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A Study on Evolution of Prison System in India

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ABSTRACT

A jail is something characterized as a position of convenience which was utilized for the people who have committed an offense and whose preliminary is forthcoming for having committed that offense. The jail and detainees regulation in India are one of the regulations that was inconspicuous and neglected and it can't get adequate significance as it ought to be for changes in the present situation.There is absence of solid regulations for those individuals who are remaining in the jails who additionally reserve the option to live with poise and furthermore entitled for essential regard like any remaining residents of the country.There are many occurrences in which detainees have been exposed to cruel circumstances or treatment and denied of fundamental requirements like legitimate food and appropriate sterile circumstances. Jail ought to help in improving people rather than just rebuffing them. Changes possibly be gotten by society whenever lawbreakers get the right opportunity of progress. On the off chance that an individual carries out wrongdoing that doesn't implies that individual prevents from been person. This research module is shaped in three forms: First the introduction, secondly about the objectives, literature review , thirdly it concludes on the outlook of right to seek redressal, total number of responses in 200 and the main tool for calculating and analyzing the results is graph and Bar charts,As an independent variable I have taken Age, Gender, Education qualification, Occupation and income range and as dependent variables I have taken agreeable questions and scale in questions.

***Keywords**: Prison system, Etymology, evolution, change and Necessity.*

I. INTRODUCTION

(A) Ancient Outlook of Prisons:

In ancient times, detainment was common however they were utilized exclusively for the confinement of the miscreant till his preliminary or the judgment conveyed. It was accepted that detainment was the least demanding method for discipline. The jail framework was not a standard method of discipline in old India. As of now, there were no such corrective regulations

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that were followed. Society's regulation and harmony exclusively relied upon the standards of Manu. In middle age India, the state of the jail framework was basically as comparative as the framework in antiquated India. During this time, the Quran was viewed as the wellspring of regulation. The process for separating wrongdoing was predominant. Violations were separated into three distinct gatherings for example wrongdoing against god, wrongdoing against state, and wrongdoing against private individuals. Here additionally, the jails were just utilized for confinement.

(B) Medieval Era and Prisons:

During the antiquated and middle age time frames, the jail framework in India had no particular standards for the support and legitimate working of the penitentiaries. There were no administrations for detainment facilities. Indeed, even there was no game plan of any nourishment for the detainees. As per Hieun Tsang, the treatment of the detainees was extremely unforgiving and vicious. In conclusion, there was no presence of detainment facilities in the advanced sense. During the British rule in India, the jail framework was utilized as a method of discipline for crooks. This type of discipline nullified the old brutal types of discipline. Nonetheless, the state of the prisons was as yet unchanged as it was during the Mughal time.

(C) Prisons in Colonial Rule:

The British organization remembered to work on the state of the correctional facilities and get reorganizations the working of the jail framework. In the time of 1835, Lord Macaulay proposed the Legislative Council of India designate a panel to care for the states of the prison. The Legislative Council of India delegated a panel named.On the report, idea, and exhortation and in the compatibility of the proposals of the panel a Central Prison was laid out at Agra in 1846. This was a positive commitment throughout the entire existence of the jail changes in our country, alongside its backing of the hypothesis of revenge in jail organization.In 1884 the main examiner General of jail was delegated on the exploratory reason for quite some time in the North Western territory and residency was additionally expanded. In 1850 the Government of India made this post as a long-lasting post and furthermore suggested that every territory ought to name an overseer General of jails. In 1862 the North Western region utilized a common specialist as a Superintendent of District Jails.The Prison Act was passed by the Government of India in 1870. This Act set out that there ought to be a Superintendent, a clinical official, a jailor and a few other subordinate officials as the neighborhood government thinks essential. The main factors are There were no detainment facilities in Modern sense,There were

no depictions of inward organization of jails, There were no guidelines for support and working of jails, There were no presence of independent jail administration and courts were not taking care of place for penitentiaries.

(D) Post Independence and Forward:

The jail framework as it works today is a tradition of British rule in our country. It was the formation of the frontier leaders over our reformatory framework with the rationale of making detainment a fear to miscreants. The Indian criminal organization likewise incorporates jail organization. It is consistent with said that a man is definitely not a crook by birth yet the social and conservative circumstances makes him criminal.Appropriate food, safe house and medical care therapy should be given to detainees by the jail authority. Detainees ought not be dealt with brutally on the grounds that the principal thought process of detainment isn't to rebuff; however to change a criminal because of which he will actually want to live in the public eye regularly after the fulfillment of his discipline. The discipline framework in India is likewise founded on the reformative hypothesis. There were many changes in the Prison framework in India yet at the same time there is need of a few different changes in light of the fact that the state of detainees in jail is degradable.

Periods of jail development and change delivered significant changes in the design of jail frameworks and their missions, the obligations of government and state offices for directing and overseeing them, as well as the legitimate and political status of detainees themselves.In recent years, the Indian government has taken steps to modernize and improve the prison system further. Initiatives focusing on rehabilitation, vocational training, and reintegration programs aim to reduce recidivism and promote prisoners' successful reintegration into society upon release. The evolution of the prison system in India reflects a complex interplay of historical, cultural, and political factors. From ancient times to the present day, the prison system has undergone significant transformations, shaped by changing societal norms, legal frameworks, and philosophical perspectives on justice and punishment. While challenges persist, including issues of overcrowding, rehabilitation, and human rights violations, ongoing efforts to reform and modernize the prison system signal a commitment to upholding the principles of justice, dignity, and rehabilitation for all individuals within the criminal justice system.The prison system, as an integral component of the criminal justice system, plays a critical role in maintaining societal order, ensuring public safety, and administering justice. However, it also faces numerous challenges, including overcrowding, recidivism, inadequate rehabilitation programs, and human rights violations. This essay examines the complexities of the prison system, explores ongoing reforms, and discusses potential future directions to

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address its shortcomings.Additionally, there has been an increasing recognition of the importance of restorative justice approaches and alternative sentencing options, such as community service and probation, as means to address the root causes of crime and reduce the burden on the prison system. One of the primary reasons for the existence of a prison system is to safeguard society from individuals who pose a threat to public safety. By incarcerating those who have committed serious crimes, the prison system serves as a deterrent to potential offenders and removes dangerous individuals from the community. This function is essential in maintaining social order and protecting the rights and security of law-abiding citizens.The prison system plays a crucial role in administering punishment for criminal behavior and deterring future offenses. Through the imposition of imprisonment, offenders are held accountable for their actions and face consequences proportional to the severity of their crimes. This aspect of the prison system serves as a deterrent to potential offenders, dissuading them from engaging in unlawful behavior and reinforcing societal norms and values. The prison system in India is governed by both central and state laws, with each state responsible for the administration of its prisons. The primary legislation governing prisons at the central level is the Prisons Act of 1894, which lays down the basic framework for the management and regulation of prisons. Additionally, individual states have their own prison manuals and regulations to govern the functioning of prisons within their jurisdiction. Prisons in India are categorized into various types, including central prisons, district prisons, sub-jails, open-air camps, and special prisons for women and juveniles. Central prisons are usually larger facilities that accommodate a diverse range of inmates, while district prisons cater to inmates from specific geographical regions. Sub-jails are smaller facilities primarily used for short-term detention and pre-trial confinement.

