

(b) As 'Police' and 'Law and Order' are State subjects, falling in Entry 1 and 2 of Seventh Schedule of the Constitution of India, the principal responsibility for managing these subjects lies with the State Governments. However, the States have not been able to modernize and equip their police forces upto the desired level due to financial constraints. It is in this context that the Ministry of Home Affairs (MHA) has been supplementing the efforts and resources of the States, from time to time, by implementing the Scheme for Modernisation of State Police Forces (MPF Scheme). During the XIIth Five Year Plan, a sum of ₹ 3750.87 crore has been allocated for 'Plan' purposes and a sum of ₹ 8195.53 crore has been approved for 'Non-plan' purposes under MPF Scheme.

(c) and (d) The items required by the State Police, namely, modern weapons, ammunition, vehicles, security related equipment, training equipment, forensic science equipment, etc. are to be funded under 'Non-Plan'. Infrastructure projects like the construction of police stations, outposts, police line buildings, houses for lower and upper subordinate police personnel, police training institutions and forensic science laboratories are to be funded under 'Plan'. However, as stated in reply to part (a) above, assistance for dealing with left wing extremists is not provided under MPF Scheme extended from 2012-13.

People declared dead

†778. SHRI MAHENDRA SINGH MAHRA: Will the Minister of HOME AFFAIRS be pleased to state :

(a) whether Government is aware that more than one lakh people declared dead in the country are alive and they are struggling to prove themselves alive for years;

(b) if so, the State-wise number of such people;

(c) whether Central Government is keen to deliver justice to these living people declared dead; and

(d) if not, whether Central Government would enact a special law to address such cases?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI KIREN RIJJU): (a) and (b) No Sir. No data is available in this regard.

(c) and (d) A person is declared dead under Section 108 in the Indian Evidence Act, 1872 which reads as follows:

“Burden of proving that person is alive who has not been heard of for seven years- [Provided that when] the question is whether a man is alive or dead, and it is

†Original notice of the question was received in Hindi.

proved that he has not been heard of for seven years by those who would naturally have heard of him if he had been alive, the burden of proving that he is alive is [shifted to] the person who affirms it.”

This declaration is principally done through a Court of Law or by an Administrative Authority and if the person turns up subsequently, then under Section 108 of the Indian Evidence Act, 1872, he/she should affirm that he/she is alive before the same Court of Law or Administrative Authority. Hence, no special law is required.

Reducing overcrowding in prisons

779. SHRI AMBETH RAJAN: Will the Minister of HOME AFFAIRS be pleased to state :

- (a) whether prisons across the country are over-crowded;
- (b) if so, the details thereof;
- (c) whether Government has prepared any comprehensive plan so that the overcrowding in the prisons can be reduced considerably; and
- (d) if so, the details thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI KIREN RIJJU): (a) and (b) As per available data at the end of 2012, there were 3,85,135 inmates in the jails of the country out of the total capacity of 3,43,169, which constitutes overcrowding of 112.2%.

(c) and (d) “Prisons” is a State subject under Entry 4 of List II of the Seventh Schedule to the Constitution, and Prison Administration is primarily the responsibility of the State Governments. However, in order to increase the number of jails and additional barracks in the country to reduce overcrowding, Government of India had launched a Non-Plan Scheme of Modernisation of Prisons involving a total outlay of ₹ 1800 crore on a cost sharing basis in the ratio of 75:25 between the Central Government and the State Governments respectively. Under the Scheme of Modernisation of Prisons, 125 new jails and 1579 additional barracks have so far been constructed by the State Governments. This has brought down overcrowding from 122.8% in 2009 to 112.2 % in 2012.

Status of NATGRID

780. SHRI MOHD. ALI KHAN: Will the Minister of HOME AFFAIRS be pleased to state :

- (a) whether National Intelligence Grid (NATGRID) has been created to use big data and analysis to track suspects;