pdf>
- Chan, W. A Review of the Corrective Work Order in Singapore. *BSOCrim*, 5. Retrieved from <https://www.britisoccrim.org/volume5/001.pdf>.



- Das, N. (2025). A Study on the Legal Framework of Community Service in India- Effectiveness and Challenges. *Journal of Emerging Technologies and Innovative Research*, 12, 16. Retrieved from <https://www.jetir.org/papers/JETIRG>
- Harland, A. (1980). Court Ordered Community Service in Criminal Law-The Continuing Tyranny of Benevolence. *Buffalo Law Review*, 29, 425, 426. Retrieved from <https://nij.ojp.gov/library/publications/court-ordered-community-service-criminal-law-continuing-tyranny-benevolence>
- Mishra, P. and Dwivedi, S. (2024) Reforming justice: the transition from traditional punishment to community service in shaping a more progressive society. *International Journal of Advanced Legal Research*, 4, 1. Retrieved from <https://ijalr.in/volume-4-issue-3/reforming-justice-the-transition-from-traditional-punishment-to-community-service-in-shaping-a-more-progressive-society-pranav-mishra-shivanshu-dwivedi/>
- N. and K. (2024). Community Service as Punishment for Petty Offences under Bhartiya Nyaya Sanhita, 2023: A Step towards Restorative Justice in India. *Indian J.L. & Legal Research*, 7, 2322. Retrieved from <https://www.ijllr.com/post/community-service-as-punishment-for-petty-offences-under-bharatiya-nyaya-sanhita-2023-a-step-toward>
- Othman, A. (2013). *The Community Service Order (CSO) in Malaysia: An Exploration of the Perceptions and Experience of the Youthful Offenders and Supervisors* (Publication No. 2021/08) [PhD thesis, University of Salford]. Global Corrective Community Initiatives. Retrieved from <https://globcci.org/wp-content/uploads/2021/08/Community-Service-Orders-in-Malaysia-2013.pdf>
- Palak, P. Community service in the Indian Criminal justice system. *Indian Journal of Integrated Research in Law*, 3, 2. Retrieved from <https://ijirl.com/wp-content/uploads/2023/01/COMMUNITY-SERVICE-IN-THE-INDIAN-CRIMINAL-JUSTICE-SYSTEM.pdf>
- Picard, S. (2025, July). Court-Ordered Community Service: A National Perspective. Centre for Court Innovation, [https://www.innovatingjustice.org/wp-content/uploads/2019/11/community\\_sevice\\_report\\_11052019\\_0.pdf](https://www.innovatingjustice.org/wp-content/uploads/2019/11/community_sevice_report_11052019_0.pdf).
- Prasath, M. and Charumathi, T. (2024). A Critical Study on Community Service Sentencing and its Significance in the Indian Criminal Justice System. *International Journal Legal Service and*



*Innovation*, 6, 505-506. Retrieved from <https://ijlsi.com/paper/a-critical-study-on-community-service-sentencing-and-its-significance-in-the-indian-criminal-justice-system>

R, M. (2023). Adoption of the Restorative Criminal Justice System in India. *International Journal of Multidisciplinary research and analysis*, 1, 1-7. Retrieved from <https://www.ijfmr.com/research-paper.php?id=14009>

Rai, S. (2024, September 1). Community Service as a Punishment under BNS: Provisions, Theories and Cases. *Law Foyer*, 40-45. <https://lawfoyer.in/community-service-as-a-punishment-under-bns-provisions-theories-and-cases/>

Rashid, I. and Pandey, A. (2025, August 4). Community Service under the BNS: Progress, Pitfalls, and Potential. NLR Blog. <https://nliulawreview.nliu.ac.in/blog/community-service-under-the-bns-progress-pitfalls-and-potential>

Sah, P. (2025, March 28). Pune Luxury car crash case: Two Police officers face dismissal. *The Hindu* <https://www.thehindu.com/news/cities/mumbai/pune-porsche-crash-two-police-officers-likely-to-face-the-axe-for-shoddy-probe/article69386078.ece>