

ISSN 2063-5346



DIGITAL MARKETING AND PRISON REFORM; AN OVERVIEW OF TIHAR PRISON

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Abstract

As we are well acquainted with the world continue to sprint down the path of digital marketing which consists of business processes, exchange of information, and consumer interaction. Similarly, in the name of prison reforms almost all the prisons of India had persisted in earlier traditional means and methods for reformation and rehabilitation of prisoners behind the bar, whereas in the 20th century, digital marketing drastically came to the pinnacle as a matter of irrefutable empirical evidence, specifically in the era of globalization, industrialization, and privatization. Now we have various resources which underpin advertisements of the product manufactured by the prison manufacturing units through the help of digital marketing, wherein the various skilled prisoners had been working continuously to produce multipronged goods which have great economic significance in the market.

Key Word: Prison Reforms, Digital Marketing and Prisoners.

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INTRODUCTION

Digital Marketing and prison reform are inherently clubbed together for reformation and rehabilitation in current surge. Wherein prison adopted manufacturing unit to produced edible and other essential goods for the consumption of public at writ. Skilled prisoners get opportunities to excel their wisdom to put it into creative work for the betterment of society at large similarly the purpose of installation of prisons has been fulfilled. Prison is considered to be institution where deviance would be eliminated into the personality of prisoners in which they will be restored again in the society consequently without any iota of doubt.

In India, Tihar Prison is considered to be an epitome of ideal prisons where several manufacturing units have been constructed for productions having economic significance and salability in the market. Thus selling the products of TJ's by the assistance of digital marketing which proved to be highly effective towards recognition of the true identity of prisoners. Therefore there is question of praise, reward and recognition of prisoners which certainly escalating the rehabilitation process in right direction.

As we know jail is known to be reformatory institution wherein prisoners are supposed to learn the righteous path by renouncing the criminality or criminal behavior in which they will never repeat any kind of commission of crime in their life again. They may restore into society whenever they reformed completely behind bar. Therefore, it is pertinent here to know that more they produce more they earn and more they recognize and ultimately they will reform in such a usual manner.

LITERATURE REVIEW:

- Sahni, Vidushi., *"A Comparative Study on Prison Systems: Tihar and*

Halden", **International Journal of Advanced Research (IJAR)**, July 2020.

This paper has been written by esteemed Author after pursued empirical research in order to understand restorative and retributive justice works in Tihar Jail, India and Halden Prison, Norway in de-facto, wherein Author conspicuously states that Tihar Jail follows the retributive criminal justice system whereas Halden Prison follows restorative criminal justice. Author further throw the light upon the system prevailing in Tihar Prison is not sufficient to meet the rehabilitation in the consonance of restoration of delinquents into the society. When we compare to Halden Prison in Norway they have unique approach towards the delinquents and prisoners whereas prisoners are bound to live is like mere animal existence after curtailing their fundamental freedoms and without treating them human being in Tihar Jail. There are possibilities to implement restorative justice in Tihar Prison also by adopting the drastic changing paradigms for rehabilitation of prisoners and thereby ultimate motive of restoration would be realized during the passage of time. There are lots of barriers like low and deficit funding, understaffed prisons, overcrowding of prisoners and in general no access the resources, adequate medical care is denied and so on. Wherein repair the harm of victim cannot be possible that is why author stated that Tihar jail working paradigm is towards retribution than reformation and restoration.

Research Gap- Author appraises on the preconceived notion on the functioning modes and method by comparing Tihar Jail, India and Halden Prison, Norway rather than realizing the role of administration and development during the passage of time with regard to Tihar Prison.

- Bedi, Kiran, *"It's Always Possible: Transforming One of The Largest Prisons in The World"* Sterling Publishers

Pvt.Ltd ,India; 6th edition (1 December 2005)

The resources available in Tihar Administration were not able to offer even very basic things like essential commodities such as food, medical assistance and security. Ms. Kiran Bedi in her Book, quoted as *“sometimes the food was so completely inedible that the prisoners were compelled to throw it into the already backed up sewer. Neither the food, they cook, nor the prisoners were clean.* This book was written by Ms. Kiran Bedi after examining Tihar Jail empirically in the year 2005. She throws the light on the basic and essential stuff which are not available to consume and even though the health facilities are very poor and inhumane. She further elaborated about budget allocated by center and state was not sufficient to mitigate the actual problem prevailing in Tihar Prison. Inmates are mentally sick and physically appear as they seem to be affected by malnutrition. The Security available for them was not proper and sufficient to resolve the violence behind bar.

