

**GOVERNMENT OF INDIA  
MINISTRY OF HOME AFFAIRS**

**RAJYA SABHA  
UNSTARRED QUESTION NO. 1174**

**TO BE ANSWERED ON THE 13<sup>TH</sup> DECEMBER 2023/ AGRAHAYANA, 22, 1945  
(SAKA)**

**MEASURES TO CONTAIN OVERCROWDING IN JAILS**

**1174 SHRI G.V.L. NARASIMHA RAO:**

**Will the Minister of HOME AFFAIRS be pleased to state:**

**(a) the number of jails and their capacity for inmates, State-wise, prison, type-wise;**

**(b) the number of jail inmates in the country, State-wise, and inmates, type-wise;**

**(c) whether there is overcrowding of prisoners in jails and to what extent, State-wise;**

**(d) the measures taken by Government to reduce overcrowding and assist poor prisoners;**

**(e) the details of the scheme/s formulated, if any, by Government to address overcrowding and support for poor prisoners;**

**(f) the detailed guidelines and the status of implementation of the scheme; and**

**(g) the details of funds allocated, sanctioned and sharing pattern between Central and State Governments?**

**ANSWER**

**MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS  
(SHRI AJAY KUMAR MISHRA)**

**(a): The National Crime Records Bureau (NCRB) compiles prison statistics reported to it by the States and Union Territories (UTs) and**

**publishes the same in its annual publication “Prison Statistics India”. The latest published report is of the year 2022. State/UT-wise number of types of jails and available capacity therein as on 31<sup>st</sup> December, 2022 is given in Annexure-I.**

**(b): State/UT-wise types of prison inmates as on 31<sup>st</sup> December, 2022 is given in Annexure-II.**

**(c): State/UT-wise available capacity and inmate population as on 31<sup>st</sup> December, 2022 is given in Annexure-III.**

**(d) to (g): “Prisons”/ “persons detained therein” is a “State List” subject under Entry 4 of List II of the Seventh Schedule to the Constitution of India. The administration and management of prisons and prisoners is therefore the responsibility of respective State Governments and Union Territories (UTs). The initiatives taken by the Ministry of Home Affairs to address the issue of overcrowding in prisons are as follows:**

**(i) The Government of India inserted Section 436A in the Code of Criminal Procedure (CrPC) 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.**

**(ii) The concept of plea bargaining has been introduced by inserting a “Chapter XXIA” on “Plea Bargaining” (Sections 265A to 265L) in the Code**

**of Criminal Procedure, 1973, which enables pre-trial negotiation between the defendant and the prosecution.**

**(iii) E-prisons Software, which is a Prison Management Application integrated with Interoperable Criminal Justice System provides facility to State Jail authorities to access the data of inmates in a quick and efficient manner and helps them in identifying the inmates whose cases are due for consideration by the Under Trial Review Committee, etc.**

**(iv) The Model Prison Manual 2016 circulated to all States/ Union Territories has specific chapters on “Legal Aid” and “Under trial Prisoners”, etc, which provide detailed guidelines on the facilities which may be provided to under trial inmates, namely legal defence, interview with lawyers, application to Courts for legal aid at Government cost etc.**

**The State Legal Services Authorities have established Legal Service Clinics in jails, which provide free legal assistance to persons in need. These Legal Service Clinics are managed by Empanelled Legal Services Advocates and trained Para-Legal Volunteers. These clinics have been established to ensure that no prisoner remains unrepresented and legal aid and advice is provided to them. National Legal Services Authority holds awareness generation camps in jails to generate awareness about availability of free legal aid, plea bargaining, Lok Adalats and legal rights of inmates, including their right to bail, etc.**

**The National Legal Services Authority had prepared a Standard Operating Procedure (SOP) for Under-Trial Review Committees, which has been circulated by MHA to all States/Union Territories for making best use of the same and provide relief to prisoners.**

**States/UTs have been advised to make use of the above guidelines/guidance to address the issue of overcrowding in prisons, through various advisories issued from time to time.**

**With the objective of providing financial assistance to poor prisoners, the Ministry of Home Affairs recently prepared a scheme namely “Support to Poor Prisoners”, which aims at providing relief to poor prisoners, who are unable to pay the fine amount or are unable to secure bail due to financial constraints.**

