

**GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:3444
ANSWERED ON:23.08.2011
MODEL PRISONER REFORMATIVE SYSTEM
Jagannath Dr. M.

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether the Government has taken note of the pathetic conditions of jails in the country;
- (b) if so, the details thereof;
- (c) whether the Government proposes to undertake reforms in prison administration including modernisation of prisons;
- (d) if so, the details thereof;
- (e) whether the Delhi High Court has urged the Union Government to consider a model prisoner reformatory system to decongest jails and adopt a lenient view towards convicts who do not exhibit violence tendency;
- (f) if so, the details thereof; and
- (g) the follow-up action taken thereon?

Answer

MINISTER OF THE STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI JITENDRA SINGH)

(a)&(b) As per the data compiled by the National Crime Record Bureau (NCRB), the total number of prisoners in the country at the end of 2009 was 376969 against the total authorized capacity of 307052. This does put an extra burden on the available facilities in the jails.

(c)&(d) In order to reduce overcrowding and improving the condition of prisons and prisoners, the Central Government had initiated a scheme for modernization of prisons in the year 2002-03 with a total outlay of 1800 crore in 27 States (excluding Arunachal Pradesh) on a sharing basis of 75:25 between the Central and State Governments respectively. The scheme has since closed on 31.3.2009.

The Thirteenth Finance Commission has also recommended 609 crore for the upgradation of prisons in eight States viz., Andhra Pradesh, Arunachal Pradesh, Chhattisgarh, Kerala, Maharashtra, Mizoram, Orissa and Tripura.

(e)&(f) Hon'ble Delhi High Court has passed various judgments to decongest jails and adopt a lenient view towards convicts who do not exhibit violent tendency. The details are given below:

(i) Writ Petition (Civil) No. 3465/2010 - D. M. Bhalla Vs. State.

(ii) Petition (Civil) NO. 8689/2006 - Social Jurist (A Civil Rights Group)
Vs. the Lt. Governor of Delhi & Ors.

(iii) Crl. Ref. No. 1/2007 and Crl. M.A. No. - Court on its own motion Vs. State.
7030/2007 (Order Dated 22.8.2001 & 18.6.2007)

(iv) Writ Petition (Crl.) No. 36/2002 - Rotary Club District RI 3010 Vs. NCT of Delhi & Ors.

(g): "Prison" is a State subject under List-II of the Seventh Schedule to the Constitution and Prison Administration is the responsibility of the respective State Governments. An advisory on Overcrowding in Prisons has been issued for compliance to all States/UTs on 9.5.2011.