Research Gap- If Tihar Jails face lots of scarcity pertaining to very basic stuffs which are essential for survival of human being even as of now in 21st century also, like essential commodities, medical assistance and security then eventually it has to long way to achieve reformative approach in the context of restorative and rehabilitative justice system.

- **Rabiya, Syed. Raghavan, Vijaya. “Prison Mental Health in India: Review” Indian Journal of Social Psychiatry, 2018, Wolters Kluwer – Medknow Publication.**

Authors appraise that awareness of mental health issues is increasing among the general population and other disadvantaged populations, such as the homeless, migrants, and prisoners. Prisoners are a minority whose mental health needs are generally neglected. Compared to research conducted abroad, India has few published studies on this

population and therefore it is more important to focus on them to better understand. Case reports and review articles were excluded from the current review. Results: A total of 12 research studies were included for the review and classified into prevalence of mental disorders and drug abuse in prisons, clinical characteristics, and factors affecting mental health in prison. The prevalence of psychiatric disorders such as substance use, schizophrenia, depression, adjustment problems, and the risk of suicide is considerably high.

Research Gap- There is a need to study the various factors that predispose prisoners to mental health problems and effective treatment options to improve the mental health of prisoners.

- **Graffam, J., Shinkfield, A., Lavelle, B., & McPherson, W. “Variables Affecting Successful Reintegration as Perceived by Offenders and Professionals.” Journal of Offender Rehabilitation, (2004). 40(1-2), 147–171.**

Authors highlight the observation of Six boards which identify and examined major issues through interview of ex-prisoners, pertaining to emotional and psychological changes during prison as explicative result and hence they found that imprisonment contributed no positive friendship due to learning the criminal activities in the jail, sense of social insecurity and fear of loss of reputation and wealth in the future , livelihood and identity crisis were prevailing during the time of prison of inmates that forced them to develop dehumanization and misanthropic approach in the same context thereby they approached to association of criminal in the prison for their identity in the society.

- **“Model Prison Manual 2016” Ministry of Home Affairs, Government of India New Delhi 2016.**

This manual addressed the problems relating to dilapidated prison structure, inadequacy of prison staff, overcrowding

and congestion, lack of proper care, treatment of prisoners and increasing proportion of under trial prisoners and rehabilitation of prisoners had emerged as a critical issue of public policy. And hence it also highlights the human rights issue of prisoners by quoting relevant case laws of the Supreme Court. And moreover conspicuously mentioned about the institutional means and method to curb the situation relating to prison wherein custodial management, maintenance of prisoners, medical care, transfer of prisoners, education, vocational training and work programs, after care and rehabilitation of prisoners had taken into consideration.

Research Gap- This Prison Manual is seemed to be appeared as a paper tiger wherein exaggerated everything to show general problems rather than specific one. Every prison has their own specific issues and challenges need to be highlighted.

- **Sutherland, Edwin H. , Cressey, Donald R. and Luckenbill, David F., “Principle of Criminology”, General Hall a division of Rowman & Littlefield Publishers, INC, Lanham, Boulder, New York, Oxford, Edn-11th, 1992 P- 244.**

In this book Sutherland has rightly remarked about “the behavior of criminal is learned behavior” through the interaction with members of the society and its association, thus this theory also imbibed the observation and fit in the context of prison’s inmates who had been learned the criminal behavior in the jail and turned to be a hard core criminal after release.

Research Gap- Everything cannot be calculable on the terms mere learning behavior through the interaction from society rather other background and psychological factors must be taken into consideration thus so far as the flaws of this book is concerned it does not provide the appropriate solution to curb the situation in the operational manner.

- **Rosenfeld, R., Petersilia, J., Visher , C. “Corrections Today”, June 2008 - ncjrs.gov p. 87-88.**

Author, highlighted on the various problems and difficulties faced by the inmates pertaining to poverty, unemployability, maintenance of family, psychological changes, drastically modification in the behavioral patterns of persons who are under trial behind the bar, it leads exaggeration of crime rate in the society that ought to be control otherwise, it would be considered as a dangerous for the society at writ whenever they release.

Research Gap- Author has nicely elucidated everything in the context of de-jure and de-facto reality but still we hardly find anything pertaining to solution to ensure basic human rights of the prisoners.