**Detailed ‘Guidelines and Standard Operating Procedure’ to be followed by the States/UTs for implementation of the scheme have been shared with the State Governments and Union Territory Administrations, who have been advised to constitute an “Empowered Committee” in each District of the State/UT, who after assessing the requirement of financial support in each eligible case of a prisoner for securing bail or for payment of fine, etc. will draw the requisite funds made available by the Central Government and will provide financial assistance to the prisoner. The details of the “Guidelines and Standard Operating Procedure” for**

**implementation of the Scheme are available on MHA's website: [www.mha.gov.in](http://www.mha.gov.in). "Support to poor prisoners" is a Central Sector Scheme and all expenditure on the scheme will be borne by the Central Government. The Central Government has made provision for an annual grant of Rs 20 crores for implementing the scheme.**

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## Annexure-I

State/UT-wise number of types of jails and available capacity therein as on 31<sup>st</sup> December, 2022

S.No.	State/UT	Central Jail		District Jail		Sub Jail	
		Number of jails	Available Capacity	Number of jails	Available Capacity	Number of jails	Available Capacity
1	ANDHRA PRADESH	4	3764	8	1711	91	2604
2	ARUNACHAL PRADESH	0	0	2	333	0	0
3	ASSAM	6	4390	22	4600	1	32
4	BIHAR	8	17649	31	24788	17	5007
5	CHHATTISGARH	5	8653	20	4602	8	888
6	GOA	1	624	0	0	0	0
7	GUJARAT	4	7740	11	3595	9	1470
8	HARYANA	3	3613	17	17340	0	0
9	HIMACHAL PRADESH	2	909	9	1303	3	221
10	JHARKHAND	7	10137	16	4976	7	2358
11	KARNATAKA	8	9347	21	4005	27	1981
12	KERALA	4	2979	13	2248	16	539
13	MADHYA PRADESH	11	14604	41	9672	73	5321
14	MAHARASHTRA	9	16110	28	7030	4	50
15	MANIPUR	2	1095	2	100	1	77
16	MEGHALAYA	0	0	5	680	0	0
17	MIZORAM	1	438	8	830	0	0
18	NAGALAND	1	600	11	890	0	0
19	ODISHA	5	4284	9	3848	73	12380
20	PUNJAB	10	20393	7	4203	5	777
21	RAJASTHAN	9	9284	26	6085	60	4124
22	SIKKIM	1	186	1	74	0	0
23	TAMIL NADU	9	14759	14	2875	104	3696
24	TELANGANA	3	4196	7	2249	20	821
25	TRIPURA	1	975	2	276	10	1089
26	UTTAR PRADESH	7	13746	64	52220	2	306
27	UTTARAKHAND	1	552	7	2110	2	779
28	WEST BENGAL	8	13848	13	3818	30	2428
29	A & N ISLANDS	0	0	1	269	3	50
30	CHANDIGARH	1	1120	0	0	0	0
31	DNH & DAMAN DIU	0	0	0	0	2	170
32	DELHI	14	9346	0	0	0	0
33	JAMMU & KASHMIR	2	1411	10	2096	1	26
34	LADAKH	0	0	2	155	0	0
35	LAKSHADWEEP	0	0	0	0	4	64
36	PUDUCHERRY	1	300	0	0	1	12
	<b>TOTAL</b>	<b>148</b>	<b>197052</b>	<b>428</b>	<b>168981</b>	<b>574</b>	<b>47270</b>

## Annexure-I

State/UT-wise number of types of jails and available capacity therein as on 31<sup>st</sup> December, 2022

