GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS

RAJYA SABHA
UNSTARRED QUESTION NO. 3265

TO BE ANSWERED ON THE 24TH MARCH, 2021/ CHAITRA 3, 1943 (SAKA)

OVERCROWDING IN PRISONS

3265 PROF. MANOJ KUMAR JHA:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) the initiatives taken to deal with the overcrowding in prisons, the State-wise details from year 2015-2020, year-wise;

(b) the details of States which have created the Board of Visitors to track prison facilities, the State-wise details thereof;

(c) the number of vacancies approved for medical and correctional staff in jails, out of these approved vacancies, how many were filled, the State-wise details from year 2015-2020, year-wise; and

(d) whether Government has the details of the mortality rates in prisons, the State-wise details from year 2015-2020, year-wise?

ANSWER

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS
(SHRI G. KISHAN REDDY)

(a): 'Prisons' and 'persons detained therein' are State subjects under Entry 4 of List II of the Seventh Schedule to the Constitution of India. Administration and management of prisons is the responsibility of State Governments. However, the Ministry of Home Affairs has taken the following steps to address the issue of overcrowding in prisons:

(i) Section 436A was inserted in the Code of Criminal Procedure, which provides for release of an under-trial prisoner on bail on undergoing detention for a period extending up to one-half of the maximum period of imprisonment specified for an offence under any law (not being an offence for which the punishment of death has been specified as one of the punishments under that law);

(ii) The E-prisons portal provides facility to State Jail authorities to access the data of inmates in a quick and easy mode which can assist them in identifying inmates whose cases are due for consideration by the Under Trial Review Committee.

(iii) State Legal Services Authorities have established Legal Service Clinics and has deployed Para Legal Volunteers at Police Stations, Front Offices, Jails and Child Welfare Centres with a view to provide free legal assistance to persons in need.

(iv) On directions of the Hon'ble Supreme Court of India, National Legal Services Authority (NALSA) had prepared a Standard Operating Procedure (SOP) for Under-Trial Review Committees. This SOP was also circulated by the Ministry of Home Affairs to all States and Union Territories (UTs) on 18th February 2019.

(v) The Model Prison Manual 2016 circulated to all States and UTs also has a Chapter on 'Legal Aid' which provides the details of facilities that are to be provided to undertrials, viz. legal defence, interview with lawyer, signing of Vakalatnama, application to Courts for legal aid at Government cost etc.

(vi) The Ministry of Home Affairs has issued various advisories to States & UTs to adopt various measures to reduce overcrowding in prisons. These advisories are available on MHA's website: https://mha.gov.in/ .

(b): National Crime Records Bureau (NCRB) compiles prison statistics reported to it by States and UTs and publishes the same as 'Prison Statistics India' every year. The latest published report is of the year 2019. Specific Information in this regard is not maintained by NCRB.

(c): State and UT-wise details of the sanctioned and actual strength of Medical Staff and Correctional Staff in jails for the years 2015, 2016, 2017, 2018 and 2019 are given in Annexure-I & II respectively.

(d): State and UT-wise number of deaths of prisoners in jails during the years 2015 to 2019 is given in Annexure-III.

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ANNEXURE-I

R.S.US.Q.NO.3265 FOR 24.03.2021

State/UT-wise Sanctioned and Actual Strength of Medical Staff in Jails during the years 2015, 2016, 2017, 2018 & 2019