- **Pathak, K.K. “Prison Statistics India” 2010 National Crime Record Bureau, Ministry of Home Affairs, Government of India, New Delhi.**

This annual publication contains 12 chapters along with graph-maps, tables depicting detailed statistical information which would be helpful for policy formulation and reformation of the prisons at various aspects with regard to prison administration and institutional development. Even it highlights the training and sensitization courses for prison authority to affirm the human rights and fundamental freedoms in the context of prison reforms in India.

- **Mulla Committee “Report of All India Committee on Jail Reforms” 1980-83**

This Reports contains total two Vol., wherein Vol.-I contains VIII Parts and Vol. –II contains total –VII Parts. This committee had given recommendation pertaining to rights of prisoners and institutional reforms with regard to jail administration which covered everything in detail in order to discuss the

comprehensive conundrum of jurisprudence of prison reforms in India.

• **Basu , D. D. “Human Rights in Constitutional Law” Lexisnexis India 3rd Edition 2008**

In this book author throw the light on human rights of prisoners with the help of recommendations of National Human Rights Commission to the Supreme Court of India as well as the Government of India and it had also compared with the international human rights framework to ensuring the basic human rights and fundamental freedoms cannot be abrogated at any cost even to prisoners also.

Research Gap- Since author elaborated everything in general whereas need on prisoners a matter of comprehensive and specific kind of research.

EVOLUTION OF DIGITAL MARKETING

In order to avoid the humdrum situation to understand the historical development of digital marketing in depth, we should start with a basic understanding of ‘electronic commerce’- basically it gives impetus to start its journey from the 1970s on the emanated increasing demand of the trade and business all over the world; thereby government had no option, except to rely on the digital marketing to figure out everything conspicuously and transparently by the assistance of computer application.

In general parlance, technologically advanced institutions started their resolute works by using computer applications which turned into the progress of thrived digital marketing viz. business process, exchange of information, and eventually, it improves the consumer’s interaction in day-to-day life also. Various companies adopted in haste the Electronic Data Interchange (EDI), Electronic Messaging Technologies, and E-mail established as a quintessential and ‘sine qua non’ for the exchange of information during the early

1980s. Similarly, multipronged electronic technologies which are being exclusively used for e-commerce and subsequently proliferated in society for consumer online services without any second thought, as it was on the greatest demand on that particular point of time, consequently there were new dimensions of social interaction introduced firmly viz. inter-relay chat, chat rooms and sharing of knowledge are the illustrations of the digital marketing on that particular point of time. Therefore, the concept of ‘global village’ had emerged as a result of technological revolution on the part of new agencies, and programs of file-transferring technologies.

Furthermore www (World Wide Web) was introduced in the year 1990 for capturing the market virtually and proved to be turning point of digital marketing by providing easy and consumer-friendly access of internet searching engine that is worldwide accepted, similarly, it was considered to be mile stone for digital marketing and hence popularly known for hassle free dissemination of information, resolution for problem relating to the publication of information and publication of information into world by the help of www (World Wide Web). Although it was open for commercial use in the year 1991 and subsequently adopted by banking sector also in the year 1994 for rendering the online services for their valuable customers.

Eventually internet service came into pinnacle in the term of its users, there were over 150 million people among the world comprehensively identified as internet users in the year 1994 and 1995 wherein consumers are now able to come across by perceiving such dissemination of information pertaining to the sell and offer to sell of goods and providing services on demand advertised through internet which allures potential customer for internet shopping and so on.

Introduction of internet shifted the paradigms of trade and business drastically

and dramatically and thereby word level merchantable quality goods offered for sell on the various online shopping platforms, hence it was wriggled to be revolutionary step on online marketing. Since Amazon launched online shopping platform for several vendors those who are willing to be partner of online business marketing in the year 1995 and e-Buy in 1996.

CONCEPTUALISATION OF DIGITAL MARKETING

The terminology 'Digital Marketing' coined first time in the year 1990 but in de-facto the same had been functional and operational properly in refine form by fanning the consumers and sellers relationship which are very significant achievement in the digital market to nurturing and nourishing the trust of the consumers effectively on the digital market in the year 2000 to 2010.

Digital Marketing is the shibboleths or practice of digital networks to promote goods or products or services by the means of digital technologies in order to obtain the leads which transform potential consumers into buyers and preserve the leads for future reference¹.

Digital Marketing is a means and an instrument where customers are aware by perceiving the information about goods and services offered by various vendors on prescribed online platforms which enhance sales over numerous digital platforms. Along with traditional sources like TV and Radio, 'The Internet' has a wide capacity to disseminate information pertaining to sales of goods and services as a key of all mediums of promotion.