(E) Objectives:

- To analyze the factors behind the evolution of the prison system.
- To determine how far there is step towards changes.
- To understand how different it is from other countries' evolution of the prison system.
- To analyze how effectively it is changed.

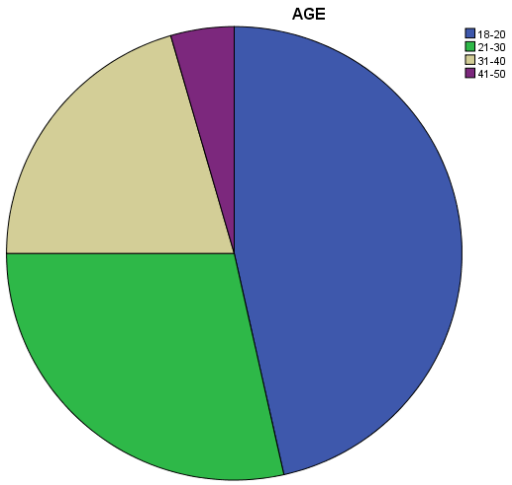
(F) Methodology:

The study deals with empirical research methods.It deals with both primary as well as secondary sources of data and various secondary sources of data and various sources like books, articles, research papers etc. were used as reference. The study deals with survey methods and the main tool for calculating and analyzing the results is graph and bar charts. The

method of collecting the data is through the survey taken from the general public by raising a questionnaire. Random sample method was used for the purpose of this study.There are a total of 200 Samples collected equal to this study. As an independent variable I have taken Age and educational qualifications and for as dependent variables I have taken scale in and agreeable questions.Under each graph legend has been added which indicates the subject matter of the graph in whole. Further a Result has been added, which gives the overall result of each graph. Lastly Analysis ends with discussion which gives the reasoning for the result of each graph.

II. Analysis and Discussion

(A) Age:



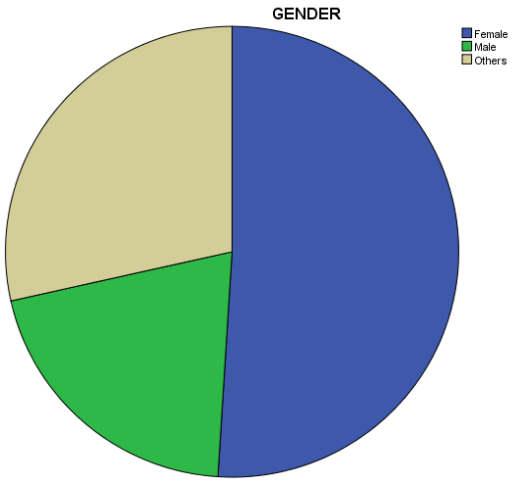
AGE

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	18-20	93	46.5	46.5	46.5
	21-30	57	28.5	28.5	75.0
	31-40	41	20.5	20.5	95.5
	41-50	9	4.5	4.5	100.0
	Total	200	100.0	100.0	

LEGEND:

The Bar charts shows the Age of people who have responded and their opinion on evolution of prison system in India.

(B) Gender:



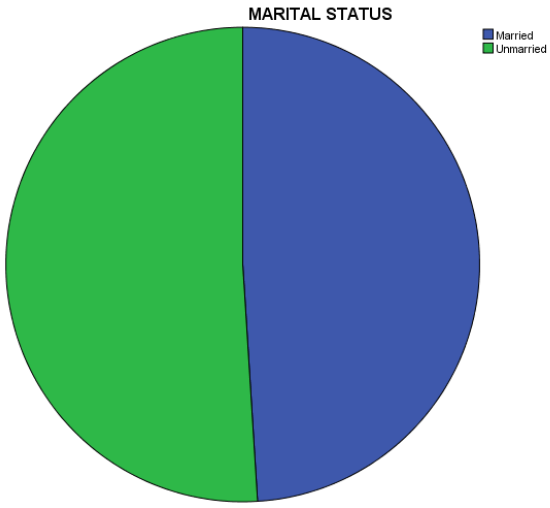
GENDER

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Female	102	51.0	51.0	51.0
	Male	41	20.5	20.5	71.5
	Others	57	28.5	28.5	100.0
	Total	200	100.0	100.0	

LEGEND:

The Bar charts shows the Gender of people who have responded and their opinion on the evolution of the prison system in India.

(C) Marital Status:



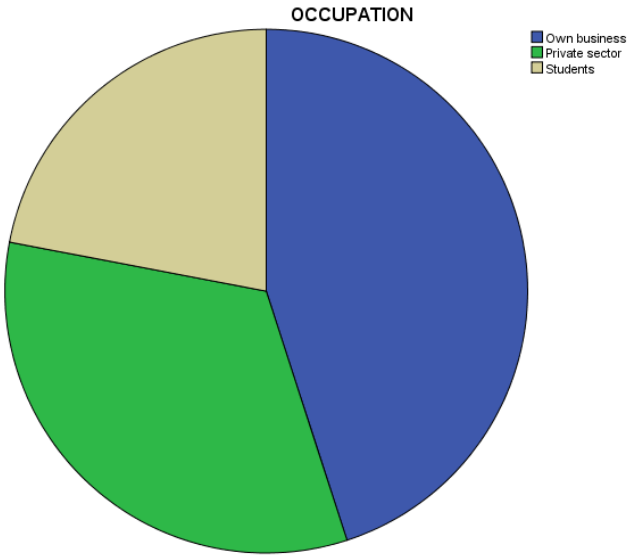
MARITAL STATUS

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Married	98	49.0	49.0	49.0
	Unmarried	102	51.0	51.0	100.0
	Total	200	100.0	100.0	

LEGEND:

The Bar chart shows the Marital status of people who have responded and their opinion on the evolution of the prison system in India.

