

**GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS**

**RAJYA SABHA
UNSTARRED QUESTION NO. 1017**

TO BE ANSWERED ON THE 19TH DECEMBER, 2018/AGRAHAYANA 28, 1940 (SAKA)

STUDY ABOUT CONDITION OF JAILS

**1017. DR. T. SUBBARAMI REDDY:
SHRIMATI AMBIKA SONI:**

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether Government has made any study about the condition of jails in various States and Union Territories;**
- (b) if so, the details thereof;**
- (c) how many States have appointed Board of Visitors who are to regularly inspect prisons to ensure they are in accordance with rules, the details thereof;**
- (d) whether over-crowding of jails have come to the notice of Government and steps taken to improve the position; and**
- (e) what is the condition of women prisoners who are languishing in jails and steps taken to improve their condition?**

ANSWER

**MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS
(SHRI HANSRAJ GANGARAM AHIR)**

(a)& (b): Prison Reforms is a continuous process. Based on the suggestions received from various quarters, MHA has issued various advisories to the States from time to time sharing the best practices and recommendations made by various Committees etc. The Ministry of Home Affairs holds regular meetings and conferences with the Director Generals and Inspector Generals of Prisons to discuss and deliberate upon various issues concerning prisons and welfare of

prison inmates. A Model Prison Manual has also been prepared and forwarded to all States and UTs which addresses various aspects of prisons and prison inmates.

(c): The data regarding appointment of Board of Visitors (BoVs) is not maintained centrally. However, the Model Prison Manual 2016 circulated to all States and UTs has a dedicated Chapter on BoVs.

(d): To address the issue of overcrowding in prisons, the Ministry of Home Affairs has taken various initiatives. Section 436A was inserted in Code of Criminal Procedure (Cr. PC), which provides for release of an undertrial 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). The Government of India has also introduced the concept of plea bargaining through Section 265 of Cr PC. The Government has also requested the States and UTs to put in place a permanent mechanism for providing above relief to undertrial prisoners.

(e): 'Prisons' is a State subject. The management and administration of prisons primarily falls in the domain of State Governments. However, the Ministry of Home Affairs has issued various advisories from time to time relating to improving the condition of women prisoners in jails. These advisories are available at <http://mha1.nic.in/PrisonReforms/advisory.html>

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A specific chapter on 'Women Prisoners' has been provided in the Model Prison Manual 2016, circulated to all States and UTs. This chapter lays down several steps for the safety, healthcare, accommodation, legal aid and welfare of women prisoners.