Sl. No.	State/UT	Medical Staff as on 31.12.2015		Medical Staff as on 31.12.2016		Medical Staff as on 31.12.2017		Medical Staff as on 31.12.2018		Medical Staff as on 31.12.2019	
		Sanctioned	Actual	Sanctioned	Actual	Sanctioned	Actual	Sanctioned	Actual	Sanctioned	Actual
1	ANDHRA PRADESH	52	39	60	37	60	40	60	40	60	45
2	ARUNACHAL PRADESH	10	8	10	8	10	8	10	9	10	10
3	ASSAM	73	66	73	48	74	48	74	48	73	46
4	BIHAR	428	319	428	319	428	319	455	238	455	237
5	CHHATTISGARH	111	50	113	63	113	61	95	53	112	57
6	GOA	3	3	3	3	4	3	13	1	13	2
7	GUJARAT	101	71	103	72	103	74	101	77	101	72
8	HARYANA	81	47	74	52	93	62	93	62	99	49
9	HIMACHAL PRADESH	18	15	20	15	19	15	23	16	23	14
10	JAMMU & KASHMIR @	63	40	63	64	63	69	105	70	132	74
11	JHARKHAND	167	29	167	24	171	26	168	15	187	86
12	KARNATAKA	57	25	57	25	66	28	52	21	79	21
13	KERALA	23	22	41	41	43	36	43	36	43	36
14	MADHYA PRADESH	195	117	194	112	194	112	194	104	195	115
15	MAHARASHTRA	100	62	167	113	100	66	100	73	100	73
16	MANIPUR	35	32	35	32	35	30	35	33	30	27
17	MEGHALAYA	16	16	20	22	20	18	20	18	20	20
18	MIZORAM	15	10	15	10	15	10	15	11	15	11
19	NAGALAND	16	16	16	16	5	5	5	5	5	5
20	ODISHA	186	129	184	128	189	115	189	111	196	134
21	PUNJAB	80	80	81	64	81	81	84	84	81	107
22	RAJASTHAN	139	39	147	119	147	116	153	106	153	124
23	SIKKIM	2	2	0	2	0	2	7	4	7	5
24	TAMIL NADU	106	86	110	95	116	97	134	96	129	111
25	TELANGANA	57	40	57	39	52	52	52	52	52	52
26	TRIPURA	35	27	35	27	35	22	22	25	33	22
27	UTTAR PRADESH	322	207	322	203	322	182	381	141	387	201
28	UTTARAKHAND	29	11	40	11	40	14	40	14	32	12
29	WEST BENGAL#	92	23	92	23	92	25	92	25	92	25
30	A & N ISLANDS	5	5	6	6	6	6	6	6	6	6
31	CHANDIGARH	4	3	4	4	4	4	7	4	7	4
32	D & N HAVELI *	0	0	0	0	0	0	0	0	0	0
33	DAMAN & DIU *	0	0	0	0	0	0	0	0	0	0
34	DELHI	370	225	370	225	370	248	390	314	391	157
35	LAKSHADWEEP	0	0	0	0	0	0	0	0	0	0
36	PUDUCHERRY	2	2	2	2	2	2	2	2	2	2
	TOTAL (ALL-INDIA)	**2993**	**1866**	**3109**	**2024**	**3072**	**1996**	**3220**	**1914**	**3320**	**1962**

@ Jammu and Kashmir and Ladakh are now Union Territories. This is consolidated data of both UTs - Jammu and Kashmir and Ladakh.

* D&N Haveli and Daman & Diu have since been merged into one UT.

Due to non-receipt of data from West Bengal for the year 2018 & 2019, data furnished for 2017 has been used.

ANNEXURE-II
R.S.US.Q.NO.3265 FOR 24.03.2021

State/UT-wise Sanctioned and Actual Strength of Correctional Staff in during the years 2015, 2016, 2017, 2018 & 2019