(D) Occupation:



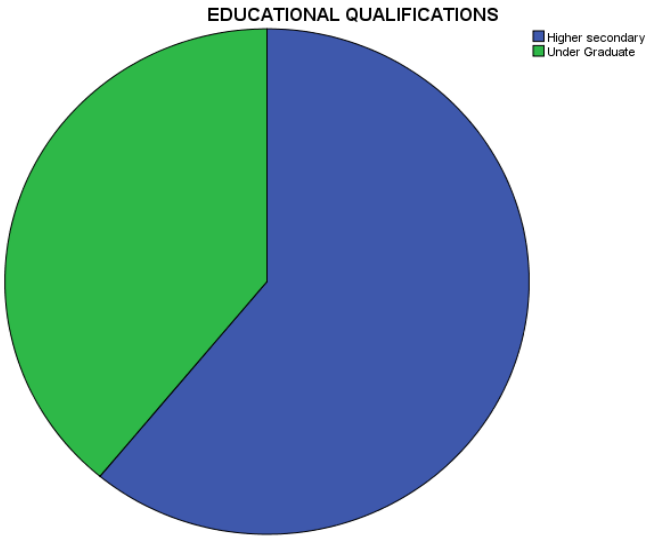
OCCUPATION

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Own business	90	45.0	45.0	45.0
	Private sector	66	33.0	33.0	78.0
	Students	44	22.0	22.0	100.0
	Total	200	100.0	100.0	

LEGEND:

The Bar charts shows the Occupation of people who have responded and their opinion on the evolution of the prison system in India.

(E) Educational Qualification:



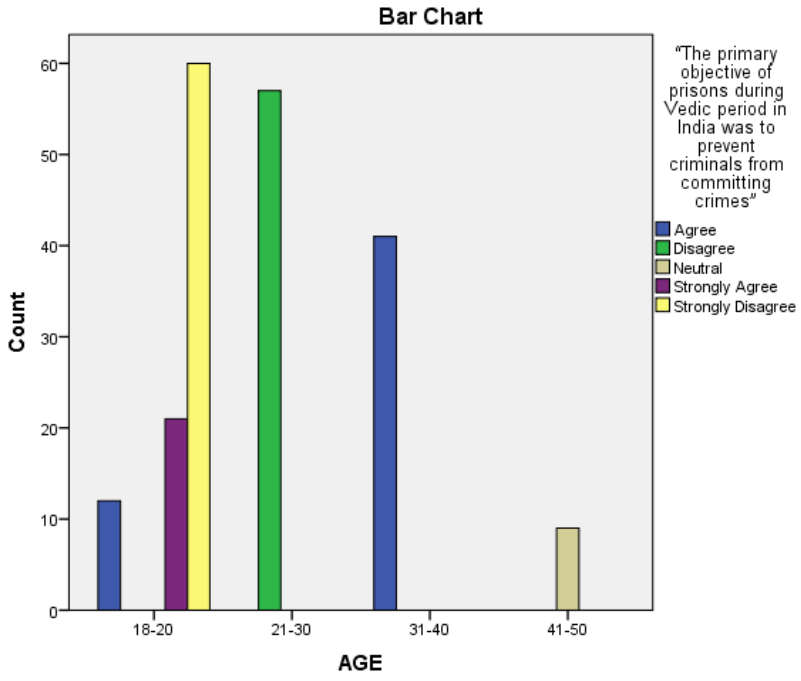
EDUCATIONAL QUALIFICATIONS

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Higher secondary	122	61.0	61.0	61.0
	Under Graduate	78	39.0	39.0	100.0
	Total	200	100.0	100.0	

LEGEND:

The Bar charts shows the Educational qualification of people who have responded and their opinion on the evolution of the prison system in India.

FIGURE 6:



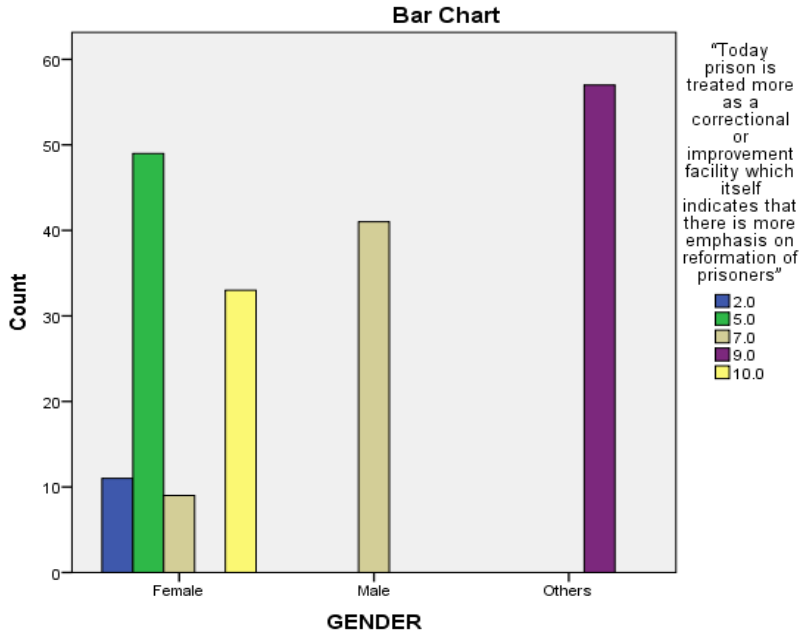
"The primary objective of prisons during Vedic period in India was to prevent criminals from committing crimes"

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Agree	53	26.5	26.5	26.5
	Disagree	57	28.5	28.5	55.0
	Neutral	9	4.5	4.5	59.5
	Strongly Agree	21	10.5	10.5	70.0
	Strongly Disagree	60	30.0	30.0	100.0
	Total	200	100.0	100.0	

LEGEND:

The Bar charts shows the Age of people who have responded and their opinion on evolution of prison system in India.

FIGURE 7:



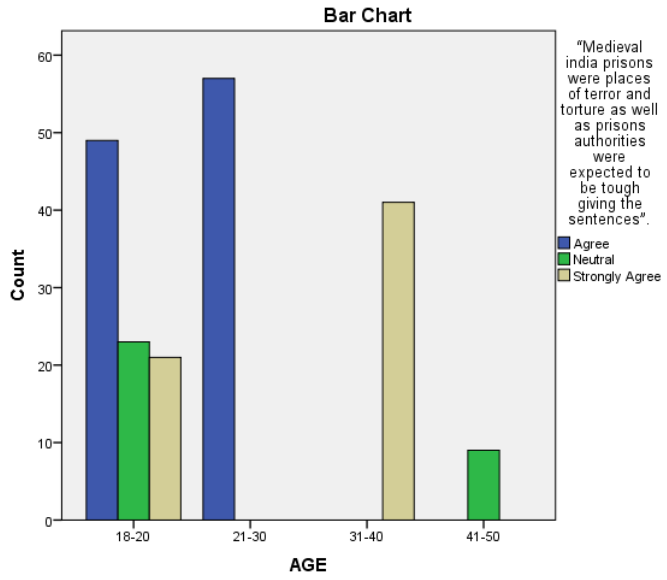
"Today prison is treated more as a correctional or improvement facility which itself indicates that there is more emphasis on reformation of prisoners"

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	2.0	11	5.5	5.5	5.5
	5.0	49	24.5	24.5	30.0
	7.0	50	25.0	25.0	55.0
	9.0	57	28.5	28.5	83.5
	10.0	33	16.5	16.5	100.0
	Total	200	100.0	100.0	

LEGEND:

The Bar chart shows the Gender of people who have responded and their opinion on the evolution of the prison system in India.

