

Demand for conferring Bharat Ratna

2592. SHRI RAJEEV CHANDRASEKHAR: Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether Government is looking at the public demand for conferring Bharat Ratna posthumously to Late Field Marshal Sam Hormusji Framji Jamshedji Manekshaw;
- (b) if so, the details thereof; and
- (c) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI NITYANAND RAI): (a) to (c) Recommendations for award of Bharat Ratna are received regularly from various quarters however, no formal recommendation for this award is necessary. The decisions regarding award of Bharat Ratna are taken from time to time.

Free legal aid provided to undertrials

2593. PROF. M.V. RAJEEV GOWDA: Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether it is a fact that 16 out of 28 States surveyed under Prison Statistics India, 2017 report have a prison occupancy higher than 100 per cent, if so, the details thereof;
- (b) whether 68 per cent of inmates were undertrials, if so, the details thereof;
- (c) the number of undertrials who were provided free legal aid or any sort of relief in accordance with recommendations of 268th Law Commission report in the last two years, State-wise, year-wise and social category-wise; and
- (d) the number of capacity augmentation projects for jails undertaken by Government in past five years, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI G. KISHAN REDDY): (a) National Crime Records Bureau (NCRB) compiles prison statistics reported to it by States and Union Territories (UTs) and publishes the same in its annual report "Prison Statistics India". Latest published report is of the year 2017. As per 'Prison Statistics India' 2017 report, 15 States and 1 UT have reported occupancy

higher than 100 per cent in their jails. State/UT-wise details are given in the Statement-I (*See below*).

(b) 68.5% of prison inmates in the jails of the country were undertrials as on 31st December, 2017.

(c) As per available data, State/UT-wise details of number of prisoners, including undertrials, who were provided legal aid in the year 2016 and 2017 respectively are given in Statement-II (*See below*).

(d) 'Prisons' and 'persons detained therein' are State subjects as per Entry 4 of List II of Seventh Schedule to the Constitution of India. States/UTs are competent to take appropriate decision for capacity augmentation in their respective jurisdictions.

Statement-I

State/UT-wise details of occupancy rate, percentage of undertrial prisoners as on 31st December, 2017

Sl. No.	State/UT	Available Capacity	Inmate Population	Occupancy Rate (%)
1	2	3	4	5
1.	Andhra Pradesh	8786	8453	96.2
2.	Arunachal Pradesh	233	203	87.1
3.	Assam	8888	8257	92.9
4.	Bihar	39913	40186	100.7
5.	Chhattisgarh	12321	19372	157.2
6.	Goa	624	420	67.3
7.	Gujarat	13305	13011	97.8
8.	Haryana	18096	19074	105.4
9.	Himachal Pradesh	1903	2119	111.4
10.	Jammu and Kashmir	2762	2640	95.6
11.	Jharkhand	15769	18151	115.1
12.	Karnataka	13711	14549	106.1
13.	Kerala	6152	7753	126.0

1	2	3	4	5
14.	Madhya Pradesh	28227	38708	137.1
15.	Maharashtra	24745	33699	136.2
16.	Manipur	1272	790	62.1
17.	Meghalaya	650	874	134.5
18.	Mizoram	1619	1249	77.1
19.	Nagaland	1450	419	28.9
20.	Odisha	18012	15223	84.5
21.	Punjab	23218	24048	103.6
22.	Rajasthan	21879	19724	90.2
23.	Sikkim	246	346	140.7
24.	Tamil Nadu	22792	13969	61.3
25.	Telangana	7222	5545	76.8
26.	Tripura	2174	1037	47.7
27.	Uttar Pradesh	58400	96383	165.0
28.	Uttarakhand	3378	4748	140.6
29.	West Bengal	21772	23092	106.1
TOTAL (STATES)		379519	434042	114.4
30.	Andaman and Nicobar Islands	309	178	57.6
31.	Chandigarh	1120	967	86.3
32.	Dadra and Nagar Haveli	60	25	41.7
33.	Daman and Diu	60	59	98.3
34.	Delhi	10026	15161	151.2
35.	Lakshadweep	64	2	3.1
36.	Puducherry	416	262	63.0
TOTAL (UTs)		12055	16654	138.2
TOTAL (ALL-INDIA)		391574	450696	115.1

Occupancy Rate = $\frac{\text{Inmate Population}}{\text{Total Capacity}} \times 100$

Source: Prison Statistics India

*Statement-II**State/UT-wise details of number of prisoners who were provided legal aid*

Sl. No.	State/UT	2016	2017
1	2	3	4
1.	Andhra Pradesh	1271	1476
2.	Arunachal Pradesh	76	76
3.	Assam	1132	0
4.	Bihar	931	1994
5.	Chhattisgarh	3868	5322
6.	Goa	22	70
7.	Gujarat	1588	2891
8.	Haryana	4667	3019
9.	Himachal Pradesh	459	455
10.	Jammu and Kashmir	35	51
11.	Jharkhand	1489	1587
12.	Karnataka	251	337
13.	Kerala	2389	6795
14.	Madhya Pradesh	2527	3872
15.	Maharashtra	1986	6693
16.	Manipur	310	564
17.	Meghalaya	291	680
18.	Mizoram	1137	1201
19.	Nagaland	80	56
20.	Odisha	448	452
21.	Punjab	4252	4722
22.	Rajasthan	1567	1618

1	2	3	4
23.	Sikkim	684	681
24.	Tamil Nadu	5086	4535
25.	Telangana	524	455
26.	Tripura	81	156
27.	Uttar Pradesh	3240	4575
28.	Uttarakhand	565	1334
29.	West Bengal	5667	3063
TOTAL (STATES)		46623	58730
30.	Andaman and Nicobar Islands	65	110
31.	Chandigarh	374	532
32.	Dadra and Nagar Haveli	0	0
33.	Daman and Diu	3	0
34.	Delhi	47091	42750
35.	Lakshadweep	0	0
36.	Puducherry	86	60
TOTAL (UTs)		47619	43452
TOTAL (ALL-INDIA)		94242	102182

Cases of lynching

2594. SHRI K. K. RAGESH: Will the Minister of HOME AFFAIRS be pleased to state:

(a) the State-wise and year-wise details of cases of lynching reported during the last five years;

(b) the State-wise details of cases of lynching which are under consideration in various courts;

(c) the State-wise list of such cases disposed of by the court so far;