

**GOVERNMENT OF INDIA  
MINISTRY OF HOME AFFAIRS**

**LOK SABHA  
UNSTARRED QUESTION NO. 1613**

**TO BE ANSWERED ON THE 06<sup>TH</sup> MARCH, 2018 /PHALGUNA 15, 1939 (SAKA)**

**WOMEN UNDERTRIALS**

**1613. SHRI KALIKESH N. SINGH DEO:**

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

**(a) the details of female undertrials in district jails languishing in the prisons for the last many years and contributing to overcrowding in the prisons; and**

**(b) the measures taken by the Government to solve the problem of overcrowding?**

**ANSWER**

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

**(a) : States/UT wise details of female undertrials in various jails of the country for the years 2014, 2015 and 2016 are given in Annexure.**

**(b): "Prisons" is a State subject as per entry 4 of List II of the Seventh Schedule to the Constitution of India. The administration and management of prisons is primarily the responsibility of respective State Governments. However, the Ministry of Home Affairs has undertaken various initiatives to address the issue of overcrowding in prisons. Through CrPC Amendment Act 2005, Section 436A was inserted in Cr PC which provides the right to an undertrial to seek bail on serving more than one half of the maximum possible**

**L.S.US.Q NO. 1613 FOR 06.03.2018**

**sentence on personal bond. This was informed to all State and UTs through an advisory issued by the Ministry of Home Affairs. This was followed by another advisory in which the directions of the Hon'ble Supreme Court were shared with the States and they were requested to prepare lists of undertrial prisoners for review under Section 436-A and put in place a permanent mechanism for providing relief to undertrial prisoners. The Government of India has also introduced the concept of plea bargaining through Section 265 of Cr PC. All these measures are intended to help the States to reduce overcrowding in prisons.**

**Besides the advisories issued from time to time, Model Prison Manual 2016 was also forwarded to all States and Union Territories in May 2016. The Prison Manual has dedicated chapters on 'Remission', 'Legal Aid', 'Premature Release', 'Parole and Furlough', and 'Open Institutions' which address the issue of reducing population in prisons. The Ministry of Home Affairs also convenes the meetings of DG/IGs on a periodic basis during which issues related to undertrial prisoners and overcrowding in prisons are deliberated upon and the States are urged to take all possible measures provided in law to reduce overcrowding in prisons.**

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## State/UT-wise Female Capacity, Number of Female Undertrials and Occupancy Rate of Female Undertrials in District Jails as on 31.12.2014

Sl. No.	State/UT	No. of District Jails	Total Female Capacity	No. of Female Undertrials in District Jails	Occupancy Rate of Female Undertrials
(1)	(2)	(3)	(4)	(5)	(6)
1	ANDHRA PRADESH	7	145	66	45.5
2	ARUNACHAL PRADESH	1	12	4	33.3
3	ASSAM	22	363	108	29.8
4	BIHAR	31	599	577	96.3
5	CHHATTISGARH	10	94	103	109.6
6	GOA	0	0	0	-
7	GUJARAT	7	87	61	70.1
8	HARYANA	16	1239	345	27.8
9	HIMACHAL PRADESH	2	27	14	51.9
10	JAMMU & KASHMIR	10	111	54	48.6
11	JHARKHAND	17	282	437	155.0
12	KARNATAKA	19	334	122	36.5
13	KERALA	11	69	22	31.9
14	MADHYA PRADESH	33	587	353	60.1
15	MAHARASHTRA	27	334	383	114.7
16	MANIPUR	2	0	0	-
17	MEGHALAYA	4	45	2	4.4
18	MIZORAM	6	121	18	14.9
19	NAGALAND	3	50	2	4.0
20	ODISHA	9	165	75	45.5
21	PUNJAB	6	268	171	63.8
22	RAJASTHAN	25	201	187	93.0
23	SIKKIM	1	19	2	10.5
24	TAMIL NADU	9	0	0	-
25	TELANGANA	7	184	118	64.1
26	TRIPURA	2	6	2	33.3
27	UTTAR PRADESH	56	2627	2502	95.2
28	UTTARAKHAND	7	110	41	37.3
29	WEST BENGAL	12	555	249	44.9
	<b>TOTAL (STATES)</b>	<b>362</b>	<b>8634</b>	<b>6018</b>	<b>69.7</b>
30	A & N ISLANDS	1	30	4	13.3
31	CHANDIGARH	0	0	0	-
32	D & N HAVELI	0	0	0	-
33	DAMAN & DIU	0	0	0	-
34	DELHI	1	0	0	-
35	LAKSHADWEEP	0	0	0	-
36	PUDUCHERRY	0	0	0	-
	<b>TOTAL (UTs)</b>	<b>2</b>	<b>30</b>	<b>4</b>	<b>13.3</b>
	<b>TOTAL (ALL-INDIA)</b>	<b>364</b>	<b>8664</b>	<b>6022</b>	<b>69.5</b>

## State/UT-wise Female Capacity, Number of Female Undertrials and Occupancy Rate of Female Undertrials in District Jails as on 31.12.2015

