

**GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:4382

ANSWERED ON:17.12.2002

OVERCROWDING IN JAILS

GADDE RAMAMOCHAN;M.V.V.S MURTHI;RAMESH CHAND TOMAR;SHYAMA SINGH

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the National Human Rights Commission has expressed serious concern over the increasing percentage of undertrials in Jails;

(b) if so, the total number of undertrials in various jails alongwith capacity of jails in the country as on November 30, 2002, State-wise;

(c) whether the jails have been overcrowded due to the influx of undertrials/prisoners; and

(d) if so, the steps taken by the Union Government to check such overcrowding in jails?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI CH. VIDYASAGAR RAO)

(a): Yes, Sir.

(b): The information regarding the total number of undertrials as on the 30th of November, 2002, is not readily available. However, as per the information available as on 31st December, 2001, there were a total number of 2,25,873 undertrials in jails while the total capacity of jails in the country reported is 2,27,313. Statement of details State-wise and Union Territory-wise is annexed.

(c)&(d): Over-crowding in jails is due to the large number of undertrials and prisoners. As per statement annexed, there is overcrowding of undertrials and prisoners in 16 States and 3 Union Territories whereas idle capacity is reported in 10 States and 4 Union Territories. However, Prisons is a State subject and it is for the State Governments to take suitable measures for improving jail conditions. The Central Government, however, provides financial assistance to the State Governments/Union Territories in order to supplement the efforts of the State Governments to improve the condition of jails. National Human Rights Commission, is also, through inspection of jails by its officers, is monitoring the release of undertrials in accordance with the directions given by the Hon`ble Supreme Court, especially in the Common Cause Case.

Annexure referred to in reply to Lok Sabha Unstarred Question No.4382 for 17th December, 2002

| SL.NO. | STATES/UTs | Jails | Total | Convicts | Under- | Convicts+ | Overcrowd |
|--------|------------|--------|-------------|----------|----------|-----------|-----------|
| | Capacity | trials | Undertrials | | Capacity | | |

| | | | | | | | |
|----|----------------|-----|-------|------|------|-------|-------|
| 1. | ANDHRA PRADESH | 136 | 10794 | 3956 | 8842 | 12798 | +2004 |
|----|----------------|-----|-------|------|------|-------|-------|

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|----|---------------|---|---|---|---|---|---|
| 2. | ARUNACHAL PR. | 0 | 0 | 0 | 0 | 0 | 0 |
|----|---------------|---|---|---|---|---|---|

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|----|-------|----|------|------|------|------|------|
| 3. | ASSAM | 26 | 6141 | 2403 | 4065 | 6468 | +327 |
|----|-------|----|------|------|------|------|------|

| | | | | | | | |
|----|-------|----|-------|------|-------|-------|--------|
| 4. | BIHAR | 54 | 20155 | 4986 | 30050 | 35036 | +14881 |
|----|-------|----|-------|------|-------|-------|--------|

| | | | | | | | |
|----|--------------|----|------|------|------|------|-------|
| 5. | CHHATTISGARH | 27 | 4503 | 4704 | 4920 | 9624 | +5121 |
|----|--------------|----|------|------|------|------|-------|

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|----|---------|----|------|------|------|------|-------|
| 6. | GUJARAT | 22 | 5418 | 2829 | 5518 | 8347 | +2929 |
|----|---------|----|------|------|------|------|-------|

| | | | | | | | |
|---|---------|----|------|------|------|-------|-------|
| 7 | HARYANA | 18 | 4202 | 2981 | 7881 | 10862 | +6660 |
|---|---------|----|------|------|------|-------|-------|

| | | | | | | | |
|----|--------------|----|-----|-----|-----|-----|----|
| 8. | HIMACHAL PR. | 13 | 873 | 376 | 497 | 873 | 00 |
|----|--------------|----|-----|-----|-----|-----|----|

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|-----|----------------|-----|-------|-------|-------|-------|--------|
| 9. | J & K | 13 | 2704 | 132 | 1175 | 1307 | -1397 |
| 10. | JHARKHAND | 27 | 5841 | 2419 | 14117 | 16536 | +10695 |
| 11. | KARNATAKA | 96 | 9191 | 1903 | 7843 | 9746 | +555 |
| 12. | KERALA | 36 | 5145 | 1591 | 3100 | 4691 | -454 |
| 13. | MADHYA PRADESH | 98 | 16139 | 11734 | 16382 | 28116 | +11977 |
| 14. | MAHARASHTRA | 208 | 19004 | 6712 | 15446 | 22158 | +3154 |
| 15. | MANIPUR | 4 | 1150 | 22 | 344 | 366 | -784 |
| 16. | MEGHALAYA | 4 | 490 | 14 | 504 | 518 | +28 |
| 17. | MIZORAM | 6 | 978 | 142 | 685 | 827 | -151 |
| 18. | NAGALAND | 9 | 1160 | 112 | 513 | 625 | -535 |
| 19. | ORISSA | 68 | 7532 | 2816 | 8859 | 11675 | +4143 |
| 20. | PONDICHERRY | 4 | 305 | 107 | 155 | 262 | -43 |
| 21. | PUNJAB | 26 | 9854 | 3673 | 7755 | 11428 | +1574 |
| 22. | RAJASTHAN | 100 | 15707 | 4183 | 8812 | 12995 | -2712 |
| 23. | SIKKIM | 1 | 100 | 69 | 100 | 169 | +69 |
| 24. | TAMIL NADU | 133 | 19240 | 4840 | 2360 | 7200 | -12040 |
| 25. | TRIPURA | 11 | 754 | 379 | 670 | 1049 | +295 |
| 26. | UTTAR PRADESH | 57 | 32380 | 6307 | 55344 | 61651 | +29271 |
| 27. | UTTRANCHAL | 9 | 2533 | 464 | 1672 | 2136 | -397 |
| 28. | WEST BENGAL | 53 | 19644 | 2450 | 9100 | 11550 | -8094 |
| 29. | A & N ISLANDS | 1 | 229 | 217 | 159 | 376 | +147 |
| 30. | CHANDIGARH | 1 | 1000 | 95 | 307 | 402 | -598 |
| 31. | D & N HAVELI | 1 | 40 | 1 | 23 | 24 | -16 |
| 32. | DAMAN & DIU | 2 | 120 | 18 | 24 | 42 | -78 |
| 33. | DELHI | 6 | 3637 | 2153 | 8366 | 10519 | +6882 |
| 34. | GOA | 4 | 334 | 150 | 285 | 435 | +101 |
| 35. | LAKSHADWEEP | 4 | 16 | 0 | 0 | 0 | -16 |

TOTAL 1259 221937 72304 216709 289013 +67076

Note + = indicates overcrowding
 - = indicates idle capacity