Sl. No.	State/UT	Correctional Staff as on 31.12.2015		Correctional Staff as on 31.12.2016		Correctional Staff as on 31.12.2017		Correctional Staff as on 31.12.2018		Correctional Staff as on 31.12.2019	
		Sanctioned	Actual	Sanctioned	Actual	Sanctioned	Actual	Sanctioned	Actual	Sanctioned	Actual
1	ANDHRA PRADESH	0	0	0	0	0	0	0	0	0	0
2	ARUNACHAL PRADESH	4	0	4	0	4	0	4	0	0	0
3	ASSAM	2	0	2	0	2	2	2	0	19	0
4	BIHAR	151	81	151	81	151	81	194	76	389	238
5	CHHATTISGARH	89	53	89	51	89	49	57	34	89	49
6	GOA	0	0	0	0	1	0	1	0	1	0
7	GUJARAT	4	1	4	1	4	1	4	2	4	1
8	HARYANA	8	0	0	0	8	0	16	0	11	0
9	HIMACHAL PRADESH	7	3	7	4	11	3	12	3	12	3
10	JAMMU & KASHMIR @	2	1	48	3	48	1	48	18	52	19
11	JHARKHAND	8	8	8	8	5	6	0	0	4	4
12	KARNATAKA	2	0	3	2	4	2	4	2	30	2
13	KERALA	18	18	25	25	23	23	23	23	23	18
14	MADHYA PRADESH	80	62	80	66	80	66	80	66	80	66
15	MAHARASHTRA	187	123	187	130	187	126	187	126	187	117
16	MANIPUR	0	0	0	0	0	0	0	0	1	0
17	MEGHALAYA	0	0	0	0	8	8	8	8	0	0
18	MIZORAM	2	1	2	1	2	1	0	0	0	0
19	NAGALAND	15	15	15	15	2	1	2	1	2	1
20	ODISHA	159	125	163	123	164	122	165	120	164	108
21	PUNJAB	14	0	14	0	14	0	4	0	4	0
22	RAJASTHAN	8	4	8	4	8	3	8	3	8	4
23	SIKKIM	0	0	0	0	0	0	0	0	0	0
24	TAMIL NADU	120	53	105	57	105	57	117	69	95	63
25	TELANGANA	0	0	0	0	1	1	1	1	1	1
26	TRIPURA	3	0	3	0	7	4	5	1	7	2
27	UTTAR PRADESH	1	1	1	1	2	2	2	2	2	2
28	UTTARAKHAND	2	0	2	1	2	1	2	1	3	2
29	WEST BENGAL#	61	36	61	41	61	43	61	43	61	43
30	A & N ISLANDS	0	0	0	0	1	1	1	1	1	1
31	CHANDIGARH	1	1	0	0	1	1	15	3	15	3
32	D & N HAVELI *	0	0	0	0	0	0	0	0	0	0
33	DAMAN & DIU *	0	0	0	0	0	0	0	0	0	0
34	DELHI	29	11	29	7	29	6	42	13	42	14
35	LAKSHADWEEP	0	0	0	0	0	0	0	0	0	0
36	PUDUCHERRY	0	0	0	0	0	0	0	0	0	0
	TOTAL (ALL-INDIA)	**977**	**597**	**1011**	**621**	**1024**	**611**	**1065**	**616**	**1307**	**761**

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Due to non-receipt of data from West Bengal for the year 2018 & 2019, data furnished for 2017 has been used.

ANNEXURE-III
R.S.US.Q.NO.3265 FOR 24.03.2021

State/UT-wise number of Deaths of inmates in Prisons during the years 2015-2019

Sl. No.	State/UT	2015	2016	2017	2018	2019
1	ANDHRA PRADESH	41	30	30	47	25
2	ARUNACHAL PRADESH	1	0	1	2	0
3	ASSAM	30	52	40	38	25
4	BIHAR	84	74	115	120	110
5	CHHATTISGARH	50	5	48	54	52
6	GOA	1	3	1	1	3
7	GUJARAT	26	41	48	51	52
8	HARYANA	46	46	48	60	77
9	HIMACHAL PRADESH	7	4	9	14	4
10	JAMMU & KASHMIR @	2	6	4	9	5
11	JHARKHAND	42	61	47	57	53
12	KARNATAKA	76	63	78	57	65
13	KERALA	43	41	35	32	33
14	MADHYA PRADESH	135	146	102	136	162
15	MAHARASHTRA	114	121	119	135	132
16	MANIPUR	4	4	4	3	0
17	MEGHALAYA	5	2	2	3	6
18	MIZORAM	2	2	2	4	1
19	NAGALAND	0	0	1	0	4
20	ODISHA	45	48	46	51	53
21	PUNJAB	178	152	145	155	137
22	RAJASTHAN	58	97	76	85	82
23	SIKKIM	0	0	1	0	2
24	TAMIL NADU	69	61	71	94	58
25	TELANGANA	33	24	17	8	22
26	TRIPURA	2	5	4	4	3
27	UTTAR PRADESH	323	429	395	443	422
28	UTTARAKHAND	16	13	17	14	20
29	WEST BENGAL#	98	86	120	120	120
30	A & N ISLANDS	3	1	0	0	0
31	CHANDIGARH	4	2	2	4	1
32	D & N HAVELI *	0	0	0	1	0
33	DAMAN & DIU *	0	0	0	1	0
34	DELHI	45	36	42	41	46
35	LAKSHADWEEP	0	0	0	0	0
36	PUDUCHERRY	1	0	1	1	0
	TOTAL (ALL-INDIA)	**1584**	**1655**	**1671**	**1845**	**1775**

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