

**GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS**

**LOK SABHA
UNSTARRED QUESTION NO. 2932**

TO BE ANSWERED ON THE 13TH MARCH, 2018/ PHALGUNA 22, 1939 (SAKA)

OPEN JAILS

**2932. SHRI B. SRIRAMULU:
SHRIMATI ANJU BALA:
SHRI TEJ PRATAP SINGH YADAV:**

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the Government has recently discussed the feasibility of establishing open jails in the country with Director General or Inspectors General of prisons of all the States and Union Territories and if so, the details thereof;

(b) whether open prisons already existed in the country and if so, the details thereof along with the number of inmates therein, gender and State-wise;

(c) whether the Government has conducted any study on the concept of open prison and its potential to reduce the problem of overcrowding in the jails and if so, the details thereof;

(d) whether the Government has directed the jail authorities to ensure the safety of prisoners and ensure that the jail inmates do not face any torture amid reports of torture of Kashmiri prisoners in Tihar Jail, New Delhi and if so, the details thereof; and

(e) the other measures taken by the Government for prison reforms?

ANSWER

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

(a): A meeting of DG/IG Prisons of all States and UTs was convened by the Ministry of Home Affairs on 13.2.2018 to explore the feasibility of establishing open prisons in their jurisdictions. The Ministry of Home Affairs had also sought a written response from all States and UTs. Based on the response received from States and UTs, it is noted that States and

UTs are broadly in agreement with the proposal of setting up Open Jails in their jurisdictions and are of the view that the concept of Open Jails is a good reformative endeavor and a step in right direction.

(b): Details of Open Jails, their capacity, number of inmates therein, gender-wise, in various States and UTs of the country, as compiled by the National Crime Records Bureau at the end of 2016, are given in Annexure.

(c): The Rajasthan State Legal Services Authority (RSLSA) had arranged for an in-depth study of open prison system in their State, through an independent researcher specializing on prison studies, and had published a report on Open Prisons. The findings of RSLSA report on Open Prisons were deliberated upon in the meeting of DG/IG Prisons held on 13.2.2018. The Ministry of Home Affairs has shared this report with all States and UTs for their guidance in establishing open prisons in their jurisdiction.

The report, *inter alia*, indicates that establishment of open prisons leads to reduction in overcrowding in prisons.

In the Model Prison Manual 2016 shared with all States and UTs, there is a dedicated chapter on 'Open Institutions' which provides detailed guidance to States on establishing Open Prisons. The States and UTs have been informed that transferring prisoners in open prisons restores the dignity of

the individual and develops in him self-reliance, self-confidence and social responsibility which are necessary for his rehabilitation in society. The States have also been provided guidance on the provisions which need to be followed in establishing and managing such open institutions.

(d) & (e): The Ministry of Home Affairs provides regular guidance to States on the safety, security and welfare of prison inmates through various advisories issued from time to time. Various other aspects of prison reforms and best practices have also been shared with the States and UTs in the form of advisories issued to States and UTs. These advisories are available on the website of the Ministry of Home Affairs.

The States and UTs have been advised to organize special training courses to bring attitudinal change in the behavior of prison officials in dealing with prison inmates for ensuring that prison inmates are not subjected to any torture or cruelty. The States have also been advised to fill up existing vacancies of all categories of prison staff, through special recruitment drives, including Counselors, Psychiatrists, Welfare Officers etc. to allay the anxiety of prison inmates and provide them better care.

The States have been advised to set up CCTV cameras at appropriate places in prisons for better surveillance and supervision. They have also been advised to evolve a system where NGOs with relevant expertise can work in tandem with prison authorities for the welfare of prison inmates.

The States and UTs have been advised to ensure regular oversight over prisons through internal inspection by prison authorities, and external inspection by Board of Visitors, Human Rights Commissions and Legal Aid authorities etc. with a view to ensuring welfare of prison inmates. The Ministry of Home Affairs has also shared the Nelson Mandela Rules – United Nations Standard Minimum Rules for treatment of prisoners – with all States and UTs and have advised them to have these rules translated in local language and disseminate the guidance contained therein to all prison officials to ensure that these rules are followed by the concerned officials in dealing with prison inmates.

The Ministry of Home Affairs had convened meetings of DG/IG Prisons of all States and UTs in November 2017 and in February 2018 to discuss various issues related to prison reforms with the State representatives. The DG/IG Prisons were requested to share best practices in their prisons which can be replicated in other States/UTs, thus bringing a positive change in the functioning of prison administration, leading to wellbeing and welfare of prison inmates.

State/UT-wise Number of Jails, Capacity and Population of Inmates in Open Jails at the end of 2016 (Provisional)

Sl. No.	State/UT	No. of Open Jails	Total Capacity of Inmates			Inmate Population		
			Male	Female	Total	Male	Female	Total
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
1	ANDHRA PRADESH	1	300	0	300	69	0	69
2	ARUNACHAL PRADESH	0	0	0	0	0	0	0
3	ASSAM	1	100	0	100	34	0	34
4	BIHAR	1	104	0	104	97	0	97
5	CHHATTISGARH	0	0	0	0	0	0	0
6	GOA	0	0	0	0	0	0	0
7	GUJARAT	2	100	0	100	64	0	64
8	HARYANA	0	0	0	0	0	0	0
9	HIMACHAL PRADESH	1	210	0	210	92	0	92
10	JAMMU & KASHMIR	0	0	0	0	0	0	0
11	JHARKHAND	1	100	0	100	12	1	13
12	KARNATAKA	1	80	0	80	17	0	17
13	KERALA	3	449	20	469	364	3	367
14	MADHYA PRADESH	1	25	0	25	25	0	25
15	MAHARASHTRA	13	1422	100	1522	960	55	1015
16	MANIPUR	0	0	0	0	0	0	0
17	MEGHALAYA	0	0	0	0	0	0	0
18	MIZORAM	0	0	0	0	0	0	0
19	NAGALAND	0	0	0	0	0	0	0
20	ODISHA	1	125	0	125	84	0	84
21	PUNJAB	1	75	0	75	64	0	64
22	RAJASTHAN	29	1337	0	1337	1002	48	1050
23	SIKKIM	0	0	0	0	0	0	0
24	TAMIL NADU	3	260	0	260	39	0	39
25	TELANGANA	1	150	0	150	90	0	90
26	TRIPURA	0	0	0	0	0	0	0
27	UTTAR PRADESH	0	0	0	0	0	0	0
28	UTTARAKHAND	1	300	0	300	53	0	53
29	WEST BENGAL	3	155	0	155	137	0	137
	TOTAL (STATES)	64	5292	120	5412	3203	107	3310
30	A & N ISLANDS	0	0	0	0	0	0	0
31	CHANDIGARH	0	0	0	0	0	0	0
32	D & N HAVELI	0	0	0	0	0	0	0
33	DAMAN & DIU	0	0	0	0	0	0	0
34	DELHI	0	0	0	0	0	0	0
35	LAKSHADWEEP	0	0	0	0	0	0	0
36	PUDUCHERRY	0	0	0	0	0	0	0
	TOTAL (UTs)	0	0	0	0	0	0	0
	TOTAL (ALL-INDIA)	64	5292	120	5412	3203	107	3310

Source: Prison Statistics India