S.No.	State/UT	Women Jail		Borstal Jail		Open Jail	
		Number of jails	Available Capacity	Number of jails	Available Capacity	Number of jails	Available Capacity
1	ANDHRA PRADESH	2	280	0	0	1	300
2	ARUNACHAL PRADESH	0	0	0	0	0	0
3	ASSAM	0	0	0	0	1	100
4	BIHAR	2	202	0	0	1	104
5	CHHATTISGARH	0	0	0	0	0	0
6	GOA	0	0	0	0	0	0
7	GUJARAT	2	410	0	0	4	200
8	HARYANA	0	0	0	0	0	0
9	HIMACHAL PRADESH	0	0	1	15	1	80
10	JHARKHAND	0	0	1	100	1	100
11	KARNATAKA	1	100	0	0	1	80
12	KERALA	3	232	1	90	3	468
13	MADHYA PRADESH	0	0	0	0	7	118
14	MAHARASHTRA	1	262	1	105	19	1612
15	MANIPUR	0	0	0	0	0	0
16	MEGHALAYA	0	0	0	0	0	0
17	MIZORAM	1	96	0	0	0	0
18	NAGALAND	0	0	0	0	0	0
19	ODISHA	1	55	0	0	1	125
20	PUNJAB	2	608	1	500	1	75
21	RAJASTHAN	7	998	1	20	41	1488
22	SIKKIM	0	0	0	0	0	0
23	TAMIL NADU	5	2018	3	281	3	260
24	TELANGANA	1	260	1	93	1	150
25	TRIPURA	1	25	0	0	0	0
26	UTTAR PRADESH	2	540	0	0	0	0
27	UTTARAKHAND	0	0	0	0	1	300
28	WEST BENGAL	1	314	0	0	4	483
29	A & N ISLANDS	0	0	0	0	0	0
30	CHANDIGARH	0	0	0	0	0	0
31	DNH & DAMAN DIU	0	0	0	0	0	0
32	DELHI	2	680	0	0	0	0
33	JAMMU & KASHMIR	0	0	0	0	0	0
34	LADAKH	0	0	0	0	0	0
35	LAKSHADWEEP	0	0	0	0	0	0
36	PUDUCHERRY	0	0	0	0	0	0
	<b>TOTAL</b>	<b>34</b>	<b>7080</b>	<b>10</b>	<b>1204</b>	<b>91</b>	<b>6043</b>

## Annexure-I

State/UT-wise number of types of jails and available capacity therein as on 31<sup>st</sup> December, 2022

S.No.	State/UT	Special Jail		Other Jail		Total	
		Number of jails	Available Capacity	Number of jails	Available Capacity	Number of jails	Available Capacity
1	ANDHRA PRADESH	0	0	0	0	106	8659
2	ARUNACHAL PRADESH	0	0	0	0	2	333
3	ASSAM	1	442	0	0	31	9564
4	BIHAR	0	0	0	0	59	47750
5	CHHATTISGARH	0	0	0	0	33	14143
6	GOA	0	0	0	0	1	624
7	GUJARAT	2	650	0	0	32	14065
8	HARYANA	0	0	0	0	20	20953
9	HIMACHAL PRADESH	0	0	0	0	16	2528
10	JHARKHAND	0	0	0	0	32	17671
11	KARNATAKA	1	76	0	0	59	15589
12	KERALA	16	1278	1	535	57	8369
13	MADHYA PRADESH	0	0	0	0	132	29715
14	MAHARASHTRA	1	246	1	28	64	25443
15	MANIPUR	0	0	0	0	5	1272
16	MEGHALAYA	0	0	0	0	5	680
17	MIZORAM	0	0	0	0	10	1364
18	NAGALAND	0	0	0	0	12	1490
19	ODISHA	2	1663	1	500	92	22855
20	PUNJAB	0	0	0	0	26	26556
21	RAJASTHAN	2	964	0	0	146	22963
22	SIKKIM	0	0	0	0	2	260
23	TAMIL NADU	4	453	0	0	142	24342
24	TELANGANA	4	228	0	0	37	7997
25	TRIPURA	0	0	0	0	14	2365
26	UTTAR PRADESH	2	788	0	0	77	67600
27	UTTARAKHAND	0	0	0	0	11	3741
28	WEST BENGAL	4	585	0	0	60	21476
29	A & N ISLANDS	0	0	0	0	4	319
30	CHANDIGARH	0	0	0	0	1	1120
31	DNH & DAMAN DIU	0	0	0	0	2	170
32	DELHI	0	0	0	0	16	10026
33	JAMMU & KASHMIR	1	96	0	0	14	3629
34	LADAKH	0	0	0	0	2	155
35	LAKSHADWEEP	0	0	0	0	4	64
36	PUDUCHERRY	2	104	0	0	4	416
	<b>TOTAL</b>	<b>42</b>	<b>7573</b>	<b>3</b>	<b>1063</b>	<b>1330</b>	<b>436266</b>