FIGURE 8:



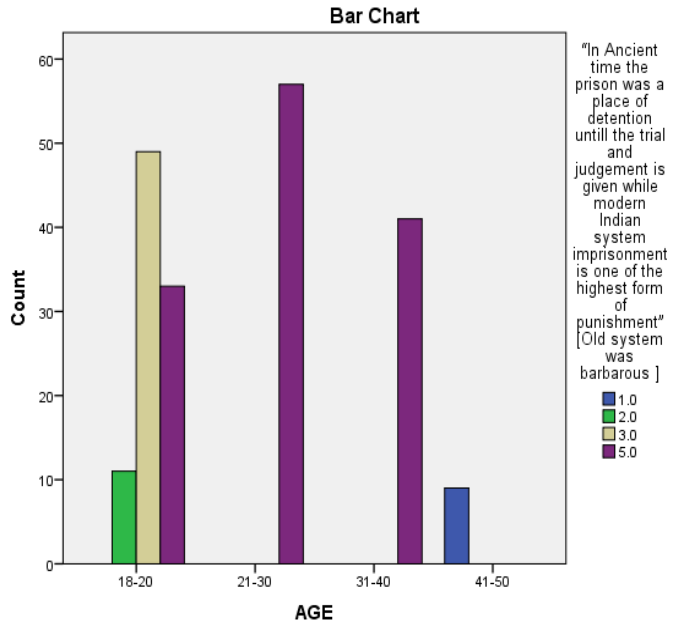
"Medieval india prisons were places of terror and torture as well as prisons authorities were expected to be tough giving the sentences".

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Agree	106	53.0	53.0	53.0
	Neutral	32	16.0	16.0	69.0
	Strongly Agree	62	31.0	31.0	100.0
	Total	200	100.0	100.0	

LEGEND:

The Bar charts shows the Age of people who have responded and their opinion on evolution of prison system in India.

FIGURE 9:



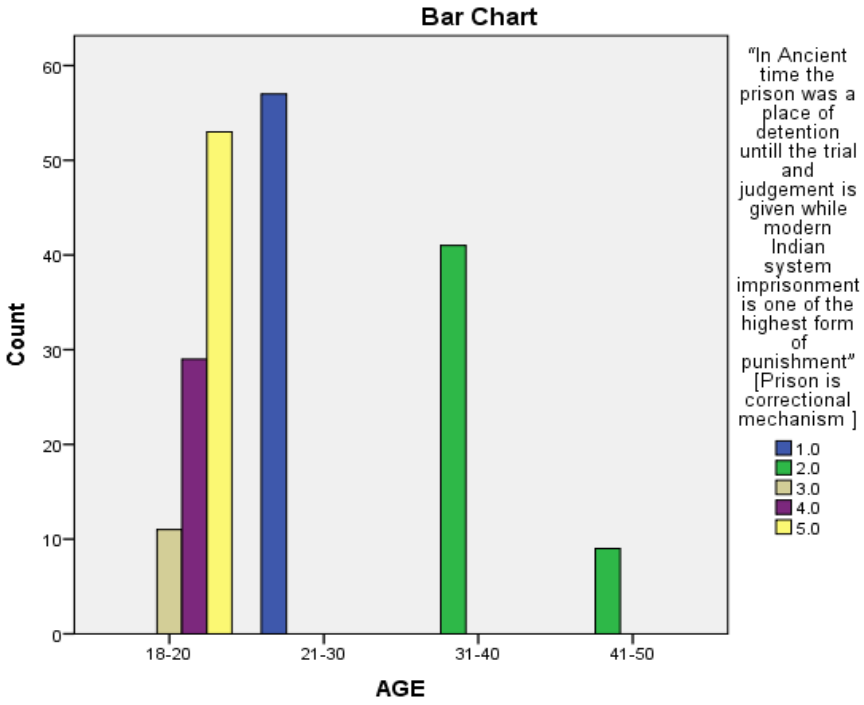
"In Ancient time the prison was a place of detention untill the trial and judgement is given while modern Indian system imprisonment is one of the highest form of punishment" [Old system was barbarous]

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	1.0	9	4.5	4.5	4.5
	2.0	11	5.5	5.5	10.0
	3.0	49	24.5	24.5	34.5
	5.0	131	65.5	65.5	100.0
	Total	200	100.0	100.0	

LEGEND:

The Bar charts shows the Age of people who have responded and their opinion on evolution of prison system in India.

FIGURE 10:



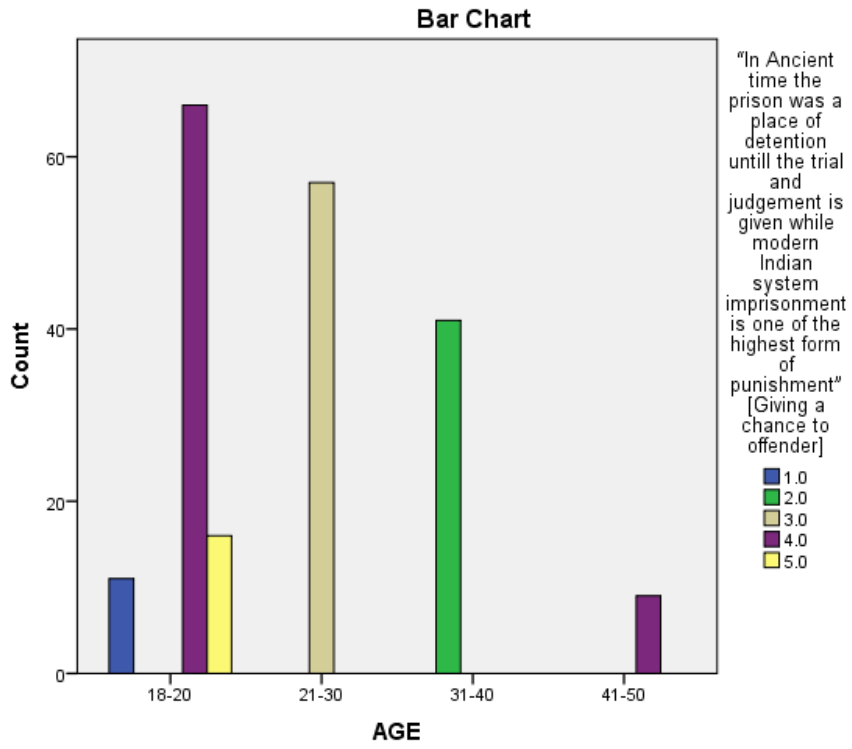
"In Ancient time the prison was a place of detention untill the trial and judgement is given while modern Indian system imprisonment is one of the highest form of punishment" [Prison is correctional mechanism]