In digital marketing, basically, there are two types of efforts required, first on the part of a company forwards a message or information to the consumer a receiver at the second instance is known to be, from end to end business, using a digital platform wherein internet is considered to

be the backbone of the entire process. Therefore digital marketing provides solutions to consumers the freedom from traditional shops for shopping by free volition, meaning thereby, without visiting a physical shop, a person can purchase goods virtually by utilizing the digital platform which is available for online retailing. One of the significant roles of online retailing is; - it's an expeditious process, just by clicking the button of a computer and by using a finger on a phone, consumers can purchase anything they are willing to buy without any iota of doubt.

Therefore technology is opening all doors of the market enabling us to be a part of both consumers and marketers. Now several brands have the goodwill of patentability and trade quality also become part of digital marketing and thereby providing the exclusive pathway for trade.

DIGITAL MARKETING; A NEW DIMENSION OF PRISON REFORMS

We have 1350 jails in India which are having 4, 78,600 Prisoners languished in jail, similarly, it is overcrowded with 478600 Prisoners in number whereas its actual capacity was 403,739 Prisoners in December 2019. Therefore the area of concern as well as the burden lies on the part of the Government of India and State Governments to reform the total number of 1350 active jails within the territory of India. The purpose of Jail's installation was to reform the deviant by providing appropriate institutionalized means and method on the verge of looking the gravity of offence committed by such prisoners thereby sentencing policies framed in the consonance of the consequence of the commission of crime and gravity of such commission by the offenders. Prison Reform in India is an urgent need of the time wherein we analyses the drastic changes are being observed in the respect of crime rates, because it has been increasing dramatically during the passage of time. Thus in order to restore the

¹ Institute of Digital Marketing 2010

perpetrator or deviant in society the process of reformation in the jail must be efficacious otherwise it would be obnoxious for the society at writ because there is cause and effect relations having direct nexus in the context. We are living in a modern society so; we cannot be untouched by digitalization. Digitalization is become an integral part of every person, more or less in the every facet of the life. Therefore impact of digitalization in the process of reformation in the jail comes into pinnacle in the 21st century.

Moreover during the outbreak of COVID-19, the importance of technology specifically the digital market spread its wing widely without any other choice. We are forced by 'vis major' to develop and inculcate our habits by adopting digital platforms in order to maintain social distancing.

The ultimate goal of prison Administration is the reformation and rehabilitation of offenders. Many States/UTs have been implementing a variety of efforts in the field of prison inmate rehabilitation and welfare under the direction and supervision of the Central Government in order to achieve the proposed goal. The Ministry of Home Affairs, on behalf of the central government, is implementing a number of projects, including not just improving prison facilities with a focus on hygiene, but also hosting national and international conferences on correctional administration to educate prison employees in order to strengthen them digitally. The following issues have been used to summarize the various strategies adopted or shared by the States or Union Territories:

1. Rehabilitation and welfare services
2. Complaints and Grievances.

Rehabilitation and welfare are some good initiatives taken by States and Union Territories to improve the rehabilitation and wellbeing of prisoners are included educating inmates not only gives a

corrective approach to the offender's mind, but it also goes a long way toward establishing a responsive and respectful attitude toward the society. During the year 2017, the country educated a total number of 1,16,968 inmates. Out of the total number of convicts educated, 50,751 received an elementary education, 44,338 received adult education, 13,538 received further education and 8,341 received computer instruction².

In Central Jail Hospital, the prison administration has established an Integrated Counseling and Testing Centre (ICTC) for discovering HIV-positive convicts and initiating treatment.

All detainees suspected of having HIV are tested at the ICTC Center according to NACO (National Aids Control Organization) criteria, which includes pre- and post-test counseling.

An ICTC is a location where a person can be counseled and tested for HIV voluntarily or on the advice of a medical physician.

Tihar Jail is considered as the largest complex of prisons in South Asia, earlier it was controlled by the Punjab administration till 1966, later on the same was transferred to the Delhi government for its administration and now it is operated and governed according to Delhi Jail Manual (2018) which was came into force with the effect of January 2019. The jail has 1273 prisoners lodging capacity wherein required efficient administration in all respect of Tihar Prisons Complex, all Although authority had appointed as per the required capacity there was no full-fledged post of Inspector General (IG) of Delhi Prison since its inception rather the functions were discharged additionally by the Dy. Commissioner, Delhi. The Prison crowds drastically increased to exaggerated numbers which is the reason the Director General, Additional Director General and Inspector General post was

² Model Prison Manual (2016)

introduced in the first time in the year 1986 and the same was headed by a senior IPS officer. The peculiar problems lie in different forms with regard to Tihar Jail.