Sl. No.	State/UT	No. of District Jails	Total Female Capacity	No. of Female Undertrials in District Jails	Occupancy Rate of Female Undertrials
(1)	(2)	(3)	(4)	(5)	(6)
1	ANDHRA PRADESH	7	139	79	56.8
2	ARUNACHAL PRADESH	2	24	4	16.7
3	ASSAM	22	363	119	32.8
4	BIHAR	31	599	427	71.3
5	CHHATTISGARH	11	87	114	131.0
6	GOA	0	0	0	-
7	GUJARAT	7	87	61	70.1
8	HARYANA	16	1247	336	26.9
9	HIMACHAL PRADESH	2	27	4	14.8
10	JAMMU & KASHMIR	10	131	46	35.1
11	JHARKHAND	17	282	419	148.6
12	KARNATAKA	19	309	118	38.2
13	KERALA	11	69	27	39.1
14	MADHYA PRADESH	39	628	431	68.6
15	MAHARASHTRA	28	334	351	105.1
16	MANIPUR	0	0	0	-
17	MEGHALAYA	4	45	8	17.8
18	MIZORAM	6	96	13	13.5
19	NAGALAND	10	160	7	4.4
20	ODISHA	9	165	117	70.9
21	PUNJAB	7	238	108	45.4
22	RAJASTHAN	24	260	117	45.0
23	SIKKIM	1	19	9	47.4
24	TAMIL NADU	9	0	0	-
25	TELANGANA	7	224	100	44.6
26	TRIPURA	2	6	4	66.7
27	UTTAR PRADESH	57	2635	2420	91.8
28	UTTARAKHAND	7	110	66	60.0
29	WEST BENGAL	12	280	238	85.0
	<b>TOTAL (STATES)</b>	<b>377</b>	<b>8564</b>	<b>5743</b>	<b>67.1</b>
30	A & N ISLANDS	1	30	5	16.7
31	CHANDIGARH	0	0	0	-
32	D & N HAVELI	0	0	0	-
33	DAMAN & DIU	0	0	0	-
34	DELHI	1	0	0	-
35	LAKSHADWEEP	0	0	0	-
36	PUDUCHERRY	0	0	0	-
	<b>TOTAL (UTs)</b>	<b>2</b>	<b>30</b>	<b>5</b>	<b>16.7</b>
	<b>TOTAL (ALL-INDIA)</b>	<b>379</b>	<b>8594</b>	<b>5748</b>	<b>66.9</b>

## State/UT-wise Female Capacity, Number of Female Undertrials and Occupancy Rate of Female Undertrials in District Jails as on 31.12.2016 (Provisional)

Sl. No.	State/UT	No. of District Jails	Total Female Capacity	No. of Female Undertrials in District Jails	Occupancy Rate of Female Undertrials
(1)	(2)	(3)	(4)	(5)	(6)
1	ANDHRA PRADESH	8	139	83	59.7
2	ARUNACHAL PRADESH	2	24	6	25.0
3	ASSAM	22	457	104	22.8
4	BIHAR	31	599	563	94.0
5	CHHATTISGARH	11	94	99	105.3
6	GOA	0	0	0	-
7	GUJARAT	7	87	68	78.2
8	HARYANA	16	1250	306	24.5
9	HIMACHAL PRADESH	9	88	31	35.2
10	JAMMU & KASHMIR	10	131	64	48.9
11	JHARKHAND	17	282	358	127.0
12	KARNATAKA	19	209	131	62.7
13	KERALA	11	69	26	37.7
14	MADHYA PRADESH	40	634	450	71.0
15	MAHARASHTRA	28	434	401	92.4
16	MANIPUR	2	0	0	-
17	MEGHALAYA	5	55	12	21.8
18	MIZORAM	6	96	11	11.5
19	NAGALAND	10	160	4	2.5
20	ODISHA	9	165	75	45.5
21	PUNJAB	7	238	103	43.3
22	RAJASTHAN	24	264	156	59.1
23	SIKKIM	1	19	2	10.5
24	TAMIL NADU	10	0	0	-
25	TELANGANA	7	224	103	46.0
26	TRIPURA	2	6	1	16.7
27	UTTAR PRADESH	60	2725	2580	94.7
28	UTTARAKHAND	7	110	31	28.2
29	WEST BENGAL	12	280	265	94.6
	<b>TOTAL (STATES)</b>	<b>393</b>	<b>8839</b>	<b>6033</b>	<b>68.3</b>
30	A & N ISLANDS	1	30	7	23.3
31	CHANDIGARH	0	0	0	-
32	D & N HAVELI	0	0	0	-
33	DAMAN & DIU	0	0	0	-
34	DELHI	0	0	0	-
35	LAKSHADWEEP	0	0	0	-
36	PUDUCHERRY	0	0	0	-
	<b>TOTAL (UTs)</b>	<b>1</b>	<b>30</b>	<b>7</b>	<b>23.3</b>
	<b>TOTAL (ALL-INDIA)</b>	<b>394</b>	<b>8869</b>	<b>6040</b>	<b>68.1</b>