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	1.0	57	28.5	28.5	28.5
	2.0	50	25.0	25.0	53.5
	3.0	11	5.5	5.5	59.0
	4.0	29	14.5	14.5	73.5
	5.0	53	26.5	26.5	100.0
	Total	200	100.0	100.0	

LEGEND:

The Bar charts shows the Age of people who have responded and their opinion on evolution of prison system in India.

FIGURE 11:



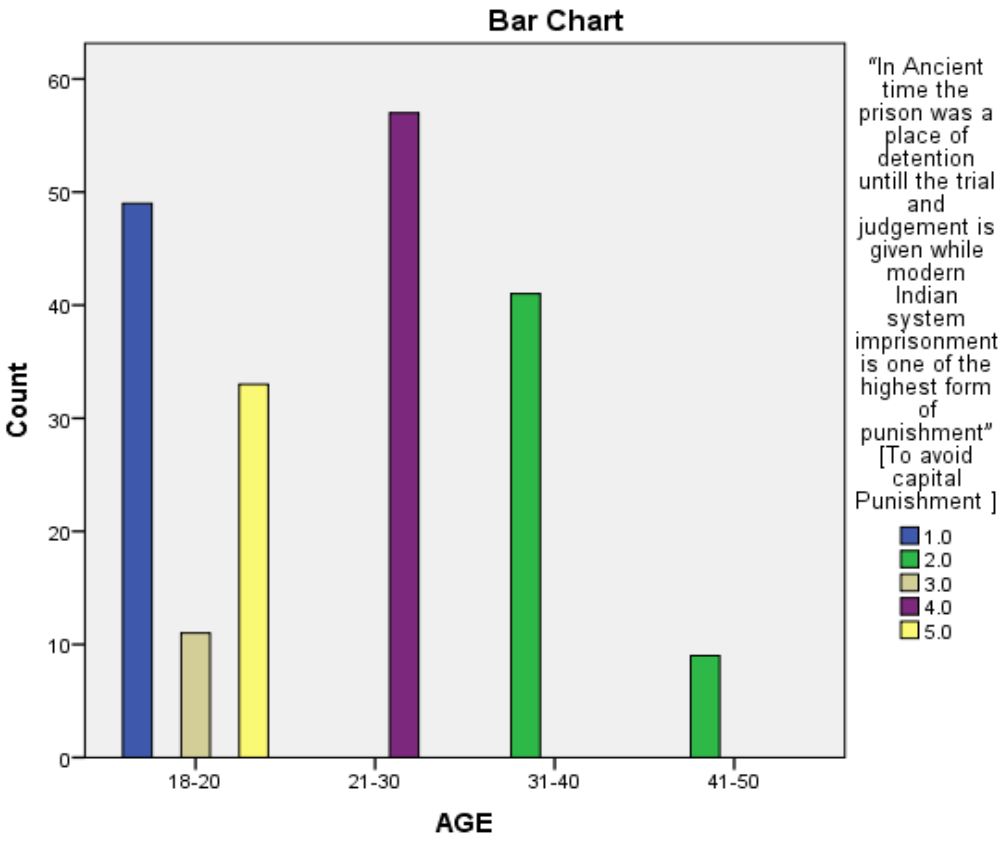
"In Ancient time the prison was a place of detention untill the trial and judgement is given while modern Indian system imprisonment is one of the highest form of punishment" [Giving a chance to offender]

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	1.0	11	5.5	5.5	5.5
	2.0	41	20.5	20.5	26.0
	3.0	57	28.5	28.5	54.5
	4.0	75	37.5	37.5	92.0
	5.0	16	8.0	8.0	100.0
	Total	200	100.0	100.0	

LEGEND:

The Bar charts shows the Age of people who have responded and their opinion on evolution of prison system in India.

FIGURE 12:



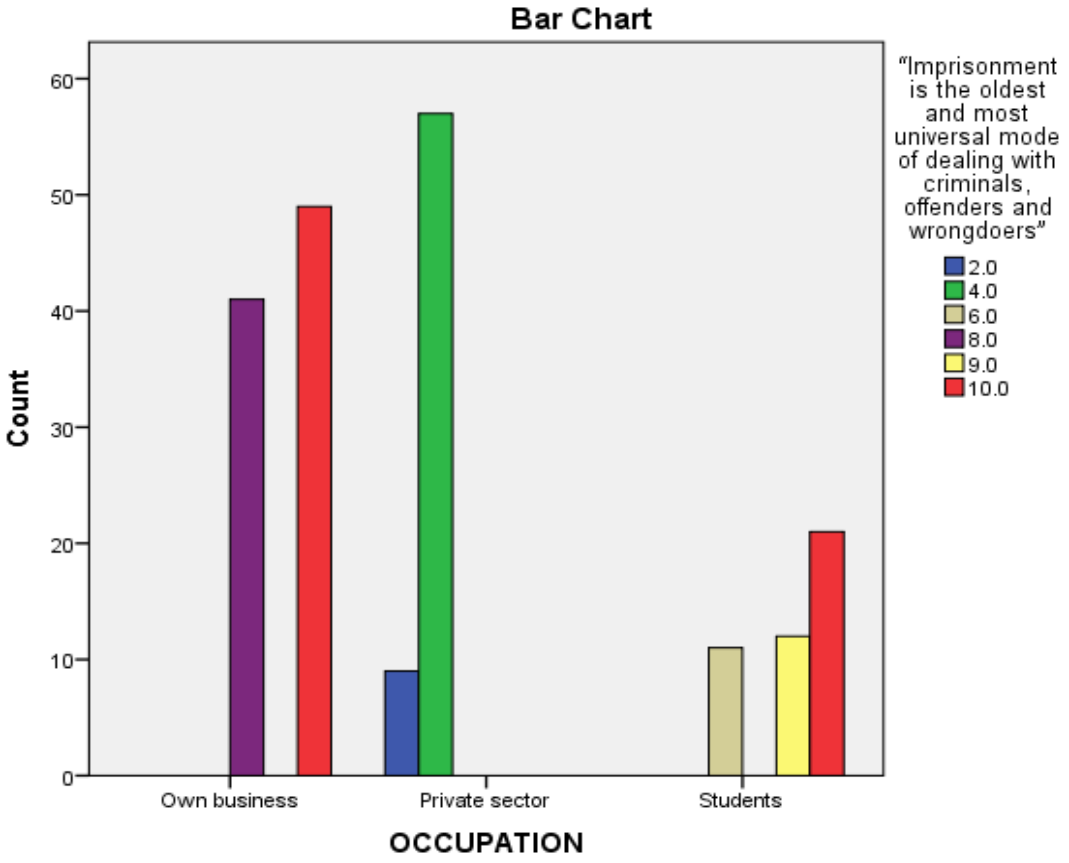
"In Ancient time the prison was a place of detention untill the trial and judgement is given while modern Indian system imprisonment is one of the highest form of punishment" [To avoid capital Punishment]