Now its urgent need of the time is to pursue digitalization everywhere especially during the outbreak of COVID-19 and onwards it is in the haste of considering the modernity as well as resolute demands of the time. Thus Tihar has already equipped with digitalization prior to hue and cry of outbreak of COVID-19 which was proliferated drastically in 2020 in India and elsewhere in the world hence it was considered to be 'annus horribilis' thereby the importance of digitalization came into pinnacle in realm of reformation and rehabilitation,

because the vocational and educational training is the impetus to the back bone and rock bottom of the proposed complacent about prison reforms.

PRODUCTS OF TIHAR JAIL AND DIGITAL MARKETING

There is variety of products manufactured and prepared by the prisoners of Tihar Jail, like -handicrafts, furniture, housekeeping papers products, bakery, spices and mustered oil, cloths and so on. Wherein advertisements of every product have conspicuously appeared, not only on Facebook, twitters and YouTube, and other social media but it placed in the column of newspapers also which enable us to purchase such products.



Pictures relating to salable products of Tihar Prisons

Since the efforts of Tihar Prisoners to create an environ for rehabilitation and reformation of prisoners is really remarkable to understand their worth by earning incentive and by doing certain prescribed works in order to realize their potential towards their devotion, so that prisoners will be able to understand the economic significance of their inherited talent for humanizing the prison wall. Thus selling the products of TJ's by the assistance of digital marketing which proved to be highly effective towards recognition of the true identity of prisoners. Therefore there is question of praise, reward and recognition of prisoners which certainly escalating the rehabilitation process in right direction.

As we know jail is known to be reformatory institution wherein prisoners are supposed to learn the righteous path by renouncing the criminality or criminal behavior in which they will never repeat any kind of commission of crime in their life again. They may restore into society whenever they reformed completely behind bar. Therefore, it is pertinent here to know that more they produce more they earn and more they recognize and ultimately they will reform in such a usual manner.

Digital Marketing plays a significant role for prisoners pertaining to their identity, learning a new skill, imparting vocational training for their future settlement, and computer education for prisoners who will be searching for every possible and suitable job after their release and completion of their punishment.

The major challenges of Tihar is;- hostility, mental health, and depression, these are the most common problems prevailing after languishing into Jail, and psychological issues lead to serious concern initially in Tihar Jail because more than 50% of prisoners were suffering from different mental illness and resulted in suicide and hence there were the most common incidents took place initially

whereby new programs were introduced like "Project Samarth" which renders free counseling to prisoners in order to reduce the suicide and violence inside the bar. Furthermore, Vipassana is an innovative method of meditation introduced by Shri S. N. Goenka, the same was also carried forward by Vipassana Research Institute in Tihar Jail in order to curb the mental stress of the prisoners which really dramatically reduced the various psychological disorders like helplessness and so on.³

Reformatory activities contain Educational Facilities behind bars, Library, Vocational training, Parole, Emergency Parole, Panchayat System for Prisoners, Furlough, Premature Release and Remission System, Wages Earning Scheme, Sports, Cultural Activities, and Interviews And Communication with Prisoners. It is to apprise here that Panchayat Board must be constituted for every central and district Jail for the term of 6 months and 3 months respectively thereby convicts and under trial ensure a sense of self-reliance among the prison inmates. Women Prisoners required some special treatments pertaining to privacy and need some special facilities as compared to males because of the social stigma.

Despite of all the above-mentioned challenges and solutions of various reformatory approaches for prison reform, we were lacking in rehabilitation up to the remarkable stage at all, thus reformation and rehabilitation are interlinked and inalienable. We cannot think about reformation upto the fullest extent without inviting the rehabilitation means and methods thereby it connotes the financial viability of the prisoners, which comes from the products manufactured by them and ultimately send into the market for the sell and earning the requisite amount of profit for making them self-confident is the acid test for their reformation and wherein they will figure out their career

³ *Psychological Effects of Vipassana on Tihar Jail Inmates*, Vipassana Research Institute

accordingly after they're releasing and hence it is the process of restoring them into society again.

So far as the concluding word is concerned, my suave submission and appraisal is that, now society is changing very fast with the effect of enslavement of a technologically advanced world, similarly, after the outbreak of COVID-19, digital marketing emerges up to the fullest extent, therefore, the same must be adopted in prisons of entire India for proving the new dimension of rehabilitation and reformation of prisoners.

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