State/UT-wise types of prison inmates as on 31<sup>st</sup> December, 2022

S.No.	State/UT	Convicts	Undertrials	Detenues	Others	Total
1	ANDHRA PRADESH	1988	5123	134	9	7254
2	ARUNACHAL PRADESH	151	184	0	0	335
3	ASSAM	2802	8608	0	182	11592
4	BIHAR	7375	57537	1	1	64914
5	CHHATTISGARH	7631	12820	0	0	20451
6	GOA	109	572	0	0	681
7	GUJARAT	5148	11129	334	0	16611
8	HARYANA	5957	19279	235	0	25471
9	HIMACHAL PRADESH	955	1926	0	0	2881
10	JHARKHAND	4808	14786	21	0	19615
11	KARNATAKA	3556	12605	33	9	16203
12	KERALA	3034	5610	159	80	8883
13	MADHYA PRADESH	21761	26877	28	191	48857
14	MAHARASHTRA	7998	32883	189	0	41070
15	MANIPUR	177	592	86	0	855
16	MEGHALAYA	308	829	0	0	1137
17	MIZORAM	530	1049	0	1	1580
18	NAGALAND	141	302	26	0	469
19	ODISHA	2878	16058	23	3	18962
20	PUNJAB	6543	24198	0	60	30801
21	RAJASTHAN	5377	19233	6	43	24659
22	SIKKIM	119	268	0	0	387
23	TAMIL NADU	5101	11564	2129	12	18806
24	TELANGANA	2102	4221	174	0	6497
25	TRIPURA	453	735	1	5	1194
26	UTTAR PRADESH	27209	94131	172	97	121609
27	UTTARAKHAND	2136	4722	0	0	6858
28	WEST BENGAL	4682	23706	2	399	28789
29	A & N ISLANDS	85	173	0	0	258
30	CHANDIGARH	363	832	0	0	1195
31	DNH & DAMAN DIU	10	162	4	0	176
32	DELHI	1637	16759	15	86	18497
33	JAMMU & KASHMIR	180	4587	546	1	5314
34	LADAKH	4	26	0	0	30
35	LAKSHADWEEP	0	6	0	0	6
36	PUDUCHERRY	107	210	6	0	323
	<b>TOTAL</b>	<b>133415</b>	<b>434302</b>	<b>4324</b>	<b>1179</b>	<b>573220</b>

State/UT-wise Available Capacity and Inmate Population as on 31<sup>st</sup> December, 2022

S.No.	State/UT	Available capacity	Inmate Population
1	ANDHRA PRADESH	8659	7254
2	ARUNACHAL PRADESH	333	335
3	ASSAM	9564	11592
4	BIHAR	47750	64914
5	CHHATTISGARH	14143	20451
6	GOA	624	681
7	GUJARAT	14065	16611
8	HARYANA	20953	25471
9	HIMACHAL PRADESH	2528	2881
10	JHARKHAND	17671	19615
11	KARNATAKA	15589	16203
12	KERALA	8369	8883
13	MADHYA PRADESH	29715	48857
14	MAHARASHTRA	25443	41070
15	MANIPUR	1272	855
16	MEGHALAYA	680	1137
17	MIZORAM	1364	1580
18	NAGALAND	1490	469
19	ODISHA	22855	18962
20	PUNJAB	26556	30801
21	RAJASTHAN	22963	24659
22	SIKKIM	260	387
23	TAMIL NADU	24342	18806
24	TELANGANA	7997	6497
25	TRIPURA	2365	1194
26	UTTAR PRADESH	67600	121609
27	UTTARAKHAND	3741	6858
28	WEST BENGAL	21476	28789
29	A & N ISLANDS	319	258
30	CHANDIGARH	1120	1195
31	DNH & DAMAN DIU	170	176
32	DELHI	10026	18497
33	JAMMU & KASHMIR	3629	5314
34	LADAKH	155	30
35	LAKSHADWEEP	64	6
36	PUDUCHERRY	416	323
	<b>TOTAL</b>	<b>436266</b>	<b>573220</b>

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