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	1.0	49	24.5	24.5	24.5
	2.0	50	25.0	25.0	49.5
	3.0	11	5.5	5.5	55.0
	4.0	57	28.5	28.5	83.5
	5.0	33	16.5	16.5	100.0
	Total	200	100.0	100.0	

LEGEND:

The Bar charts shows the Age of people who have responded and their opinion on evolution of prison system in India.

FIGURE 13:



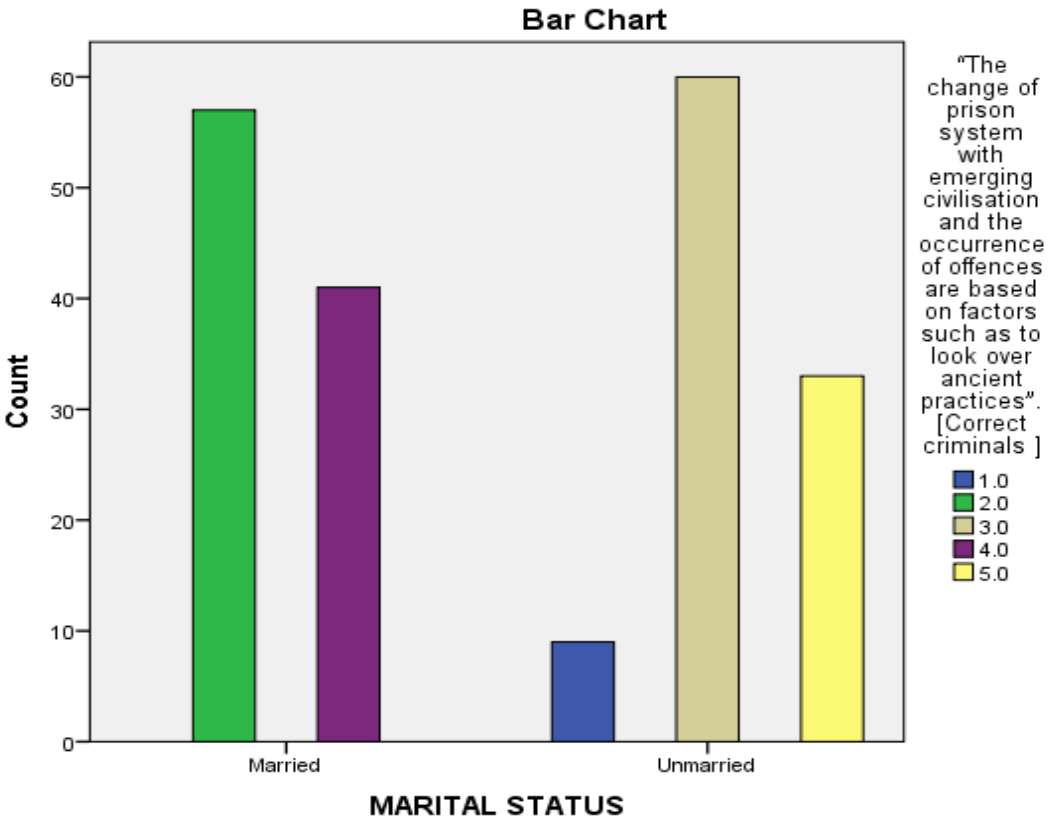
"Imprisonment is the oldest and most universal mode of dealing with criminals, offenders and wrongdoers"

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	2.0	9	4.5	4.5	4.5
	4.0	57	28.5	28.5	33.0
	6.0	11	5.5	5.5	38.5
	8.0	41	20.5	20.5	59.0
	9.0	12	6.0	6.0	65.0
	10.0	70	35.0	35.0	100.0
	Total	200	100.0	100.0	

LEGEND:

The Bar chart shows the Occupation of people who have responded and their opinion on the evolution of the prison system in India.

FIGURE 14:



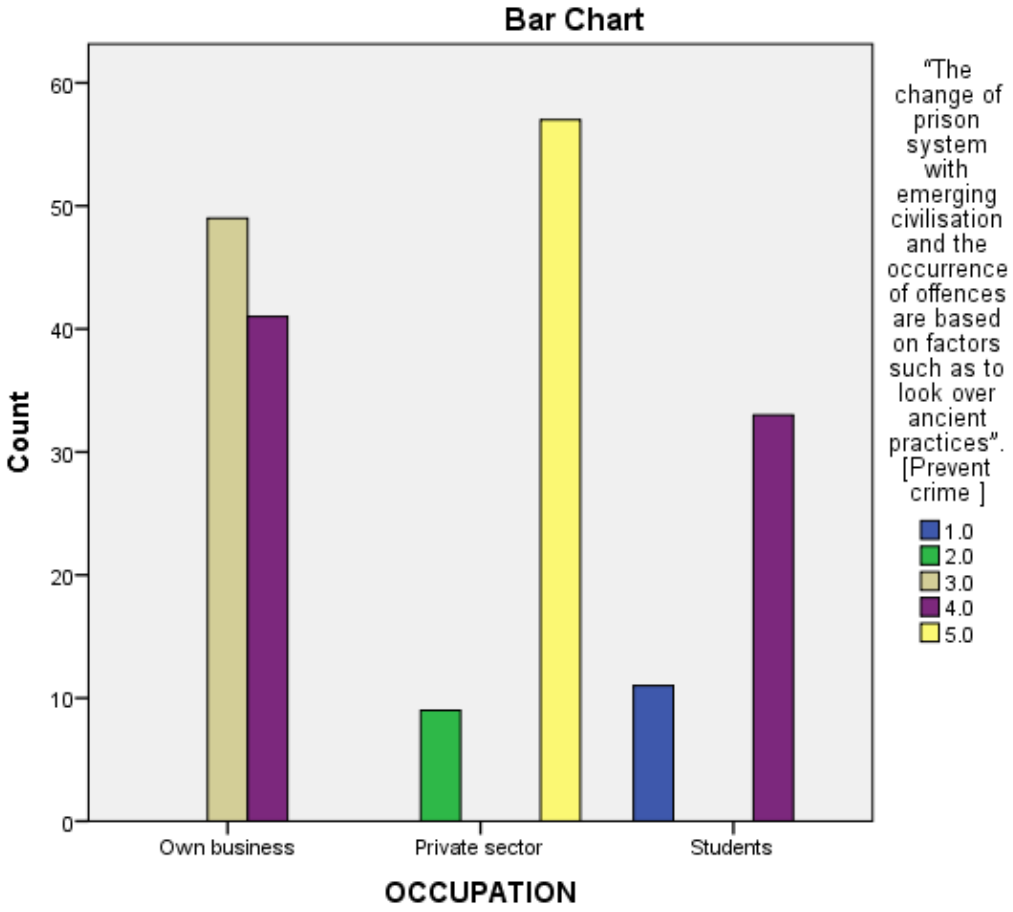
"The change of prison system with emerging civilisation and the occurrence of offences are based on factors such as to look over ancient practices". [Correct criminals]

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	1.0	9	4.5	4.5	4.5
	2.0	57	28.5	28.5	33.0
	3.0	60	30.0	30.0	63.0
	4.0	41	20.5	20.5	83.5
	5.0	33	16.5	16.5	100.0
	Total	200	100.0	100.0	

LEGEND:

The Bar charts shows the Marital status of people who have responded and their opinion on the evolution of the prison system in India.

FIGURE 15:



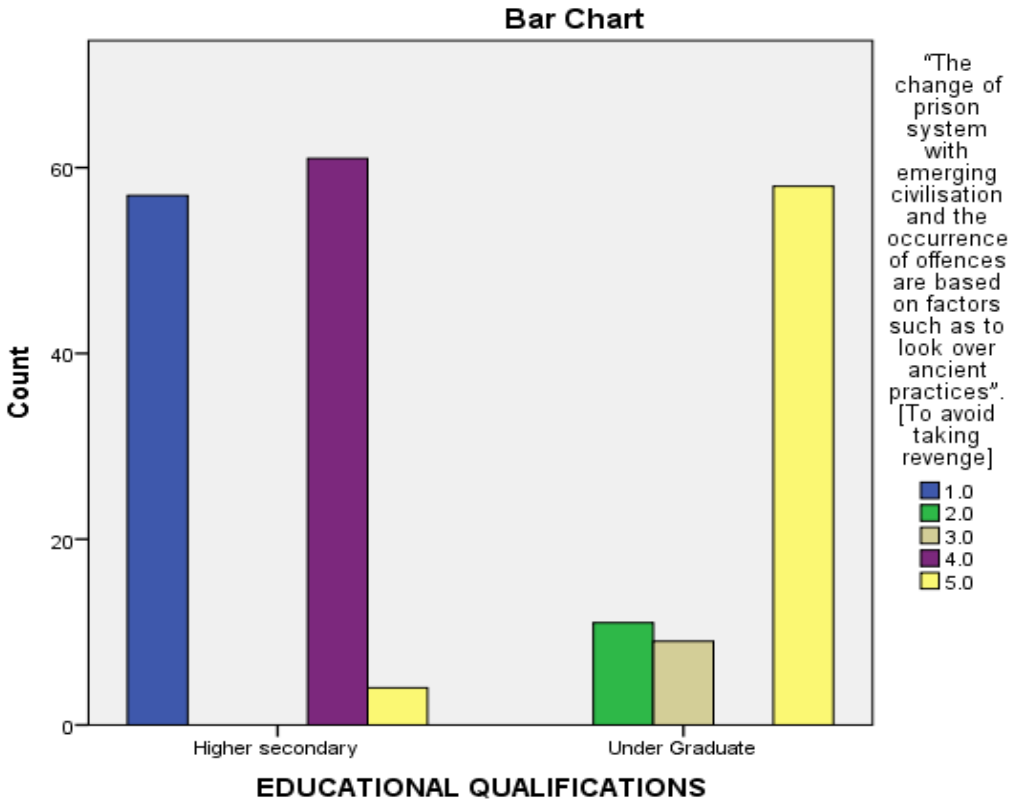
"The change of prison system with emerging civilisation and the occurrence of offences are based on factors such as to look over ancient practices". [Prevent crime]

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	1.0	11	5.5	5.5	5.5
	2.0	9	4.5	4.5	10.0
	3.0	49	24.5	24.5	34.5
	4.0	74	37.0	37.0	71.5
	5.0	57	28.5	28.5	100.0
	Total	200	100.0	100.0	

LEGEND:

The Bar charts shows the Occupation of people who have responded and their opinion on evolution of prison system in India.

FIGURE 16:



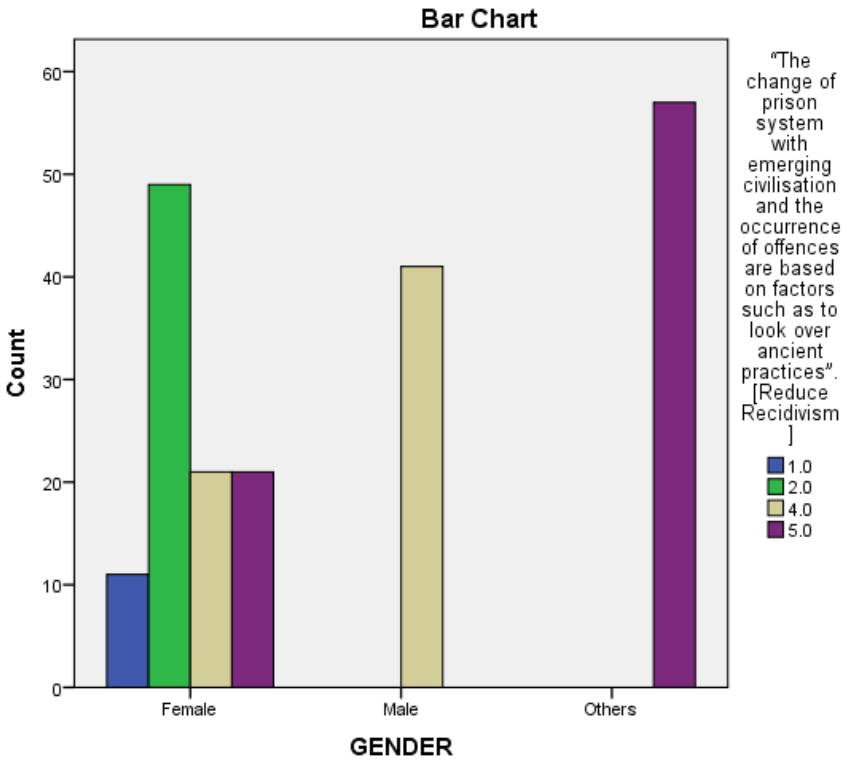
"The change of prison system with emerging civilisation and the occurrence of offences are based on factors such as to look over ancient practices". [To avoid taking revenge]

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	1.0	57	28.5	28.5	28.5
	2.0	11	5.5	5.5	34.0
	3.0	9	4.5	4.5	38.5
	4.0	61	30.5	30.5	69.0
	5.0	62	31.0	31.0	100.0
	Total	200	100.0	100.0	

LEGEND:

The Bar charts shows the Educational qualification of people who have responded and their opinion on evolution of prison system in India.

FIGURE 17:



"The change of prison system with emerging civilisation and the occurrence of offences are based on factors such as to look over ancient practices". [Reduce Recidivism]

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	1.0	11	5.5	5.5	5.5
	2.0	49	24.5	24.5	30.0
	4.0	62	31.0	31.0	61.0
	5.0	78	39.0	39.0	100.0
	Total	200	100.0	100.0	

LEGEND:

The Bar chart shows the Gender of people who have responded and their opinion on the evolution of the prison system in India.

III. RESULT

In **figure 1** aged 41 to 50 have responded most and the least number of respondents belong to the age group of above 50. In **figure 2** female respondents tended to be more compared to the male which are gradually less out of 200 respondents. In **figure 3** people who responded less have their qualifications upto uneducated while there are more respondents belonging to Higher secondary. In **figure. 4** Private sector working people have responded more while the least number of respondents were self-employed. In **figure 5** the coordination factor of the

dependent variable is arranged with age where all the age groups of the choices Strongly agree with the situation. In **figure 6** the chart is correlated but the gender where most of the respondents were aware about this particular situation irrespective of their gender. In **figure 7** the independent variable taken for correlation is gender which most responded gender is female lead the charge of agreeing to the situation. In **figure 8** the dependent variable is correlated with education qualification.In **figure 9** educational qualification is correlated with the dependent variable .In **figure 10** the dependent variable taken for the correlation along with the independent variable is occupation. In **figure 11** age has been correlated with the dependent variable. In **figure 12** again age is correlated with the dependent variable. In **figure 13 the dependent** variable taken for the correlation along with the independent variable is Gender. In **figure 14** marital status has been correlated with dependent variables**.** In **figure 15** occupation has been correlated with dependent variables **.** In **figure 16** educational qualification has been correlated with dependent variables **.** In **figure 17** Gender has been correlated with dependent variables **.**

IV. DISCUSSION

From **figure 1** and **figure 2** shows the number of respondents in the study where the age wise responses group of 41-50 show more respondents which contains that young people belonging to this particular age group are very much familiar with this ideology and are willing to respond towards this kind of topics, while The number of respondents of the gender wise distribution female respondents are more Compared to male who have responded less responses, which clearly shows that their awareness or comparatively less with that of female respondents. From **Figure 3** and **Figure 4** shows the educational qualification and occupation of the respondents where the mostly educated people who have responded more here or post higher secondary completed Which makes the study of relatively relevant one, while the most occupied respondents are working as a private employees but the least number of respondents are self-employed which shows the difference of perspectives towards this particular topic of research. **Figure 5** speaks about the correlation of the age on the dependent variable where the respondents strongly agreed towards the situation of judicial custody the most number of respondents belonging to the age group below 41-50 **Figure 6** speaks about the correlation of the gender on the dependent variable where the respondents strongly agreed towards the situation that Judicial custody the most number of respondents belonging to the group below female. **Figure 7** deals with gender Distribution of people who are aware that no interrogation of the accused can be done in judicial custody without the permission of the court, most female respondents chose 6.**Figure 8** shows that a lot of people are neutral with the relevancy of 6 as

a scale of respondents which shows that people's awareness on the concept of judicial custody is pretty much clear and they are aware of this concept. **Figure 9** Views that educational qualification of people who have chosen that all the person arrested without a warrant is that accused of a bailable offense that most number of respondents belong here or higher secondary. **Figure 10** Occupation of people I am correlated here with people's awareness or high but the situation that states that the state shall ensure that the operation of overall set of laws advances equity in view of equivalent open door and will specifically give free legitimate guide.**Figure 11** the occupation of the respondents are called letter as a lot of respondents strongly agree with this Judicial custody or not a legal procedure for taking a persons life according to article 21 the right to such trial and other investigation is guaranteed to everyone. **Figure 12** the Age of the people a call later year with the dependent variable that most number of respondents are aware of the situation that the age group 41-50 have agreed that to keep the accused under surveillance.**Figure 13** shows that there are female respondents who agreed that the accused must be kept under surveillance so that the true purpose of custody is accomplished. **Figure 14** this figure the marital status has been correlated were the dependant variable were lot of married respondents have ideology on evolution of prison system.**Figure 15** here the occupation of people who is private sector working have responded more shows the awareness on this topic. **Figure 16** the educa qualifications with most respondents shows the knowledge on this prison system evolution.**Figure 17** female respondents are more in number shows the lack of awareness of other gender in this area.

V. LIMITATION

My research study has been limited in the lack of male respondents as they are also part of the community at some point so they should be aware of the fact that to give their opinion on these area, it means that they are not aware of the most needed matter.Secondly Lacking of under graduate responses .Thirdly It was hard to get a lot of primary sources reference on this particular part of evolution of prison system and its awareness on public in the study.

VI. CONCLUSION

A great deal of changes have occurred in the Prison arrangement of India since old times. Notwithstanding, the cutting edge jail framework actually needs a ton of renewals. One of the significant issues is that the jail framework is as yet administered by the Prisons Act of 1894. This Act was made before autonomy and presently we are in 2024. A great deal of things have changed and corrections are required. However we had different jail changes in India still it has not improved the circumstance. Despite the fact that the detainees have perpetrated

violations, yet they actually have their portions of freedoms. Those privileges can't be detracted from them.

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